



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 5, 2020

Ms. Kim M. Turner
City Manager
City of Universal City
2150 Universal City Boulevard
Universal City, Texas 78148

OR2020-06900

Dear Ms. Turner:

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# 814035 (Req. No. 66088019).

The City of Universal City (the "city") received a request for information regarding a specified property. You state the city has released some information. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

We note, and you acknowledge, the city did not comply with the time periods prescribed by section 552.301 of the Government Code in seeking an open records decision from this office. *See* Gov't Code § 552.301(b), (e). Pursuant to section 552.302 of the Government Code, a governmental body's failure to comply with the procedural requirements of section 552.301 results in the legal presumption that the requested information is public and must be released unless there is a compelling reason to withhold the information from disclosure. *See id.* § 552.302; *Simmons v. Kuzmich*, 166 S.W.3d 342, 350 (Tex. App.—Fort Worth 2005, no pet.); *Hancock v. State Bd. of Ins.*, 797 S.W.2d 379, 381 (Tex. App.—Austin 1990, no writ). Although you claim section 552.103 of the Government Code, we find you failed to establish a compelling reason to address this exception. As you raise no further exceptions to disclosure, the city must release the submitted information.

¹ Although you also raise sections 552.101, 552.108, and 552.130 of the Government Code, you have not submitted arguments explaining how these exceptions apply to the submitted information. Therefore, we presume you no longer assert these exceptions. *See* Gov't Code §§ 552.301, .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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deborah Southerland', written in a cursive style.

Deborah Southerland
Assistant Attorney General
Open Records Division

DS/mo

Ref: ID# 814035

Enc. Submitted documents

c: Requestor
(w/o enclosures)