



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 11, 2019

Ms. Ana Schumacher
Assistant City Attorney
City of El Paso
P.O. Box 1890
El Paso, Texas 79950-1890

OR2019-25477

Dear Ms. Schumacher:

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# 785053 (Ref. No. 19-1018-290).

The City of El Paso (the "city") received a request for records pertaining to a specified animal. You claim some of 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). The city asserts the information at issue identifies a person who adopted an

animal from the city's municipal animal shelter. We understand the city's municipal animal shelter made a humane disposition of the animal at issue under a municipal ordinance. Upon review, we find the information we have marked is subject to section 552.1177 of the Government Code. Therefore, the city must withhold the information we have marked under section 552.1177 of the Government Code. However, we find the remaining information at issue does not consist of information subject to section 552.1177 of the Government Code. Therefore, the city may not withhold the remaining information at issue on this basis. 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,

A handwritten signature in black ink, appearing to read 'Meredith L. Coffman', with a long, sweeping underline that extends to the right.

Meredith L. Coffman
Assistant Attorney General
Open Records Division

MLC/mo

Ref: ID# 785032

Enc. Submitted documents

c: Requestor
(w/o enclosures)