



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 29, 2015

Mr. Daniel W. Ray  
Counsel for the City of Greenville  
Scott & Ray, P.L.L.C.  
P.O. Box 1353  
Greenville, Texas 75403-1353

OR2015-08334

Dear Mr. Ray:

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# 566252.

The City of Greenville (the "city"), which you represent, received a request for information pertaining to a specified address during a specified period of time. You state the city has no information responsive to this request.<sup>1</sup>

Generally, the Act authorizes the Office of the Attorney General to render decisions and opinions in two situations. The first occurs when a governmental body receives a written request for information from an individual or entity acting as a member of the public and requests a ruling from this office because the governmental body wishes to withhold responsive information in accordance with one of the Act's exceptions to disclosure. *See* Gov't Code §§ 552.301, .306. The second situation occurs when this office issues "materials, including detailed and comprehensive written decisions and opinions, that relate

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<sup>1</sup>The Act does not require a governmental body to disclose information that did not exist at the time the request was received, nor does it require a governmental body to prepare new information in response to a request or obtain information that is not held by the governmental body or on its behalf. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562 S. W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Attorney General Opinion H-90 (1973); Open Records Decision Nos. 605 at 2 (1992), 563 at 8 (1990), 555 at 1-2 (1990), 452 at 3 (1986), 362 at 2 (1983).

to or are based on [the Act]" in order to "maintain uniformity in the application, operation, and interpretation of [the Act.]" *Id.* § 552.011.

As previously noted, you state the city has no information responsive to this request. Thus, we conclude that this situation falls outside of the Act and beyond the scope of this office's authority to render a decision regarding your request. We therefore consider this matter closed. If you have any questions with regard to this letter, please refer to ID# 566252.

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,



Nicholas A. Ybarra  
Assistant Attorney General  
Open Records Division

NAY/cbz

Ref: ID# 566252

Enc. Submitted documents

c: Requestor  
(w/o enclosures)