



Office of the Attorney General

State of Texas

August 14, 1991

DAN MORALES  
ATTORNEY GENERAL

Mr. John R. Hale  
Credit Union Department  
914 East Anderson Lane  
Austin, Texas 78752-1699

OR91-357

Dear Commissioner Hale:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 13060.

You have received a request for a copy of a document titled "Valley Postal Credit Union Comprehensive Annual Review." This document was prepared by an outside accounting firm on behalf of Valley Postal Credit Union in accordance with requirements set forth in the Texas Credit Union Act, V.T.C.S. article 2461-5.07, and comprises an examination of accounting records and a review of the credit union's system of internal controls. You maintain that the report is excepted from disclosure under section 3(a)(12).

Section 3(a)(12) excepts from disclosure:

information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions, and/or securities, as that term is defined in the Texas Securities Act.

In addition, the following provision of the Texas Credit Union Act protects from disclosure:

(b) All information, except statements intended for publication, obtained by the department relative to the financial conditions of credit unions, whether obtained through examination or otherwise, and all files and records of the

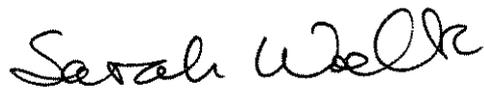
department relative to that information are confidential and not for public record or inspection. . . .

V.T.C.S. art. 2461 - 11.12.

We have considered the exception you claimed, specifically section 3(a)(12), and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 446 (1986), resolves your request. We have determined that the "Valley Postal Credit Union Comprehensive Annual Review" is excepted from public disclosure under section 3(a)(12). In addition, as information deemed confidential by statutory law, the document is excepted from public disclosure under section 3(a)(1).

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 OR91-357.

Yours very truly,



Sarah Woelk  
Assistant Attorney General  
Opinion Committee

JS/GK/mc

Ref.: ID# 13060

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