



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 2, 2019

Ms. Monica Hernandez
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2019-27625

Dear Ms. Hernandez:

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# 787541 (COSA File No. W273857-071519).

The City of San Antonio (the "city") received a request for all reports pertaining to a salmonella outbreak at a specified restaurant. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You state the requested information was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2019-04908 (2019). In that ruling, we determined the city must withhold the submitted information pursuant to section 552.101 of the Government Code in conjunction with section 81.046 of the Health and Safety Code. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Accordingly, the city must continue to rely on Open Records Letter No. 2019-04908 as a previous determination and withhold the identical information at issue in accordance with that ruling.¹ 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 a prior attorney general ruling, ruling is

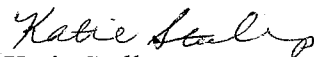
¹ As we are able to make this determination, we need not address your argument against disclosure.

addressed to same government body, and ruling concludes that information is or is not excepted from 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 <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,


Katie Stallcup
Attorney
Open Records Division

AKS5/eb

Ref: ID# 787541

Enc. Submitted documents

c: Requestor
(w/o enclosures)