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Open Government

<u>Child Support</u> An open government is the cornerstone of a free society.

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### THE ROLE OF THE ATTORNEY GENERAL.

The Attorney General is responsible for ensuring that Texas government is open and accessible to all citizens. Several divisions of the agency are involved in this effort.

*The Open Records Division* issues rulings and decisions that determine whether information is open to the public under the Public Information Act and other applicable laws. This division also takes action to enforce these decisions and sponsors conferences to educate citizens and government officials about the state's open government laws.

The Open Records Division also provides an **Open Government Hotline**,

staffed by investigators who specialize in both the Public Information Act and the Open Meetings Act. These investigators can answer questions regarding these laws and can help resolve disputes involving the open government laws. However, the Hotline cannot provide legal advice to private citizens or governmental entities. The Hotline can be reached at (512) 478-OPEN (6736) or toll-free at (877) OPEN TEX (673-6839).

*The Intergovernmental Relations Division*, through its Municipal Affairs and County Affairs Sections, gives legal advice to local governmental entities and officials. This division also provides speakers to numerous conferences and seminars concerning open government laws.

**The Opinion Committee** issues advisory opinions on various legal issues. The Open Meetings Act is one area of the law that the committee regularly addresses in its opinions.

The Public Information Coordinator handles open records requests

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made to this agency. Individuals seeking documents maintained by the Office of the Attorney General should submit those requests to the **Public Information Coordinator**. Governmental bodies requesting open records decisions or individuals submitting information pertaining to those decisions should submit that information to the Open Records Division.

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Listed below are the main categories of information contained on the Open Government area of the Office of the Attorney General's website. A short explanation of the types of information located in each category follows.

### **Open Government Laws**

The Open Meetings Act and the Public Information Act are codified at chapters 551 and 552, respectively, of the Government Code. These unannotated versions of the Acts include changes made by the 78th Legislature. Both Acts are <u>available online</u> in HTML and PDF for viewing or downloading.

### **Open Records Decisions**

Open Records Decisions are formal opinions relating to the Public Information Act (formerly the Open Records Act). These decisions usually address novel or problematic legal questions and are signed by the Attorney General. Open Records Decisions may be cited as precedent in briefing to the Open Records Division. An electronic search engine is available in this area to search these decisions as well as other types of Attorney General opinions.

### **Open Records Letter Rulings**

Open Records Letter Rulings comprise the bulk of the Open Records Division's workload. Over 9,400 Open Records Letter Rulings were issued in 2003. These informal letter rulings are based on established law and practice and are signed by assistant attorneys general in the Open Records Division. Unlike Open Records Decisions, these informal letter rulings are applicable only to the specific documents and circumstances surrounding them; therefore, Open Records Letter Rulings should not be cited as precedent when briefing to the Office of the Attorney General. These rulings are searchable via the electronic search engine offered on this site.

### **Open Records Questions (ORQs)**

When an issue or a request for decision is identified for issuance as a formal Open Records Decision, it is assigned an Open Records Question (ORQ) number. Upon issuance, the decision will be assigned the next available Open Records Decision number. This area lists the ORQs currently pending with the Open Records Division.

### **Open Government Conferences**

Each year the Office of the Attorney General sponsors a Statewide Open Government Conference in Austin to further the awareness of the state's open government laws. This area provides a list of upcoming open government conferences and contact information.

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# **Open Government Resources**

This area includes viewable and downloadable versions of open government handbooks, required forms, and articles. Note that beginning January 3, 2000, all governmental bodies are required to display a public information sign.

# **Frequently Asked Questions**

This area provides a number of questions and answers relating to the Public Information and Open Meetings Acts.

Revised: September 01 2005

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