



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 12, 2019

Ms. Madelyn Fletcher
Capitol Director
State Representative Tan Parker
P.O. Box 2910
Austin, Texas 78768-2910

OR2019-15799

Dear Ms. Fletcher:

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# 770240.

The Office of State Representative Tan Parker (the "representative's office") received a request for all records pertaining to specified entities and projects during a stated period of time. The representative's office states it has released most of the responsive information to the requestor. The representative's office states it has withheld some information pursuant to sections 306.003 and 306.004 of the Government Code.¹ The representative's office claims some of the submitted information is excepted from disclosure under sections 552.106 and 552.111 of the Government Code. We have considered the exceptions the representative's office claims and reviewed the submitted information.

The representative's office informs this office the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2019-13511 (2019). In that ruling, we determined: (1) with the exception of the information we marked for release, the representative's office may withhold the information it marked under section 552.111; (2) to the extent the e-mail addresses within the remaining

¹Release of information subject to section 306.003(a) or 306.004(a) of the Government Code is governed by chapter 306, not the Act, and it is within the discretion of a legislator to either withhold or release such information. *See* Gov't Code §§ 306.003(a), .004(a); *see also* Open Records Decision No. 648 at 3-7 (1996).

information are not the personal e-mail addresses of officials or employees of the representative's office and subsection (c) does not apply, the representative's office must withhold the e-mail addresses at issue under section 552.137 of the Government Code, unless the owners of the e-mail addresses affirmatively consent to their release; and (3) the representative's office must release the remaining information. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the representative's office may rely on Open Records Letter No. 2019-13511 as a previous determination and withhold or release the identical submitted information in 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 our ruling is dispositive, we do not consider the representative's office's arguments against disclosure.

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,



Blake Brennan
Attorney
Open Records Division

BB/gw

Ref: ID# 770240

Enc. Submitted documents

c: Requestor
(w/o enclosures)