



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 3, 2019

Ms. Shea Smith
Assistant City Attorney
City of Sugar Land
P.O. Box 110
Sugar Land, Texas 77487-0110

OR2019-14531

Dear Ms. Smith:

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# 768265 (ORR# W006341, W006354).

The City of Sugar Land (the "city") received two requests for information pertaining to a specified incident. The city claims the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

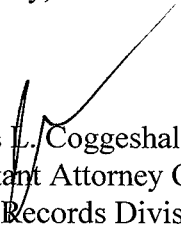
The requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-08708 (2019). In Open Records Letter No. 2019-08708, we determined the city must withhold some information under section 552.101 of the Government Code in conjunction with common-law privacy, including the second requestor's date of birth, but must release the remaining information. With regard to the submitted date of birth of the second requestor, we find the circumstances have changed, and the city may not withhold the second requestor's date of birth from that requestor pursuant to Open Records Letter No. 2019-08708. The second requestor has a right of access to her own date of birth pursuant to section 552.023 of the Government Code. *See Gov't Code* § 552.023(a); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individuals request information concerning themselves). Nevertheless, there is no indication the law, facts, or circumstances on which the prior ruling was based have changed in regard to the remaining information at issue. Therefore, with the exception

of the date of birth of the second requestor, which the city must release to that requestor, the city must continue to rely on Open Records Letter No. 2019-08708 as a previous determination and withhold or release the identical information from both requestors in accordance with that ruling.

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/jxd

Ref: ID# 768265

Enc. Submitted documents

c: Requestor
(w/o enclosures)