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ATTORNEY GENERAL OF TEXAS

August 24, 2017

Mr. Darrell G-M Noga
Counsel for the City of Coppell
Cantey Hanger, LLP
1999 Bryan Street, Suite 3300
Dallas, Texas 75201-6822

OR2017-19336

Dear Mr. Noga:

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# 673020.

The City of Coppell (the "city"), which you represent, received a request for information pertaining to a named former city employee. The city released information responsive to the request but withheld some information under section 552.024 of the Government Code without requesting a decision from this office.¹ *See* Gov't Code §§ 552.024(c)(2), .117(a)(1). Pursuant to section 552.024(c-1) of the Government Code, the requestor has asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.117 of the Government Code. We have considered the city's position.

Section 552.117 of the Government Code excepts from disclosure the home address and telephone number, emergency contact information, social security number, and family member information of current or former officials or employees of a governmental body who request this information be kept confidential under section 552.024 of the Government Code. Gov't Code § 552.117(a)(1). Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. *See* Open Records

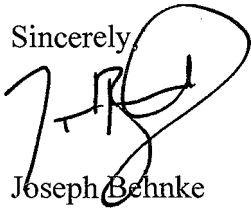
¹The city also informs us it redacted information pursuant to Open Records Decision No. 684 (2009), which serves as a previous determination for all governmental bodies authorizing them to withhold certain information without requesting a decision from this office.

Decision No. 530 at 5 (1989). Thus, information may be withheld under section 552.117(a)(1) only on behalf of a current or former employee who made a request for confidentiality under section 552.024 prior to the date of the governmental body's receipt of the request for the information. The city has provided documentation demonstrating the individual whose personal information is at issue elected to keep such information confidential. Accordingly, the city must withhold the information we have marked under section 552.117(a)(1) of the Government Code.

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,



Joseph Behnke
Assistant Attorney General
Open Records Division

JB/som

Ref: ID# 673020

Enc. Submitted documents

c: Requestor
(w/o enclosures)