

Information and Procedure for Open Record Requests

Requests for access to or copies of county government public records should be made directly to the department that has custody of the records. In county government, each elected official is the public information administrator of his or her department. No department has control, possession or authority over the records of any other department. A request made to the wrong department may cause unnecessary delay.

For assistance with the identification of the appropriate Elected Official or Department Head who should receive your request for public information, and the proper contact address for the Official or Department Head, you may contact Sharon Marsalia, County Judge Assistant:

- Phone: (979) 732-2604
- Email: sharon.marsalia@co.colorado.tx.us
- Mail: 400 Spring Street, Room 107, Colorado County Courthouse, Columbus, Texas 78934
- In person: Room 107 in the Colorado County Courthouse

Your request, however, should be addressed to the appropriate Elected Official or Department Head in custody of the requested documents, if any.

What is an "Open Records" or "Public Information" Request?

An Open Records request is a request for public information contained in the files or records of a Texas county, governmental agency. Open Records or Public Information requests are governed by provisions of the Public Information Act (<https://www.texasattorneygeneral.gov/open-government>), Texas Government Code, Chapter 552.

An Open Records request must be for the inspection or copies of **an existing document or record**. An agency is not required to generate a new document to respond to a request.

What is "public information?"

Public information is information that has been collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business by a governmental body or for a governmental body that owns the information or has a right of access to it (TAC, Chapter 552).

All government information is presumed to be available to the public. However, state law and judicial decisions have established certain exceptions regarding the disclosure of such information.

What should I include in my request?

Be sure to include contact information, including your name, address, and telephone number. We must have this information to respond to your request; we may also need to contact you to clarify your request.

Describe the documents that you want with as much detail as possible. If you don't know exactly what documents you need, describe the information you are seeking as **specifically as possible**. If your description is not clear or could result in a very large number of documents, we will contact you to determine if your request can be clarified or narrowed. If you are uncertain about what documents to ask for, you may find it helpful to contact us before you submit your request, so we can assist you in preparing your request. You may tell us your purpose in requesting the information if you believe that would help us locate the documents you seek, but this information is not required. In fact, state law prohibits us from asking you the purpose of your request.

How long will it take to fill my request?

We will respond to your request within 10 business days after we receive your request or sooner. Possible responses to your request could include:

- If the information is readily available and clearly public, we will provide copies of the requested documents or tell you when and where you may examine the documents;
- If the documents cannot be produced for examination or duplication within 10 business days because they are in active use or in storage, we will tell you when and where the requested documents will be available to you;
- If the requested information is clearly exempt from public disclosure, we will tell you which provisions of the Public Information Act, or other statutes apply to your request; or
- If it is unclear whether the information you are requesting is open to the public, we will notify you that we are submitting a request to the Attorney General for an opinion concerning the records you have requested.

For additional information concerning Public Information Act requests, please see the Attorney General's website at this link: <https://www.texasattorneygeneral.gov/open-government>

How much will I be charged? Will I be notified in advance?

Colorado County charges for the costs of responding to Open Records requests in accordance with state law. If the estimated cost for your request exceeds \$40, we will notify you of the estimated cost before we fill your request. We require payment in advance when the estimated cost of producing copies exceeds \$50.00

The Most common charges are:

Cost per page 8.5" x 14 or smaller	\$.10/ page
Non standard sizes	\$.55/ page
Audio cassette	\$1.00 each
CD and DVD	\$1.00 each
Personnel Cost for more than 50 pages	\$15.00 hour
Overhead charge	(20% of Personnel Charges)
Postage	Actual Cost
Other costs	Actual Cost



[Insert name of Elected Official or Department Head in custody of Public Records]

[PLEASE PRINT]

County Department: _____

Requestor's Name : _____ Contact Phone _____

Address: _____

Description of Information being requested, PLEASE BE SPECIFIC:

Will you accept PUBLIC REDACTED version of information? YES _____ NO _____ Please mark one.

REQUESTORS SIGNATURE _____ DATE _____

FOR OFFICAL USE BELOW _____

Cost per page standard size up to 8.5" x 14	\$.10/ page
Non-standard sizes	\$.55/ page
CD and DVD	\$1.00 each
Personnel Cost for more than 50 pages	\$15.00 hour
Overhead charge (20% of Personnel Charges)	
Postage	Actual Cost
Other cost	Actual Cost
	Total Charges _____