



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 31, 2017

Mr. Aaron I. Vela
Counsel for Edinburg Economic Development Corporation
Law Office of Aaron I. Vela
200 East Cano
Edinburg, Texas 78539

OR2017-02154

Dear Mr. Vela:

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# 648066.

The Edinburg Economic Development Corporation (the "EEDC"), which you represent, received a request for information pertaining to a named individual, including any contracts or engagement letters involving him. The EEDC claims the requested information is excepted from disclosure under section 552.131(b) of the Government Code.¹ We have considered the claimed exception and reviewed the submitted information.

Section 552.131(b) of the Government Code provides, "[u]nless and until an agreement is made with the business prospect, information about a financial or other incentive being offered to the business prospect by the governmental body or by another person is excepted from the requirements of Section 552.021." Gov't Code § 552.131(b). The EEDC states there is no agreement that has been made relating to the entity noted in the request for information, and negotiations are still ongoing. The EEDC asserts the submitted information is excepted from release under section 552.131(b) because it contains certain economic development information. However, upon review we find the EEDC has failed to establish section 552.131(b) is applicable to any of the submitted information. Therefore, the EEDC

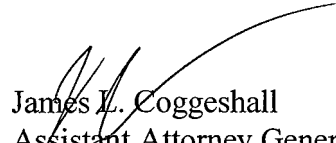
¹Based on its arguments, we understand the EEDC is not raising section 552.131(a) of the Government Code.

may not withhold the submitted information under section 552.131(b) but, instead, must release it.

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/bw

Ref: ID# 648066

Enc. Submitted documents

c: Requestor
(w/o enclosures)