



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 22, 2016

Mr. Jeffrey S. Lowenstein
City Attorney for the City of Forney
Bell Nunnally Attorneys & Counselors
3232 McKinney Avenue, Suite 1400
Dallas, Texas 75204

OR2016-06545

Dear Mr. Lowenstein:

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# 602365.

The City of Forney (the "city"), which you represent, received a request for 1) the signature related to a specified credit card purchase and 2) permission to view and photograph eight specified items. You claim the requested items are not subject to the Act. We have considered your submitted comments.

Initially, we address the present request to the extent it seeks to inspect and photograph the objects specified in the request. This office has ruled that tangible physical items are not "information" as that term is contemplated under the Act. *See, e.g.,* Open Records Decision No. 581 (1990). Thus, we find any responsive tangible physical items maintained by the city are not public information as that term is defined in section 552.002 of the Government Code. Accordingly, the Act does not require the city to make the specified items available to the requestor. *See* Gov't Code § 552.021.

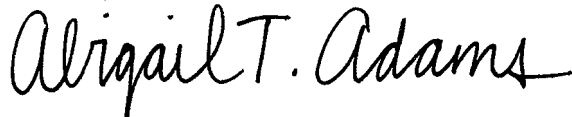
Next, we note you have not submitted any information pertaining to the request for the signature related to a specified credit card purchase. Therefore, to the extent information responsive to the request for this signature existed when the city received the request, we assume you have released it to the requestor. *See* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to requested information, it must

release information as soon as possible). If you have not released any such information, you must do so at this time. See Gov't Code §§ 552.301(a), .302.

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, 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 "Abigail T. Adams". The signature is written in a cursive, flowing style.

Abigail T. Adams
Assistant Attorney General
Open Records Division

ATA/akg

Ref: ID# 602365

c: Requestor