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ATTORNEY GENERAL OF TEXAS

March 13, 2019

Mr. James R. Evans, Jr.
Counsel for the Cameron Appraisal District
Low Swinney Evans & James, PLLC
3305 Northland Drive, Suite 500
Austin, Texas 78731

OR2019-07014

Dear Mr. Evans:

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# 754534.

The Cameron Appraisal District (the "district"), which you represent, received a request for a bill of sale for a specified property. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses information protected by other statutes, such as section 22.27 of the Tax Code, which states, in pertinent part:

(a) Rendition statements, real and personal property reports, attachments to those statements and reports, and other information the owner of property provides to the appraisal office in connection with the appraisal of the property, including income and expense information related to a property filed with an appraisal office and information voluntarily disclosed to an appraisal office or the comptroller about real or personal property sales prices after a promise it will be held confidential, are confidential and not open to public inspection. The statements and reports and the information they contain about specific real or personal property or a specific real or personal property owner and information voluntarily disclosed to an appraisal office about real or personal property sales prices after a promise it will be held confidential may not be disclosed to anyone other than an employee of the appraisal office who appraises property except as authorized by Subsection (b) of this section.

Tax Code § 22.27(a). We understand the district is an “appraisal office” for purposes of section 22.27(a). None of the exceptions in section 22.27(b) apply in this instance. *See id.* § 22.27(b). We note the information at issue includes the sales price information. You argue, regardless of whether a promise of confidentiality was made, the information is nonetheless confidential under section 22.27(a) because it is information submitted by the property owner in connection with the appraisal of property. After considering your arguments and reviewing the statutory language, we find the promise of confidentiality requirement in section 22.27(a) pertains only to voluntarily disclosed sales price information. Therefore, we conclude the district must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 22.27 of the Tax Code; however, the property sales price may be withheld only if it was submitted under a promise of confidentiality. Accordingly, if the property sales price was not submitted to the district under a promise of confidentiality, it must be released.

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,



D. Michelle Case
Assistant Attorney General
Open Records Division

DMC/gw

Ref: ID# 754534

Enc. Submitted documents

c: Requestor
(w/o enclosures)