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April 2, 2026

VIA EMAIL

The Honorable Ty Prause
Colorado County Judge
400 Spring Street, Suite 102
Columbus, TX 78934

ty.prause@co.colorado.tx.us

RE: NOTICE OF STATUTORY VIOLATION AND DEMAND FOR IMMEDIATE PRODUCTION — Public Information Request Dated March 9, 2026 (Insurance Coverage Records)

Dear Judge Prause:

On March 9, 2026, I submitted a Public Information Act request to Colorado County pursuant to Texas Government Code Chapter 552, requesting records related to the County's liability insurance coverage. A copy of that request is attached hereto as Exhibit A.

The statutory deadline has passed without any response. Under Tex. Gov. Code § 552.228, a governmental body must respond to a public information request no later than ten (10) business days after receiving it. The ten-business-day deadline for my March 9 request expired on March 24, 2026. As of today, April 2, 2026 — seven business days past that deadline — Colorado County has neither produced the requested records nor provided written notice that it intends to seek an Attorney General ruling.

The County has waived the right to withhold these records. Under Tex. Gov. Code § 552.302, if a governmental body fails to request an Attorney General ruling within the time prescribed by § 552.301, the information is presumed to be public and must be released. Because Colorado County did not seek an AG ruling on or before March 24, 2026, it has forfeited any right to withhold the requested insurance records on any grounds. The presumption of public access is now conclusive.

The requested information is independently public. Even absent the waiver, insurance policy information for governmental entities is not exempt from disclosure under the Texas Public Information Act. The Attorney General has consistently held that insurance policies, declarations pages, and coverage limits constitute public information. See Tex. Att'y Gen. Open Records Letter No. 96-0593 (1996); Tex. Att'y Gen. ORD-584 (1991). No statutory exception applies to this category of records.

Demand for Immediate Production. You are hereby directed to produce all records responsive to my March 9, 2026 request no later than five (5) business days from the date of this letter — by April 9, 2026. Continued withholding of these records following this notice will be treated as a knowing violation of the Texas Public Information Act, subject to the remedies available under Tex. Gov. Code §§ 552.321 and 552.353, including mandamus relief and referral to the Attorney General for enforcement.

Please govern yourself accordingly.

Respectfully,

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CC: J. Eric Magee, Allison, Bass & Magee, L.L.P., e.magee@allison-bass.com
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Joyce Guthmann, Colorado County Treasurer, joyce.guthmann@co.colorado.tx.us
Kimberly Menke, Colorado County Clerk, countyclerk@co.colorado.tx.us

Enclosure: Exhibit A — Public Information Request dated March 9, 2026