



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 4, 2017

Ms. Bobbi Kacz
City Attorney
City of Alvin
216 West Sealy Street
Alvin, Texas 77511

OR2017-07004

Dear Ms. Kacz:

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# 651480 (Alvin Request No. CA-16-0094).

The Alvin Police Department (the "department") received a request for information pertaining to a specified incident. You state the department has released or will release some information. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This exception encompasses information made confidential by other statutes, such as section 826.0211 of the Health and Safety Code, which provides in part:

- (a) Information contained in a rabies vaccination certificate or in any record compiled from the information contained in one or more certificates that identifies or tends to identify an owner or an address, telephone number, or other personally identifying information of an owner of a vaccinated animal is confidential and not subject to disclosure under Chapter 552, Government Code. The information contained in the certificate or record may not include

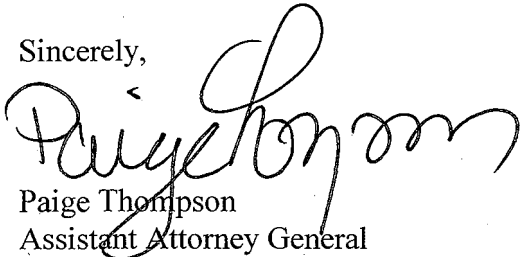
the social security number or the driver's license number of the owner of the vaccinated animal.

Health & Safety Code § 826.0211(a). We note section 826.0211 is applicable only to information contained in a rabies vaccination certificate or in a record compiled from information contained in one or more rabies vaccination certificates. Upon review, we find you have failed to demonstrate any portion of submitted information is contained in a rabies vaccination certificate or in a record compiled from information contained in one or more rabies vaccination certificates. Therefore, the submitted information may not be withheld under section 552.101 of the Government Code in conjunction with section 826.0211 of the Health and Safety Code. As the department raises no other exceptions to disclosure, it must release the submitted information.

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,



Paige Thompson
Assistant Attorney General
Open Records Division

PT/nmd

Ref: ID# 651480

Enc. Submitted documents

c: Requestor
(w/o enclosures)