



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 11, 1997

Ms. Christine T. Rodriguez
Staff Attorney
Legal and Compliance, MC 110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR97-1573

Dear Ms. Rodriguez:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your requests were assigned ID# 107348.

The Texas Department of Insurance (the "department") received a request for the underwriting guidelines concerning mobile homes, motor homes, and travel trailers from the past 10 years for a specified company. You claim that the company may assert that some of the requested information is proprietary information. Pursuant to section 552.305 of the Government Code, this office informed the company of the request and of its obligation to submit to this office its arguments as to why any claimed exceptions to disclosure apply to its information. The company did respond through its attorney stating that they were agreeable to the production in this particular instance. Therefore, the department may not withhold the submitted information that has been marked "552.305." Additionally, we would note that information that has already been publicly disclosed, may ordinarily not be withheld in the future. Open Records Decision No. 436 (1986). Consequently, voluntary release to any member of the public makes information subject to further disclosure. Open Records Decision 518 (1989).

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 on as a previous

determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Janet I. Monteros
Assistant Attorney General
Open Records Division

JIM/alg

Ref.: ID# 107348

Enclosures: Submitted documents

cc: Ms. Karrie Key
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