



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 6, 2019

Ms. Traci S. Briggs
Deputy City Attorney
City of Killeen
P.O. Box 1329
Killeen, Texas 76540-1329

OR2019-06259

Dear Ms. Briggs:

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# 753560 (City ID# W027438).

The City of Killeen (the "city") received a request for e-mails sent to or from a named individual during a specified time and information pertaining to the named individual's conflict of interest paperwork. You state you will release most of the requested information upon payment of costs.¹ You claim the submitted information is subject to a previous ruling by our office. Alternatively, you claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-05133 (2019). In that ruling, we determined the city must withhold the information at issue under section 552.101 of the Government Code in conjunction with section 418.182 of the Government Code. You state the law, facts, and circumstances on which the prior ruling was based have not changed. Therefore, the city must continue to rely on Open Records Letter No. 2019-05133 as a previous determination and withhold the submitted information in

¹You inform us the city sent the requestor an estimate of charges pursuant to section 552.2615 of the Government Code. See Gov't Code § 552.2615.

accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not address your remaining argument against disclosure of this 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,

A handwritten signature in black ink, appearing to read 'Meagan J. Conway', with a stylized flourish at the end.

Meagan J. Conway
Assistant Attorney General
Open Records Division

MC/gw

Ref: ID# 753560

Enc. Submitted documents

c: Requestor
(w/o enclosures)