

## **CITY OF LUFKIN, TEXAS HOW TO REQUEST PUBLIC INFORMATION**

The Texas Public Information Act (“Act”), Chapter 552, Texas Government Code, gives you the right to request access to government information. The Act is triggered when a person submits a written request to a governmental body. The request must ask for documents or other information that is already in existence. The Act does not require a governmental body to answer questions, perform legal research, create new information, or comply with a continuing request to supply information on a periodic basis as such information is prepared in the future.

### **MAKING A REQUEST TO THE CITY OF LUFKIN**

**First**, the request must be in writing and must be addressed to the City of Lufkin.

- A request may be sent by mail, facsimile, e-mail, or delivered in person. All written requests for public records **should be addressed to the City Secretary**, P.O. Drawer 190, Lufkin, Texas 75902; Facsimile: 936-639-9843; Email: [rthompson@cityoflufkin.com](mailto:rthompson@cityoflufkin.com). Personal delivery should be made to the City Secretary’s Office in City Hall at 300 East Shepherd, Lufkin, Texas.
- You may ask to inspect information, get copies of information, or both.
- If you know the city department that maintains the information that you are seeking, you should note that department in your written request. The city’s departments are available from the city’s website homepage.

**Second**, make your request as clear and specific as possible so that the city can accurately identify and locate the items that you are requesting. If your request is unclear or very broad, the city may ask you to more clearly identify or narrow your request.

**Third**, if you wish access to records of all official actions taken by the city council, such as approval of ordinances, resolutions, minutes of city council meetings, contracts, licenses and leases, the proper department is the City Secretary’s Office.

### **CHARGES FOR INFORMATION**

- If your request is for copies of information, then the city may charge for the copies.
- If your request is only for an opportunity to inspect information, then normally the city may not charge you. Under limited circumstances, however, the city may impose a charge for access to information.
- If your request to produce information will result in a charge of over \$40.00, the city will provide you with a written itemized statement that details all estimated

charges that will be imposed. You must respond to this written estimate of charges within 10 business days or your request will be considered withdrawn.

- If your request to produce the information will result in a charge of over \$100.00, the city may require a bond, prepayment, or deposit before any work will begin.

All charges imposed for copies of, or access to, information comply with the Texas Building and Procurement Commission Rules.

### **EXCEPTIONS TO THE ACT**

The city believes in open government and strives to fulfill all open records requests. Although most government information is available to you, some exceptions exist. If an exception might apply and the city wishes to withhold the information, then the city generally must, within ten business days of receiving the open records request, refer the matter to the Office of the Attorney General for a ruling on whether an exception applies. If the Office of the Attorney General rules that an exception applies, the city will not release the information.

### **RIGHTS OF REQUESTORS**

#### **You have the right to:**

- Receive equal treatment with all other requestors.
- Receive requested information “promptly.” “Promptly” means that a governmental body may take a reasonable amount of time to produce the information, which varies depending on the facts in each case. The amount of information you have requested is highly relevant to what makes for a reasonable response time.
- If the city cannot produce the requested information within ten business days, you will receive correspondence setting a date and time when the information will be available to you.
- Receive a statement of estimated charges when charges exceed \$40.00 in advance of work being started.
- Choose whether to inspect the requested information, receive copies of the requested information, or both.
- Be notified when the city asks the Office of the Attorney General for a ruling on whether the information may or must be withheld from disclosure.
- Lodge a complaint about charges for public records with the Texas Building and Procurement Commission.

- Lodge a complaint with the Office of the Attorney General Hotline or the county attorney or criminal district attorney regarding any alleged violation of the Act.

### **PUBLIC INFORMATION HANDBOOK**

The Public Information Handbook is available online at the [Office of the Attorney General's website](#).