



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

March 18, 2010

Ms. Jennifer Calhoun  
General Counsel  
Planned Parenthood Surgical Health Services of North Texas, Inc.  
6440 North Central Expressway, Suite 400  
Dallas, Texas 75206

OR2010-03865

Dear Ms. Calhoun:

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# 373047.

Planned Parenthood Surgical Health Services of North Texas, Inc. ("PPSHSNT") received a request for (1) the type of federal tax return filed by PPSHSNT and whether or not PPSHSNT is a non-profit organization; (2) PPSHSNT's 2007 tax return; and (3) PPSHSNT's 2009 check register. You claim PPSHSNT is not a governmental body subject to the Act. Alternatively, you claim the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered your arguments.

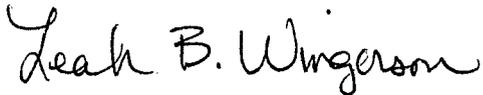
The Act applies to "governmental bodies" as that term is defined in section 552.003(1)(A) of the Government Code. You assert PPSHSNT is not a governmental body, and, therefore, its records are not subject to the Act. Under the Act, the term "governmental body" includes several enumerated types of entities and "the part, section, or portion of an organization, corporation, commission, committee, institution, or agency that spends or that is supported in whole or in part by public funds[.]" Gov't Code § 552.003(1)(A)(xii). The phrase "public funds" means funds of the state or of a governmental subdivision of the state. *Id.* § 552.003(5). You state, and have provided an affidavit from PPSHSNT's President and Chief Executive Officer asserting, PPSHSNT does not receive any public funds. Based on this representation and our review, we find PPSHSNT is not a governmental body under

section 552.003(1)(A)(xii) of the Government Code and PPSHSNT need not respond to the present request for information.

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](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, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in cursive script that reads "Leah B. Wingerson".

Leah B. Wingerson  
Assistant Attorney General  
Open Records Division

LBW/dls

Ref: ID# 373047

c: Requestor