



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 8, 2015

Ms. Josephine Ramirez-Solis
Assistant District Attorney
Hidalgo County District Attorney's Office
100 North Closner, Room 303
Edinburg, Texas 78539

OR2015-11223

Dear Ms. Ramirez-Solis:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 566393 (HCDAO# 2014-0014-DA).

The Hidalgo County District Attorney's Office (the "district attorney's office") received a request for all information on a specified person related to a specific incident.¹ You state you released some information. You claim the submitted information is excepted from disclosure under sections 552.110 and 552.136 of the Government Code.² We have considered the exceptions you claim and reviewed the submitted information.

Section 552.110 of the Government Code excepts from disclosure trade secrets obtained from a person and privileged or confidential by statute or judicial decision, as well as commercial or financial information for which it is demonstrated based on specific factual

¹We note the district attorney's office sought and received clarification of the information requested. *See* Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or over-broad request for public information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

²Although you also raise section 552.101 of the Government Code, you make no argument to support this exception. Therefore, we presume you no longer assert this exception. *See* Gov't Code §§ 552.301, 302.

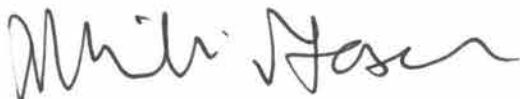
evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained. Gov't Code § 552.110. However, section 552.110 protects the interests of third parties, not governmental bodies. Accordingly, the requested information may not be withheld under section 552.110.

Section 552.136 of the Government Code states, "Notwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." *Id.* § 552.136(b). Upon review, we find the district attorney's office must withhold the bank account and bank routing numbers we have marked under section 552.136 of the Government Code. However, none of the remaining information contains information subject to section 552.136 of the Government Code and it may not be withheld on this basis. Thus, the remaining information must be released.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Mili Gosar
Assistant Attorney General
Open Records Division

MG/akg

Ref: ID# 566393

Enc. Submitted documents

c: Requestor
(w/o enclosures)