



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 5, 2018

Ms. Yesica Antu-Sanchez  
Records Management Officer  
Bexar Appraisal District  
P.O. Box 830248  
San Antonio, Texas 78283-0248

OR2018-00376

Dear Ms. Antu-Sanchez:

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# 690311.

The Bexar Appraisal District (the "district") received a request for all records and photographs related to a specified property during a specified time period. You state you have released some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.155 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.155 of the Government Code provides, in relevant part, as follows:

(a) Except as provided by Subsection (b) or (c), a photograph that is taken by the chief appraiser of an appraisal district or the chief appraiser's authorized representative for property tax appraisal purposes and that shows the interior of an improvement to property is confidential and excepted from the requirements of Section 552.021.

(b) A governmental body shall disclose a photograph described by Subsection (a) to a requestor who had an ownership interest in the improvement to property shown in the photograph on the date the photograph was taken.

(c) A photograph subject to Subsection (a) may be used as evidence in and provided to the parties to a protest under Chapter 41, Tax Code, or an appeal of a determination by the appraisal review board under Chapter 42, Tax Code, if it is relevant to the determination of a matter or protest appealed. A photograph that is used as evidence:

(1) remains confidential in the possession of the person to whom it is disclosed; and

(2) may not be disclosed or used for any other purpose.

Gov't Code § 552.155(a)-(c). You state the submitted information consists of photographs of the interior of the subject property taken by the chief appraiser's authorized representative for property tax appraisal purposes. You state the requestor is not the owner of record. You state the submitted information was used in an appraisal review board hearing as provided by section 41.66(d) of the Tax Code. However, pursuant to section 552.155(c) of the Government Code, we find the submitted information remains excepted from disclosure under the Act. *See id.* § 552.155(c). Thus, we find the district must withhold the submitted information under section 552.155 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](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,



Tim Neal  
Assistant Attorney General  
Open Records Division

TN/tdw

Ref: ID# 690311

Enc. Submitted documents

c: Requestor  
(w/o enclosures)