



FRANKLIN COUNTY ELECTIONS PUBLIC INFORMATION POLICY AND PROCEDURES

Dear Requestor,

THE PUBLIC INFORMATION ACT: Texas Government Code, Chapter 552, gives you the right to access government records; and an officer for public information and the officer's agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall **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.

Rights of Requestor(s)

- 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 (ADA) 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;
- 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.

Responsibilities of Governmental Bodies

All governmental bodies responding to information requests have 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 ADA 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. Respond to the Office of the Attorney General regarding complaints about violations of the Act.

Procedures to Obtain Information

1. The Franklin County Elections Office encourages you to submit a request using the [Request for Public Information Form](#) available from the county website.
2. The request can be submitted by mail to PO BOX 1047, MOUNT VERNON TEXAS 75457 or via email to elections@co.franklin.tx.us
3. The Franklin County Elections office will review promptly, and if it cannot be produced within 10 working days the elections office will notify you in writing of the reasonable date and time when it will be available.

Cost of Records

Please be advised that there are costs involved in fulfilling your (PIA) request. PIA authorizes the Elections Department to charge \$.10 per page, \$15.00 per hour for personnel costs associated with fulfilling a request, and 20% of personnel costs for overhead. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information. These cost rules are set out in Title 1, TEXAS ADMINISTRATIVE CODE, Chapter 70 and TEXAS ELECTION CODE, Section 1.012.

Requestor, you must respond to any written itemized departmental cost estimate within 10 days of the date Franklin County Elections sent it and make a timely payment for all mutually agreed charges or the request is considered automatically withdrawn. If the estimated cost is more than the actual cost incurred by the Elections Department, you will be refunded accordingly. There may be less costly methods of viewing the records. Please feel free to contact the Franklin County Elections Department anytime if you wish to discuss alternative methods; or, if you would like to discuss how the Elections Department may lower its cost estimate; or if you believe that the Elections Department has made an error or misunderstood your request, please give me a call.

List of Charges:	
\$0.10	Paper Copies (letter or legal size) per page Does not include postage if mailed
\$1.00	CDs (does not includes postage)
\$3.00	DVD (does not include postage)
No Charge	Electronic Delivery (Email)
Actual cost	Other electronic media (ex. thumb drive)
Labor charge for programmer (\$26.50 per hour)	If a request requires a programmer to execute an existing program or to create a new program so that the requested information may be accessed and copied, the Franklin County Elections Department may charge for the programmer's time.
Postage	TBD or waived if picked up
\$15.00 per hour	Labor charge for locating, compiling, manipulating data, and reproducing public information.

The charges set forth for a request will be accepted in the form of a check, cashier's check, or money order payable and delivered to as follows:

Pay to the order of "Franklin County"
 Mail to:
 "Franklin County Elections"
 c/o Yesinia Castro, Elections Administrator
 PO BOX 1047
 Mount Vernon, TX 75457

If paying in cash, exact change must be submitted. Debit or credit card payments are only accepted in person.

Voter Registration lists:

Voter registration lists will be made available on a regular basis free of charge to cities, school districts, and other political subdivisions wholly or partially within Franklin County for the purpose of assisting the elections administrator to maintain the accuracy of the street index and for purposes of verifying the residency of voters for petition and candidate purposes. Voter

Registration Lists will periodically be made free of charge to the county chairs of political parties for the purpose of locating potential election presiding and alternate judges and verifying the residency of Primary Candidates.

ELECTION CODE

TITLE 2. VOTER QUALIFICATIONS AND REGISTRATION

CHAPTER 18. PROCEDURES FOR IDENTIFYING REGISTERED VOTERS

SUBCHAPTER A. REGISTRATION LISTS

Sec. 18.005. FORM AND CONTENTS OF LIST. (a) Each original and supplemental list of registered voters must:

- (1) contain the voter's name, date of birth, and registration number as provided by the statewide computerized voter registration list;
- (2) contain the voter's residence address, except as provided by Subsections (b) and (c);
- (3) be arranged alphabetically by voter name; and
- (4) contain the notation required by Section [15.111](#).

(b) If the voter's residence has no address, the list must contain a concise description of the location of the voter's residence.

(c) The original or supplemental list of registered voters may not contain the residence address of a voter whose residence address is confidential under Section [13.004](#).

Information to be withheld

ELECTION CODE

TITLE 2. VOTER QUALIFICATIONS AND REGISTRATION

CHAPTER 13. APPLICATION FOR REGISTRATION; INITIAL REGISTRATION

SUBCHAPTER A. ELIGIBILITY; MANNER OF APPLYING FOR REGISTRATION

Sec. 13.004. RECORDING AND DISCLOSURE OF CERTAIN INFORMATION BY REGISTRAR.

(a) The registrar may not transcribe, copy, or otherwise record a telephone number furnished on a registration application.

(b) The registrar may transcribe, copy, or otherwise record a social security number furnished on a registration application only in maintaining the accuracy of the registration records.

(c) The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter [552](#), Government Code:

- (1) a social security number;
- (2) a Texas driver's license number;
- (3) a number of a personal identification card issued by the Department of Public Safety;
- (4) the residence address of the applicant, if the applicant is a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge, a family member of a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge, the spouse of a peace officer as defined by Article [2.12](#), Code of Criminal Procedure, or an individual to whom Section [552.1175](#), Government Code, or Section [521.1211](#), Transportation Code, applies and the applicant:

(A) included an affidavit with the registration application describing the applicant's status under this subdivision, if the applicant is a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge or a family member of a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge;

(B) provided the registrar with an affidavit describing the applicant's status under this subdivision, if the applicant is a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge or a family member of a federal judge, including a federal bankruptcy judge, a marshal of the United States Marshals Service, a United States attorney, or a state judge; or

(C) provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

- (5) the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section [71.004](#), Family Code, who provided the registrar with:

(A) a copy of a protective order issued under Chapter [85](#), Family Code, or a magistrate's order for emergency protection issued under Article [17.292](#), Code of Criminal Procedure; or

(B) other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence;

(6) the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons who provided the registrar with:

(A) a copy of a protective order issued under Subchapter A or B, Chapter [7B](#), Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article [17.292](#), Code of Criminal Procedure; or

(B) other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(7) the residence address of the applicant, if the applicant:

(A) is a participant in the address confidentiality program administered by the attorney general under Subchapter [B](#), Chapter [58](#), Code of Criminal Procedure; and

(B) provided the registrar with proof of certification under Article [58.059](#), Code of Criminal Procedure; or

(8) the telephone number of any applicant submitting documentation under Subdivision (4), (5), (6), or (7).

(c-1) The registrar shall ensure that the information listed in Subsection (c) is excluded from disclosure, except that the registrar shall forward to the county chair of each county executive committee the information necessary to contact applicants who indicate interest in working as an election judge.

(d) The voter registrar or other county official who has access to the information furnished on a registration application may not post the following information on a website:

(1) a telephone number;

(2) a social security number;

(3) a driver's license number or a number of a personal identification card;

(4) a date of birth; or

(5) the residence address of a voter who submits documentation under Subsection (c)(5), (6), (7), or (8) to the voter registrar or regarding whom the registrar has received notification under Section 15.0215.

(e) Documentation submitted under Subsection (c)(5), (6), (7), or (8) shall be retained on file with the voter registration application.

(f) In this section, "family member" has the meaning assigned by Section [31.006](#), Finance Code.

Complaints

For complaints regarding failure to release public information please contact your local County or District Attorney.

In Franklin County, you may contact:

- the County Attorney: 903-537-2342 ext. 4
- the District Attorney: 903-885-0641

You may also contact:

- the [Office of the Attorney General](#)
- Open Records Hotline
 - 512-478-6736
 - 877-673-6839

For complaints regarding overcharges, please contact the Office of the Attorney General:

- by phone: 512-475-2497
- by fax: 512-236-6169