

# Texas Groundwater Protection Committee Public Information Officer Charge

IDENTITY OF OFFICER FOR PUBLIC INFORMATION. The chairman of the Texas Groundwater Protection Committee (Committee), or his designated representative, or a person identified by the Committee, is the officer for public information.

SUBCOMMITTEE CHAIRMEN. Each subcommittee chairman is an agent of the officer for public information for the purposes of complying with the Government Code, Chapter 552.

GENERAL DUTIES OF OFFICER FOR PUBLIC INFORMATION. Each officer for public information, subject to penalties provided in Government Code, Chapter 552, shall:

- make public information available for public inspection and copying;
  - providing the public information for inspection or duplication in the offices of the Committee; or
  - sending copies of the public information by first class United States mail if the person requesting the information requests that copies be provided and pays the postage and any other applicable charges that the requestor has accrued.
- carefully protect public information from deterioration, alteration, mutilation, loss, or unlawful removal; and
- repair, renovate, or rebind public information as necessary to maintain it properly.

If the requested information is unavailable at the time of the request to examine because it is in active use, storage, or undergoing repair, the officer for public information shall certify this fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication. If an officer for public information cannot produce public information for inspection or duplication within 10 business days after the date the information is requested, the officer shall certify that fact in writing to the requestor and set a date and hour within a reasonable time when the information will be available for inspection or duplication.

SCOPE OF RESPONSIBILITY OF OFFICER FOR PUBLIC INFORMATION. An officer for public information is responsible for the release of public information as required by Government Code, Chapter 552. The officer is not responsible for:

- the use made of the information by the requestor;
- the release of information after it is removed from a record as a result of an update, a correction, or a change of status of the person to whom the information pertains; or
- performing general research within the reference and research archives and holdings of state libraries.

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RULES OF PROCEDURE FOR INSPECTION AND COPYING OF PUBLIC INFORMATION. The Committee has adopted by reference the Texas Commission on Environmental Quality (TCEQ)'s rules regarding public information. These rules are found at 30 Texas Administrative Code § 1.5.

UNIFORM TREATMENT OF REQUESTS FOR INFORMATION. The officer for public information or the officer's agent shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media.

COMFORT AND FACILITY. The officer for public information or the officer's agent shall give to a requestor all reasonable comfort and facility for the full exercise of the right granted by Government Code, Chapter 552.

TIME FOR EXAMINATION. A requestor must complete the examination of the information not later than the 10th business day after the date the Committee makes it available. If the requestor does not complete the examination of the information within 10 business days after the date the Committee makes the information available and does not file a request for additional time, the requestor is considered to have withdrawn the request. The officer for public information shall extend an additional examination period by another 10 business days if, within the additional period, the requestor files with the officer for public information a written request for additional time. The time during which a person may examine information may be interrupted by the officer for public information if the information is needed for use by the Committee. The period of interruption is not considered to be a part of the time during which the person may examine the information.

PERMISSIBLE INQUIRY BY TEXAS GROUNDWATER PROTECTION COMMITTEE TO REQUESTOR. The officer for public information and the officer's agent may not make an inquiry of a requestor except to establish proper identification or except as provided below:

- If what information is requested is unclear to the Committee, the officer for public information or agent may ask the requestor to clarify the request.
- If a large amount of information has been requested, the officer for public information or agent may discuss with the requestor how the scope of a request might be narrowed, but the Committee or the officer for public information or agent may not inquire into the purpose for which information will be used.

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If by the 61st day after the date the Committee sends a written request for clarification or discussion, or an officer for public information or agent sends a written request for additional information, the Committee, officer for public information, or agent, as applicable, does not receive a written response from the requestor, the underlying request for public information is considered to have been withdrawn by the requestor. A written request for clarification or discussion or a written request for additional information must include a statement as to the consequences of the failure by the requestor to timely respond to the request for clarification, discussion, or additional information. If the requestor's request for public information included the requestor's physical or mailing address, the request may not be considered to have been withdrawn unless the Committee, officer for public information, or agent, as applicable, sends the request for clarification or discussion or the written request for additional information to that address by certified mail.