THE PUBLIC INFORMATION ACT

Texas Government Code, Chapter 552, gives you the right to access government records; and an officer for public information and the office’s agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall promptly release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

Rights of Requestors
You have the right to:
• Prompt access to information that is not confidential or otherwise protected;
• Receive treatment equal to all other requestors, including accommodation in accordance with the Americans with Disabilities Act (ADA) requirements;
• Receive certain kinds of information without exceptions, like the voting record of public officials, and other information;
• Receive a written statement of estimated charges, when charges will exceed $40, in advance of work being started and opportunity to modify the request in response to the itemized statement;
• Choose whether to inspect the requested information (most often at no charge), receive copies of the information or both;
• A waiver or reduction of charges if the governmental body determines that access to the information primarily benefits the general public;
• Receive a copy of the communication from the governmental body asking the Office of the Attorney General for a ruling on whether the information can be withheld under one of the accepted exceptions, or if the communication discloses the requested information, a redacted copy;
• Lodge a written complaint about overcharges for public information with the Office of the Attorney General. Complaints of other possible violations may be filed with the county or district attorney of the county where the governmental body, other than a state agency, is located. If the complaint is against the county or district attorney, the complaint must be filed with the Office of the Attorney General.

Procedures to Obtain Information
√ Submit a request by mail, fax, e-mail or in person according to a governmental body’s reasonable procedures.
√ Include enough description and detail about the information requested to enable the governmental body to accurately identify and locate the information requested.
√ Cooperate with the governmental body’s reasonable efforts to clarify the type or amount of information requested.

A. Information to be released
You may review it promptly, and if it cannot be produced within 10 business days the public information officer will notify you in writing of the reasonable date and time when it will be available.
• Keep all appointments to inspect records and to pick up copies. Failure to keep appointments may result in losing the opportunity to inspect the information at the time requested.

Cost of Records
You must respond to any written estimate of charges within 10 business days of the date the governmental body sent it or the request is considered automatically withdrawn.
• If estimated costs exceed $100.00 (or $50.00 if a governmental body has fewer than 16 full-time employees) the governmental body may require a bond, prepayment or deposit.
• You may ask the governmental body to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.
• Make a timely payment for all mutually agreed charges. A governmental body can demand payment of overdue balances exceeding $100.00, or obtain a security deposit, before processing additional requests from you.

To request information from this governmental body, please contact:
By mail to: Margie Poole, City Clerk
501 Sheppard Road
Burkburnett TX 76354
By e-mail to: openrecordsrequest@burkburnett.org
By fax to: 940.569.4192
In person at: City Hall, 501 Sheppard Road, Burkburnett Texas

For complaints regarding failure to release public information please contact your local county or district attorney.
• You may also contact the Office of the Attorney General, Open Government Hotline, at (512) 475-2497 or toll-free at 1-888-672-6787.
• For complaints regarding overcharges, please contact the Office of the Attorney General, Cost Hotline at (512) 475-2497 or toll-free at 1-888-672-6787.

If you need special accommodation pursuant to the Americans With Disabilities Act (ADA), please contact our ADA coordinator, Trish Holley at 940.569.2263.

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