West Central Texas Council of Governments

Public Information Act — Requestor Guide

WCTCOG Is Subject to the Texas Public Information Act

The Texas Public Information Act gives the public the right to request access to government information. Public information is available to the public at a minimum during the normal business hours of WCTCOG. Section 552.002(a) of the Government Code defines "public information" as written, produced, collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business.

Any information WCTCOG collects, assembles, or maintains is available to the public unless a specific exception applies and can be obtained by submitting an open records request.

Submitting a Request

Submit a written request during normal business hours, 8:30 a.m. to 5 p.m., Monday through Friday, using any of the following options. The request does not need to use any special language but should identify the information being requested as specifically as possible. The more specific you are, the more likely you are to get the information you are seeking without receiving a lot of extra information. A request must include the requestor's name and contact information, such as an email address or phone number.

- **Email:** Terra Moreno, Public Information Officer — tmoreno@westcentraltexas.org
- **Mail:** WCTCOG, Attention Terra Moreno, 3702 Loop 322, Abilene, TX 79602
- **Phone:** 325-672-8544 (for questions only — a written request is still required)

Note: For a mailed request, the response period begins on the date the request is actually received at the address above — not the postmark date.

You may also submit your request using the Texas Attorney General's standard Public Information Request Form, though its use is not required.

WCTCOG's officer for public information may not ask why you want the requested information, except as necessary to clarify an unclear or overly broad request.

Charges for Public Information

WCTCOG will charge the following fees for services or materials, consistent with 1 Texas Administrative Code §70.3:

Copy charge

- Standard paper copy — $0.10 per page. Each side that has recorded information is considered a page.

- Nonstandard copy — $0.50 per page for oversize paper copy (e.g., 11" x 17"), not including maps and photographs using specialty paper.

Labor charge

- $15.00/hr. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.
- A labor charge shall not be billed for requests of 50 or fewer pages of paper records, unless the documents are located in two or more separate buildings that are not physically connected, or in a remote storage facility.
- When confidential information under a mandatory exception of the Act is mixed with public information on the same page, a labor charge may be recovered for time spent to redact, black out, or otherwise obscure the confidential information — except that no labor charge applies to redaction for requests of 50 or fewer pages, unless the request separately qualifies for a labor charge.

Overhead charge

- Computed at 20% of the labor charge associated with a particular request.

Computer resource charge

- $1.00 per clock hour per PC or computer used.

Miscellaneous supplies

- Actual cost of supplies such as labels, boxes, and other materials used to produce the requested information.

Postal and shipping charges

- Any related postal or shipping expenses necessary to transmit the reproduced information to the requesting party.

Cost estimates

If the estimated cost of a request will exceed $40, WCTCOG will notify you in writing of the estimated charges before proceeding. You must respond to any written estimate of charges within 10 days of the date WCTCOG sends it, or the request may be deemed withdrawn. If actual costs are expected to exceed the original estimate by more than 20%, WCTCOG will notify you again in writing before continuing.

These charges are subject to periodic reevaluation and update by the Office of the Attorney General. WCTCOG will utilize the Public Information Cost Estimate Model provided by the Attorney General of the State of Texas, available at www2.texasattorneygeneral.gov/og/public-information-cost-estimate-model.

What Type of Information Is Available Through an Open Records Request?

Open records requests are made for records and documents that are collected, assembled, or maintained by WCTCOG. The Public Information Act does not require a governmental body to answer questions or create new information. However, we are happy to assist requestors with their inquiries, provided they engage with our staff in a respectful manner.

How Long Will It Take to Get the Information?

WCTCOG will release public information promptly — within 10 business days of receiving a request. The amount of time it takes depends on the type and amount of information requested.

If WCTCOG believes any part of the requested information may be withheld under an exception in the Act, WCTCOG will, within 10 business days of receiving the request, notify you in writing and request a ruling from the Attorney General's Open Records Division, and will provide you a copy of that request (or a redacted copy).

If WCTCOG cannot provide non-exempt information within 10 business days, WCTCOG will inform the requestor in writing of the date and time the information will be available.

Your Rights as a Requestor

- WCTCOG will treat all requestors equally and provide reasonable accommodation consistent with the Americans with Disabilities Act (ADA).
- WCTCOG's officer for public information may not inquire into the purpose for which you intend to use requested information, except to clarify the request.
- You are not required to state you are making a request “under the Public Information Act” for the request to be valid.
- If you believe a request has been improperly withheld or delayed, you may contact the Attorney General's Open Government Hotline at (512) 478-6736 or toll-free at 1-877-673-6839, or file an Open Records Complaint online. Requestors may also pursue remedies available under the Act, including a suit for a writ of mandamus.

Will Getting the Information Cost Me Anything?

The Office of the Attorney General sets what public agencies may charge for information. The rules may be found in the Texas Administrative Code, Title 1, Sections 70.1–70.11. If a request will likely incur a cost, the requestor will be told in writing and given a chance to withdraw or modify the request before having to pay.