



Open Records

Policy

The Texas Government Code, Chapter 552, gives the public the right to access government records and TESRS is fully committed to compliance with this law. All government information is presumed to be available to the public and an officer for public information and the officer's agent may not ask the reason for any request, although certain exceptions may apply to the disclosure of the information.

Governmental bodies are compelled to 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.

Requestors 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 Amendments Act (ADAAA) requirements;
- Receive certain kinds of information without exceptions, like the voting record of public officials, and other information;
- Receive a written itemized 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; and,
- 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.

Texas Emergency Services Retirement System



Frank Torres, Chairman
Kevin Deiters, Executive Director

P.O. Box 12577 Austin, TX 78711-2577

(800) 919-3372

www.tesrs.texas.gov

TESRS has the responsibility to:

- Establish reasonable procedures for inspecting or copying public information and inform requestors of these procedures;
- Treat all requestors uniformly and shall give to the requestor all reasonable comfort and facility, including accommodation in accordance with ADAAA requirements;
- Be informed about open records laws and educate employees on the requirements of those laws;
- Inform requestors of the estimated charges greater than \$40 and any changes in the estimates above 20 percent of the original estimate, and confirm that the requestor accepts the charges, or has amended the request, in writing before finalizing the request;
- Inform the requestor if the information cannot be provided promptly and set a date and time to provide it within a reasonable time;
- Request a ruling from the Office of the Attorney General regarding any information the governmental body wishes to withhold, and send a copy of the request for ruling, or a redacted copy, to the requestor;
- Segregate public information from information that may be withheld and provide that public information promptly;
- Make a good faith attempt to inform third parties when their proprietary information is being requested from the governmental body;
- Respond in writing to all written communications from the Office of the Attorney General regarding charges for the information and complaints about violations of the Act.

TESRS Procedures to Obtain Information:

1. Submit a request by mail, fax, and email or in person
2. Include enough description and detail about the information requested to enable us to accurately identify and locate the information requested.
3. Cooperate with our reasonable efforts to clarify the type or amount of information requested.
4. We will review your request promptly, and if it cannot be produced within 10 working days the public information officer will notify you in writing of the reasonable date and time when it will be available.

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To request information contact:

Open Records Coordinator

Texas Emergency Services Retirement System

P.O. Box 12577 Austin, TX 78711

Telephone: (512) 936-3372 or Toll Free: (800) 919-3372

Fax: (512) 936-3480

Physical Address: Rusk Building 208 E. 10th Street, Suite 309, Austin, Texas 78701

Complaints:

For complaints regarding failure to release public information please contact a local county/district attorney or the Office of the Attorney General, Open Records Hotline, at 512- 478-6736 or toll-free at (877) 673-6839. For complaints regarding overcharges, please contact the Office of the Attorney General at 512-478-6736.

If you need special accommodation pursuant to the Americans with Disabilities Act Amendments Act (ADAAA), please contact Susannah Jones at (512) 936-3473 or toll free at (844) 894-3763.