



July 15, 1999

Mr. Byron Hollinger  
City Manager  
City of Olmos Park  
119 West El Prado Drive  
San Antonio, Texas 78212-2095

OR99-1973

Dear Mr. Hollinger:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 126594.

The City of Olmos Park (the "city") received a written request for documents pertaining to the city's participation in the Federal Emergency Management program. In accordance with section 552.301 of the Government Code, you have requested an open records decision from this office within ten business days of your receipt of the open records request. You have not, however, raised any of the specific exceptions to required public disclosure listed in subchapter C of chapter 552 of the Government Code.

Section 552.301(a) of the Government Code provides in pertinent part:

(a) A governmental body that receives a written request for information that it wishes to withhold from public disclosure *and that it considers to be within one of the exceptions under Subchapter C must ask for a decision from the attorney general about whether the information is within that exception* if there has not been a previous determination about whether the information falls within one of the exceptions. The governmental body must ask for the attorney general's decision *and state the exceptions that apply within a reasonable time but not later than the 10th business day after the date of receiving the written request.* [Emphasis added.]

Further, section 552.302 of the Government Code provides:

If a governmental body does not request an attorney general decision *as provided by Section 552.301(a)*, the information requested in writing is presumed to be public information. [Emphasis added.]

As noted above, you have raised no specific exceptions to required public disclosure. We therefore conclude that, in accordance with section 552.302, the requested information is deemed public and must be released to the requestor in its entirety absent a demonstration that compelling reasons exist for non-disclosure.

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,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/RWP/eaf

Ref.: ID# 126594

Encl. Submitted documents

cc: Mr. James Shipley  
Olmos Park Fire Department  
c/o City of Olmos Park  
119 West El Prado Drive  
San Antonio, Texas 78212-2095  
(w/o enclosures)