

Texas Government Code Chapter 552 Public Information

It is the policy of the state of Texas that each person is entitled, unless otherwise provided by law, at all times to complete information about the affairs of government and the official acts of public officials and employees.

Texas Government Code Chapter 552 gives you the right to access governmental records.

An officer for public information and the officer's agent may not ask why you want the records.

All government information is presumed to be available to the public.

There are certain limitations to the disclosure of information.

Governmental bodies are to promptly release requested information that is not considered confidential by law or judicial decision.

As a requestor of public information, you have the right to:

- Prompt access to information that is not confidential or otherwise not allowed to be disclosed.
- Equal treatment with all other requestors.
- A governmental body must send you an estimate of charges in advance
- Choose whether you want to inspect the information you requested, receive copies, or both.
- To be informed if a governmental body decides to seek a ruling on exceptions from disclosure from the Office of the Attorney General (OAG).
- To receive a copy of the communication sent to the OAG asking for the ruling.
- Receive certain types of information without exception, such as the voting record of public officials and other information.

- A waiver or reduction of charges if the governmental body determines that access to the information requested primarily benefits the general public.
- Lodge a written complaint about overcharges for public information with the OAG.

All governmental bodies responding to a public information request have the responsibility to:

- Establish a reasonable procedure for inspecting or copying public information and inform requestors of the procedure.
- Treat all requestors uniformly and give to requestors all reasonable comfort and facility, including ADA compliant accommodations.
- Be informed about open records laws and educate employees on the requirements of those law
- Inform the requestor of estimated charges greater than \$40 and any changes in the estimate above 20% of the original estimate.
- Confirm the requestor accepts the charges or has amended the request in writing, before finalizing the request.
- Inform the requestor if the information they requested cannot be provided promptly and set a date and time to provide the information within a reasonable time.
- Request a ruling from the OAG regarding any information the governmental body wishes to withhold and send a copy of the request for a ruling or a redacted copy of the request, to the requestor.
- Separate public information from information that may be withheld and provide the public information promptly.
- Make a good faith attempt to inform third parties when their proprietary information is being requested from the governmental body.
- Respond in writing to all written communications from the OAF regarding charges for the information.
- Responding to the OAG regarding complaints about violations of the ACT.

Procedures to obtain information:

Submit a request by mail, fax, e-mail, or in person according to a governmental body's reasonable procedures.

Include enough description and detail about the information you are requesting to enable the governmental body to accurately identify and locate the information requested.

Cooperate with the governmental body's reasonable efforts to clarify the type or amount of information you are requesting.

Information to be released:

All requests for public information are treated uniformly.

When requests are submitted, it will be reviewed to determine if the information is considered public.

If the information is public, then the request will be processed and sent out in a timely manner.

A response to the request will be issued within 10 business days.

Cost of Records:

You must respond to any written estimate of charges within in 10 days of the date the governmental body sent it, or the request is considered automatically withdrawn.

If estimated costs are more than \$100 (or \$50 if the governmental body has less than 16 full-time employees) the governmental body may require a bond, prepayment, or deposit.

You may ask the governmental body from who you requested information, to determine whether providing the information primarily benefits the public.

If it does, it can result in a waiver or reduction of charges.

If you do not make a timely payment of mutually agreed upon charges, a governmental body can demand payment of overdue balances that are more than \$100.

They can also obtain a security deposit before processing additional requests for information from you.

Information that may be withheld due to an exception:

By the 10th business day after they receive your request, governmental bodies must request an Attorney General opinion and state which exceptions apply; notify the requestor of the request; and notify third parties if the request involves their proprietary information.

If the governmental body requests an Attorney General opinion and fails to notify the requestor within 10 business days, this will result in the presumption that the information is open unless there is a compelling reason to withhold the information.

Requestors may send a letter to the Attorney General arguing for the release of the information they are requesting. Requestors may also review arguments made by the governmental body to withhold the information. If the arguments include the requested information, the requestor may receive a redacted copy of the arguments.

The Attorney General must issue a decision on a request made by a governmental body to withhold information, no later than the 45th business day from the day after the Attorney General received the

request for the decision. The Attorney General may request an additional 10 business day extension.

Governmental bodies may not ask the Attorney General to reconsider an opinion.

To request public information from the Fort Bend Central Appraisal District:

All requests must be in writing.

You can fill out an open records request and submit it online at [Open Records – Fort Bend Central Appraisal District \(fbcad.org\)](https://openrecords-fbcd.org).

You can fill out the request and email it to openrecords@fbcad.org. You can also mail it to 2801 B. F. Terry Blvd., Rosenberg, Tx, 77471.

You can find a pdf fillable version of the request at [Forms – Fort Bend Central Appraisal District \(fbcad.org\)](https://forms-fbcd.org), under Most Requested.

Complaints regarding failure to release public information:

For complaints regarding failure to release public information, please contact your local County or District Attorney. You can also contact the Office of the Attorney General’s Open Government Hotline at 512-478-6736 or toll-free at 1-877-673-6839.

For complaints regarding overcharges, please contact the Office of the Attorney General’s Cost Hotline at 512-475-2497 or toll-free at 1-88-672-6787.

For more information:

You can find more information and instructions on requesting public information on the Attorney General’s website at:

[Office of the Attorney General and the Public Information Act | Office of the Attorney General \(texasattorneygeneral.gov\)](https://www.texasattorneygeneral.gov)

To learn more about the public information act, you can also view the Attorney General's Public Information Act at:

[How to Request Public Information | Office of the Attorney General \(texasattorneygeneral.gov\)](https://www.texasattorneygeneral.gov/office-of-the-attorney-general/how-to-request-public-information).