



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 5, 2017

Ms. Elizabeth Reynolds
Paralegal
Office of the City Attorney
City of Dallas
1500 Marilla Street, Room 7DN
Dallas, Texas 75201

OR2017-14943

Dear Ms. Reynolds:

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# 664572 (Ref. # C002925-041617).

The City of Dallas (the "city") received a request for information regarding a specified animal. You claim portions of the submitted information are 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. Section 552.101 encompasses information protected by other statutes, such as section 826.0311 of the Health and Safety Code, which provides, in relevant part:

(a) Information that is contained in a municipal or county registry of dogs and cats under Section 826.031 that identifies or tends to identify the owner or an address, telephone number, or other personally identifying information of the owner of the registered dog or cat is confidential and not subject to disclosure under [the Act].

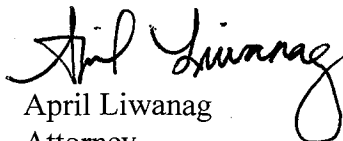
(b) The information may be disclosed only to a governmental entity or a person that, under a contract with a governmental entity, provides animal control services or animal registration services for the governmental entity for purposes related to the protection of public health and safety. A governmental entity or person that receives the information must maintain the confidentiality of the information, may not disclose the information under [the Act], and may not use the information for a purpose that does not directly relate to the protection of public health and safety.

Health & Safety Code § 826.0311 (a), (b). We note section 826.0311 is applicable only to information contained in a municipal or county registry of dogs and cats. We further note because section 826.0311 was intended to protect the personal privacy of pet owners, this statute is applicable only to information pertaining to natural persons, and does not protect information relating to business, governmental, and other artificial entities. *See* House Comm. On County Affairs, Bill Analysis, Tex. H.B. 3262 76th Leg., R.S. (1999) (provision intended to protect “businesses” from gaining access to “personal information”). You state the submitted information is part of the city’s pet registry. However, upon review, we find the owner of the animal identified in the submitted information is a nonprofit organization. Accordingly, none of the submitted information may be withheld under section 552.101 of the Government Code in conjunction with section 826.0311 of the Health and Safety Code. Therefore, the city 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,



April Liwanag
Attorney
Open Records Division

AML/eb

Ref: ID# 664572

Enc. Submitted documents

c: Requestor
(w/o enclosures)