



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 10, 2019

Mr. Mark G. Mann
Assistant City Attorney
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

OR2019-25196

Dear Mr. Mann:

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# 784855 (Reference No. GCA19-0532).

The City of Garland (the "city") received a request for information pertaining to a specified animal. You claim the submitted information is excepted from disclosure under section 552.1177 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.1177(a) of the Government Code relates to the humane disposition by a municipality or county of an animal and provides the following:

Except as provided by Subsection (b), information is confidential and excepted from [required public disclosure] if the information relates to the name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance or an order of the commissioners court.

Act of May 25, 2019, 86th Leg., R.S., H.B. 2828, § 1 (to be codified as Gov't Code § 552.1177(a)). You assert the submitted information identifies a person who obtained ownership or control of an animal from the city's animal shelter. You explain the city's animal shelter made a humane disposition of the animal at issue pursuant to a city ordinance. Upon review, we agree some of the information at issue is subject to section 552.1177. Accordingly, the city must withhold the information we marked under section 552.1177 of the Government Code. However, we find you failed to demonstrate the remaining information consists of the name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information for purposes of section 552.1177(a). Therefore, the city may not withhold any of the remaining information under section 552.1177 of the Government Code. As no other exceptions to disclosure have been raised, the city must release the remaining information.

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,



James M. Graham
Assistant Attorney General
Open Records Division

JMG/be

Ref: ID# 784855

Enc. Submitted documents

c: Requestor
(w/o enclosures)