



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 3, 1996

Mr. Robert S. Johnson
Chappell & McGartland, L.L.P.
1800 City Center Tower II
301 Commerce Street
Fort Worth, Texas 76102-4118

OR96-0655

Dear Mr. Johnson:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 38962. The Fort Worth Independent School District (the "school district"), which you represent, received an open records request for copies of each notice of a sex offender registered in the district forwarded to the district by local law enforcement agencies. You raise no exceptions under the Open Records Act but ask whether the district is required to comply with the request for information.

This office notified you by facsimile on March 7, 1996 to submit a copy of the specific information requested or a representative sample of the information requested, with the caveat that your failure to do so would result in the waiver of the Open Records Act's discretionary exceptions. To date, we have not received the requested information from you. Accordingly, the requested information is presumed to be public information. Gov't Code § 552.303(e). We remind the school district, however, that the release of confidential information is a criminal offense. *Id.* § 552.352.¹

¹Prior to its amendment by the Seventy-fourth Legislature, article 6252-13c.1 provided that a person who releases information required for sex offender registration to any person other than a law enforcement officer commits a Class B misdemeanor. Act of May 26, 1991, 72d Leg., R.S., ch. 572, § 1, 1991 Tex. Fen. Laws 2029, 2030, *amended by* Act of May 19, 1995, 74th Leg., R.S., ch. 258, § 6, 1995 Tex. Sess. Law Serv. 2197, 2201-02. Release of information relating to sex offenders who were convicted or whose cases were adjudicated prior to September 1, 1995 is governed by the law in effect prior to September 1, 1995. Act of May 19, 1995, 74th Leg., R.S., ch. 258, § 16, 1995 Tex. Sess. Law Serv. 2197, 2205.

In the absence of a demonstration that the information is confidential by law or that other compelling reasons exist as to why the information should not be made public, you must release the information. If you have any questions regarding this matter, please contact this office.

Yours very truly,

A handwritten signature in black ink that reads "Todd Reese". The signature is written in a cursive style with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/rho

Ref.: ID# 38962

cc: Ms. Kristin N. Sullivan, Reporter
Fort Worth Star Telegram
P.O. Box 1870
Fort Worth, Texas 76101