



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

SUBJECT

REQUESTS FOR RECORDS

SUB-TOPIC
TEXAS PUBLIC INFORMATION ACT

4. A certification that no subsequent additions, deletions, or corrections have been made to that information; and
5. The name, title, and signature of the Public Information Officer or the officer's agent making the certification.

A charge may not be imposed for making and furnishing the certification. Information not furnished in the previous request must be furnished for the new request.

ITEMIZED ESTIMATE OF CHARGES

If a request for a copy of public information will result in the imposition of a charge that exceeds \$40, or a request to inspect a paper record will result in the imposition of a charge that exceeds \$40, the institution shall provide the requestor with a written itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If an alternative less costly method of viewing the records is available, the statement must include a notice that the requestor may contact the institution regarding the alternative method. The institution must inform the requestor of the responsibilities imposed on the requestor and of the rights granted and give the requestor the information needed to respond, including:

1. that the requestor must provide the institution with a mailing, facsimile transmission, or electronic mail address to receive the itemized statement and that it is the requestor's choice which type of address to provide;
2. that the request is considered automatically withdrawn if the requestor does not respond in writing to the itemized statement and any updated itemized statement in the appropriate time and manner; and
3. that the requestor may respond to the statement by delivering the written response to the institution by mail, in person, by facsimile transmission, or by email.

A request is considered to have been withdrawn by the requestor if the requestor does not respond in writing to the itemized statement by informing the institution within 10 days after the date the statement is sent to the requestor that:

1. the requestor will accept the estimated charges; or
2. the requestor is modifying the request in response to the itemized statement.
3. the requestor has sent to the Attorney General a complaint alleging that the requestor has been overcharged for being provided a copy of the public information.

If the institution later determines, but before it makes the copy or the paper record available, that the estimated charges will exceed the charges detailed in the written



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DATE ISSUE
6/16/05

REVISION
6

PAGE
A2-100.0.9

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itemized statement by 20 percent or more, the institution shall send to the requestor a written updated itemized statement that details all estimated charges that will be imposed, including any allowable charges for labor or personnel costs. If the requestor does not respond in writing to the updated estimate in the time and manner described above, the request is considered to have been withdrawn by the requestor.

If the actual charges that an institution imposes for a copy of public information, or for inspecting a paper record exceeds \$40, the charges may not exceed:

4. the amount estimated in the updated itemized statement;
5. If an updated itemized statement is not sent to the requestor, an amount that exceeds by 20 percent or more the amount estimated in the itemized statement.

An itemized statement or updated itemized statement is considered to have been sent by the institution to the requestor on the date that:

1. the statement is delivered to the requestor in person;
2. the institution deposits the properly addressed statement in the United States mail;
6. the institution transmits the properly addressed statement by electronic mail or facsimile transmission, if the requestor agrees to receive the statement by electronic mail or facsimile transmission, as applicable.

A requestor is considered to have responded to the itemized statement or the updated itemized statement on the date that:

1. the response is delivered to the institution in person;
2. the requestor deposits the properly addressed response in the United States mail;
or
3. the requestor transmits the properly addressed response to the institution by electronic mail or facsimile transmission.

These time lines do not affect the deadlines required for requesting an Attorney General's decision.

TIME OF THE ESSENCE

Institutions seeking to withhold requested information based upon a Subchapter C exception and the Office of General Counsel.