



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

January 18, 1991

Mr. Philip Barnes
Commissioner
State Board of Insurance
1110 San Jacinto
Austin, Texas 78701-1998

OR91-032

Dear Mr. Barnes:

Your predecessor asked whether information about cases referred to district attorneys for prosecution would be subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. The request was assigned ID# 9922.

We have considered the exception your agency claimed, specifically section 3(a)(8) of the Open Records Act, and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 493 (1988), a copy of which is enclosed, resolves the request. This decision states as follows:

If the board's investigation reveals criminal conduct that the board intends to report to appropriate law enforcement officials, section 3(a)(8) would apply to that information if its release would unduly interfere with law enforcement efforts. Ex parte Pruitt, 551 S.W.2d 706, 710 (Tex. 1977).

For the reason stated in Open Records Decision No. 493, you may withhold the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-032.

Yours very truly,

Susan Garrison
Assistant Attorney General
Opinion Committee

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Ref.: ID# 9922

Enclosure: Open Records Decision No. 493

cc: Pat Barnhard
Staff Attorney
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