



January 18, 2000

Mr. Charles L. Dunlap
Executive Director
Teacher Retirement System of Texas
1000 Red River Street
Austin, Texas 78701-2698

OR99-3651A

Dear Mr. Dunlap:

You have asked this office to clarify Open Records Letter No. 99-3651 (1999). Your request for clarification has been assigned ID# 132449.

Initially, we note that as of September 1, 1999, governmental bodies are prohibited from requesting reconsideration of open records rulings issued by this office. Gov't Code § 552.301(f). Therefore, we do not reconsider the merits of Open Records Letter No. 99-3651 (1999). Rather, because you suggest that the phrasing of our ruling may be ambiguous, this letter is to clarify the meaning of the ruling. On page three we state that "TRS [the Teacher Retirement System] is authorized to disclose the names of annuitants." This language means that TRS *must* release the list of annuitants' names to the requestor.¹ Consequently, TRS must release the requested list of names of annuitants to the requestor or timely sue this office for relief from our ruling in OR99-3651. Gov't Code §§ 552.324, 552.325 and/or 552.353.

Open Records Letter No. 99-3651 also explained that the ruling itself triggered certain deadlines regarding the rights and responsibilities of TRS and of the requestor. This

¹ In Open Records Letter No. 99-3651, TRS did not raise and we did not find that any exception to disclosure under the Public Information Act applied to protect the names from disclosure.

clarification letter does not alter those deadlines, which are still to be calculated from the date that TRS and the requestor received OR99-3651.

We hope that this will finally resolve this matter.

Sincerely,



E. Joanna Fitzgerald
Assistant Attorney General
Open Records Division

RLP/EJF/nc

Ref.: ID# 130360

Encl. Submitted documents

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