



Office of the Attorney General  
State of Texas

September 9, 1996

DAN MORALES  
ATTORNEY GENERAL

Ms. Judith A. Knies  
Calame Linebarger Graham & Peña, L.L.P.  
P.O. Box 17428  
Austin, Texas 78760

OR96-1635

Dear Ms. Linebarger:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. We assigned your request ID# 26640.

The Live Oak County Appraisal District (the "district"), which you represent, has received a request for "a copy of the record layout of all computer programs utilized by your appraisal district." In addition, the requestor seeks the cost of the database.<sup>1</sup> You claim that sections 552.101, 552.104, and 552.110 of the Government Code except the requested information from required public disclosure.<sup>2</sup>

In Open Records Decision No. 581 (1990), this office addressed the availability of computer source code and program documentation under chapter 552 of the Government Code, and concluded that where information has no significance other than its use as a tool for the maintenance, manipulation, or protection of public information, it is not the kind of information made public by section 552.021 of the Government Code. *See* General Opinion DM-41 (1992) (concluding that formatting instructions that allow conversion of magnetic computer tape to microfiche is not "information" subject to chapter 552).

You explain that the record layout "is the dictionary that explains the data on the tape, but is also a diagram of the entire database and can be used to reconstruct the program used

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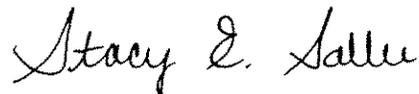
<sup>1</sup> Although you state in correspondence to this office that the district has been informed that it is the "intent of the requesting party to request a copy of said database as well," there is no request for the database. Therefore, we do not address in this ruling whether the database itself is subject to the provisions of chapter 552 and, if so, whether any exception to disclosure applies.

<sup>2</sup> You do not comment on the requested charge information. Accordingly, we assume that such information has been or will be made available to the requestor to the extent that it exists. *See* Open Records Decision No. 363 (1983).

to set up the entire database.” Based on these facts, we conclude that the record layout is not the kind of information that is subject to the provisions of chapter 552. Rather, its use is as a tool for the maintenance, manipulation, or protection of public information. We conclude, therefore, that the district need not make the requested record layout available to the requestor.<sup>3</sup>

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Records Division

SES/ch

Ref.: ID# 26640

cc: Mr. A. E. Brewster  
Realty Data Processing, Inc.  
11680 Harry Hines  
Dallas, Texas 75229-2203  
(w/o enclosures)

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<sup>3</sup> As the record layout is not subject to chapter 552, we need not address the applicability of sections 552.104 and 552.110.