



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 16, 2019

Ms. DeAnne A. Lin
Assistant County Attorney
Harris County Attorney's Office
1019 Congress, 15th Floor
Houston, Texas 77002

OR2019-22784

Dear Ms. Lin:

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# 780634.

The Harris County Tax Office (the "county") received a request for three specified bank checks. You state the county released information to the requestor, but made redactions as permitted by section 552.136(c) of the Government Code without requesting a decision from this office. Pursuant to section 552.136(d), the requestor has asked this office to review the information redacted by the county and render a decision as to whether it is excepted from disclosure under section 552.136(b) of the Government Code. We have considered the county's position and reviewed the information.

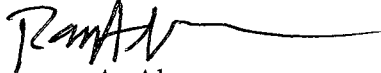
Section 552.136(b) of the Government Code provides, "[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." *Id.* § 552.136(b); *see id.* § 552.136(a) (defining "access device"). We note section 552.136 also protects personal privacy. Accordingly, the requestor has a right of access to his information under section 552.023 of the Government Code and such information may not be withheld from him under section 552.136. *See Gov't Code* § 552.023(a) ("person or a person's authorized representative has special right of access, beyond right of general public, to information held by governmental body that relates to person and that is protected from public disclosure by laws intended to protect that person's privacy interests"); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual

requests information concerning herself). Accordingly, with the exception of information pertaining to the requestor, the county must withhold the bank account and bank routing numbers in the submitted information under section 552.136 of the Government Code. However, we find you have not explained how any of the remaining information consists of a credit card, debit card, or charge card number, or is an access device number used to obtain money, goods, services, or any item of value, or used to initiate the transfer of funds. *See id.* §§ 552.136(a), .301(e)(1)(A) (governmental body must explain how claimed exception to disclosure applies). Therefore, we find you have failed to demonstrate the applicability of section 552.136 of the Government Code to the remaining information and the county may not withhold it on this ground.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,



Ramsey A. Abarca
Assistant Attorney General
Open Records Division

RAA/jxd

Ref: ID# 780634

Enc. Submitted documents

c: Requestor
(w/o enclosures)