



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 15, 2019

Ms. Julia Benitez Sullivan  
Director, Public Affairs Division  
Hidalgo County Commissioner's Court  
100 East Cano Street, 1st Floor  
Edinburg, Texas 78539

OR2019-04385

Dear Ms. Sullivan:

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# 750483.

Hidalgo County (the "county") received a request for all personnel records for a named employee. You state the county released information to the requestor, but made redactions as permitted by sections 552.024(c), 552.130(c), and 552.136(c) of the Government Code without requesting a decision from this office. You also state the county redacted information pursuant to Open Records Decision No. 684 (2009).<sup>1</sup> Pursuant to section 552.024(c-1), the requestor has asked this office to review information redacted by the county and render a decision as to whether it is excepted from disclosure under section 552.117(a)(1) of the Government Code. We have considered the county's position and reviewed the information.

Section 552.117(a)(1) of the Government Code excepts from disclosure the home address and telephone number, emergency contact information, social security number, and family member information of a current or former employee or official of a governmental body who requests this information be kept confidential under section 552.024 of the Government

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<sup>1</sup>Open Records Decision No. 684 is a previous determination issued by this office authorizing all governmental bodies to withhold certain categories of information without the necessity of requesting an attorney general decision, including certain e-mail addresses under section 552.137 of the Government Code.

Code, except as provided by section 552.024(a-1). *See* Gov't Code §§ 552.117(a)(1), .024. Whether a particular item of information is protected by section 552.117(a)(1) must be determined at the time of the governmental body's receipt of the request for the information. *See* Open Records Decision No. 530 at 5 (1989). Thus, information may only be withheld under section 552.117(a)(1) 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. You state, and have submitted documentation demonstrating, the employee whose information is at issue timely elected confidentiality under section 552.024 of the Government Code. Therefore, the county must continue to withhold the information previously redacted 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](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,



Ramsey A. Abarca  
Assistant Attorney General  
Open Records Division

RAA/mo

Ref: ID# 750483

Enc. Submitted documents

c: Requestor  
(w/o enclosures)