



June 30, 1999

Ms. Loren Svor
Texas Department of Banking
2601 North Lamar Boulevard
Austin, Texas 78705-4294

OR99-1815

Dear Ms. Svor:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 125369.

The Texas Department of Banking (the “department”) received a request for information relating to Wallis State Bank. You relate that you have released most of the responsive information to the requestor, however you seek to withhold one item. You claim that the subject information is excepted from disclosure under section 552.101 of the Government Code in conjunction with the informer’s privilege and Finance Code sections 31.301 and 31.306. You have submitted the subject information to this office for review. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” This exception encompasses information protected by other statutes. Texas Finance Code section 31.301, with exceptions that do not apply here, makes confidential all information concerning the financial condition or business affairs of a financial institution that is directly or indirectly obtained by the department *in any manner*, and *all related files and records of the department*. The submitted information is protected in its entirety by this statute and must be withheld under section 552.101 of the Government Code. As this finding is dispositive of this request, we shall not address your other arguments.

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,



Michael Jay Burns
Assistant Attorney General
Open Records Division

MJB/ch

Ref: ID# 125369

Encl. Submitted documents

cc: Mr. Mark Levine
Winstead Sechrest & Minick
910 Travis Street
2400 Bank One Center
Houston, Texas 77002-5895
(w/o enclosures)