



June 9, 1999

Mr. R. Rene Escobedo
Soules & Wallace
100 West Houston Street, Suite 1500
San Antonio, Texas 78205-1457

OR99-1607

Dear Mr. Escobedo:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 126562.

The City of Dilley (the "city") received a request for tape recordings of the city council meetings. You state that the city has released all of the tape recordings except for those of executive session meetings. Section 551.146 of the Government Code provides that it is a criminal offense to disclose to a member of the public a tape recording of a closed executive session meeting. A tape recording of a closed executive session meeting is available for inspection and copying only under a court order, and this office lacks authority to even review such a tape recording to determine compliance with the Open Meetings Act. Gov't Code § 551.104; Open Records Decision No. 495 (1988). We agree that the tape recordings of the executive sessions are confidential and may not be disclosed.

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.

Sincerely,

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/eaf

Ref: ID# 126562

cc: Ms. Phyllis Morrow
110 South Main
Dilley, Texas 78017