



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 30, 2018

Sheriff Buster Nixon  
Mason County Sheriff's Office  
P.O. Box 391  
Mason, Texas 76856

OR2018-02023

Dear Sheriff Nixon:

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# 694572.

The Mason County Sheriff's Office (the "sheriff's office") received a request for records regarding a named individual and a specified address. You claim some of the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from public 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 made confidential by other statutes, such as chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Section 772.318 of the Health and Safety Code applies to an emergency communication district for a county with a population of more than 20,000 and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a 9-1-1 service supplier. *See* Open Records Decision No. 649 (1996).

You seek to withhold portions of the submitted information under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. We

note, however, according to the 2010 census, the population of Mason County is less than 20,000. Thus, the sheriff's office has failed to demonstrate the applicability of section 772.318 and none of the submitted information may be withheld under section 552.101 of the Government Code on that basis.

You seek to withhold the name and telephone number of a complainant under section 552.130 of the Government Code. Section 552.130 provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130. Upon review, we find none of the submitted information consists of motor vehicle record information. Thus, the sheriff's office has failed to demonstrate the applicability of section 552.130 of the Government Code and may not withhold any of the submitted information on that basis. As you raise no further exception to disclosure, the sheriff's office 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](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,



Cindy Nettles  
Assistant Attorney General  
Open Records Division

CN/tdw

Ref: ID# 694572

Enc. Submitted documents

c: Requestor  
(w/o enclosures)