



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 23, 1997

Ms. Amy L. Whitt
Assistant City Attorney
Office of the City Attorney
City of Lubbock
P.O. Box 2000
Lubbock, Texas 79457

OR97-0915

Dear Ms. Whitt:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 106176.

The City of Lubbock (the "city") received a request for "verification" of certain information regarding the formation of a corporation. You state that the city has already provided the requestor with all existing documents in its possession regarding the corporation. The requestor asks the city secretary to answer three questions about the corporation. You contend that the city need not create documents not in existence or answer interrogatories. We agree. A governmental body must make a good faith effort to relate a request to information which it holds, Open Records Decision No. 561 (1990), but the Open Records Act (the "act") does not ordinarily require a governmental body to answer factual questions. Open Records Decision Nos. 555 (1990), 379 (1983). Furthermore, the act applies only to information in existence and does not require a governmental body to obtain new information in order to comply with a request. Open Records Decision No. 561 (1990). Therefore, the city need not further respond to this request.

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,



Vickie Prehoditch
Assistant Attorney General
Open Records Division

VDP/alg

Ref.: ID# 106176

w/o enclosures

cc: Ms. Debbie Bartholomew
4820 13th Street
Lubbock, Texas 79416
(w/o enclosures)