



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 8, 2019

Ms. Danielle R. Folsom  
Assistant City Attorney  
City of Houston  
P.O. Box 368  
Houston, Texas 77001-0368

OR2019-18419

Dear Ms. Folsom:

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# 773927 (GC Nos. 25890 and 25974).

The City of Houston (the "city") received two requests from the same requestor for a named individual's personnel file. You claim the submitted information is excepted from disclosure under sections 552.103 and 552.152 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.


The city states, and we acknowledge, the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-11723 (2019). In that ruling, we concluded the city must release certain information we marked under section 552.022(a)(1) of the Government Code and the city may withhold the remaining information at issue under section 552.103(a) of the Government Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city may continue to rely on Open Records Letter No. 2019-11723 as a previous determination and withhold or release the 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 we are able to make this determination, we need not address the city'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](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,



Jennifer Copeland  
Assistant Attorney General  
Open Records Division

JC/gw

Ref: ID# 773927

Enc. Submitted documents

c: Requestor  
(w/o enclosures)