



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

September 11, 2014

Mr. James R. Evans, Jr.  
Counsel for Gonzales County Appraisal District  
Hargrove & Evans, L.L.P.  
Building 3, Suite 400  
4425 Mopac South  
Austin, Texas 78735

OR2014-16072

Dear Mr. Evans:

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# 535826.

The Gonzales County Appraisal District (the "district"), which you represent, received a request for the audio and video recording of the appraisal review board hearing regarding the requestor's client's property. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

We note the submitted information consists of an audio recording of an Appraisal Review Board hearing. Section 41.66(d) of the Tax Code states, "Except as provided by Subsection (d-1), hearings conducted as provided by this chapter are open to the public." Tax Code § 41.66(d). We understand the hearing was conducted as an open hearing pursuant to subsection 41.66(d). Accordingly, the audio recording at issue is a recording of an open meeting of the district's Appraisal Review Board. Section 551.022 of the Open Meetings Act, chapter 551 of the Government Code, expressly provides that the "minutes and tape recordings of an open meeting are public records and shall be available for public inspection and copying on request to the governmental body's chief administrative officer or the officer's designee." Gov't Code § 551.022. You seek to withhold the submitted audio recording under section 552.103 of the Government Code. As a general rule, the exceptions

to disclosure found in the Act do not apply to information that other statutes make public. *See* Open Records Decision Nos. 623 at 3 (1994), 525 at 3 (1989). Accordingly, the district must release the submitted audio recording pursuant to section 551.022 of the Government Code.

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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink that reads "Britni Fabian". The signature is written in a cursive, flowing style.

Britni Fabian  
Assistant Attorney General  
Open Records Division

BF/bhf

Ref: ID# 535826

Enc. Submitted documents

c: Requestor  
(w/o enclosures)