



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 25, 2009

Mr. Ronald J. Bounds
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2009-03870

Dear Mr. Bounds:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 337983.

The City of Corpus Christi (the "city") received a request for documents showing the amount of compensation received by all city employees from January 1, 2007 to January 1, 2008, and the personal financial disclosure forms for calendar year 2007 for the mayor and all members of the city council. You state the city is releasing some information to the requestor. You claim portions of the submitted information are excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments submitted by the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

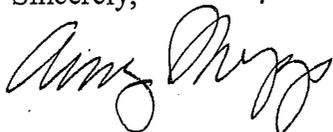
We note the submitted information consists of personal financial statements filed with the city secretary pursuant to chapter 145 of the Local Government Code. This chapter governs the public availability of the financial disclosure statements filed by local government officers of cities with a population of at least 100,000. Local Gov't Code § 145.001. A municipal officer is required to file a financial statement with the clerk or secretary of the municipality in which the officer resides. *Id.* § 145.003(a), (b). A "municipal officer" is defined as the mayor or a member of the governing body. *Id.* § 145.002. Thus, the city's mayor and the members of the city council are municipal officers required to file financial

statements with the city clerk or secretary under chapter 145. The financial statement required to be filed under chapter 145 is "the form designed by the Texas Ethics Commission under Chapter 572, Government Code." *Id.* § 145.005(a). Financial statements filed under chapter 145 are public records and are "accessible to the public during regular office hours." *Id.* § 145.007(a). Although you seek to withhold portions of the submitted personal financial statements under section 552.117 of the Government Code, the exceptions found in the Act generally do not apply to information that is made public by other statutes. *See* Open Records Decision Nos. 623 at 3 (1994), 525 at 3 (1989). Accordingly, the city may not withhold any of the information contained in the submitted chapter 145 financial statements under section 552.117; instead, the city must release these financial statements in their entirety.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/cc

Ref: ID# 337983

Enc. Submitted documents

cc: Requestor
(w/o enclosures)