



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

November 5, 2019

Ms. Bhavani Madiseti-Vemireddy  
Assistant County Attorney  
Williamson County  
405 Martin Luther King Street, Number 7  
Georgetown, Texas 78626

OR2019-31110

Dear Ms. Madiseti-Vemireddy:

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# 792683 (Ref. No. 2019-311-PIA).

Williamson County (the "county") received a request for several categories of information pertaining to a named individual and an employment position.<sup>1</sup> You state you have released some of the requested information. On October 16, 2019, we received correspondence from the county informing us that the requestor has withdrawn part of her request for information by operation of law and, therefore, the county withdraws its arguments against disclosure for this information. Therefore, this information, which you marked as Exhibit B, is not responsive to the instant request, need not be released, and will not be addressed in this ruling. You claim the remaining requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the information at issue.

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<sup>1</sup> The county states it sought and received clarification of the information requested. *See* Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also* *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding that when a governmental entity, acting in good faith, requests clarification or narrowing of an unclear or overbroad request for information, the ten-day period to request an attorney general ruling is measured from the date the request is clarified or narrowed).

Section 552.101 of the Government Code excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Gov’t Code § 552.101. This exception encompasses information made confidential by other statutes, including section 418.182 of the Texas Homeland Security Act, chapter 418 of the Government Code. Section 418.182 provides, in relevant part:

- (a) [I]nformation . . . in the possession of a governmental entity that relates to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity is confidential.

*Id.* § 418.182(a). The fact information may be related to a security system does not make such information *per se* confidential under section 418.182. *See* Open Records Decision No. 649 at 3 (1996) (language of confidentiality provision controls scope of its protection). Furthermore, the mere recitation by a governmental body of a statute’s key terms is not sufficient to demonstrate the applicability of a claimed provision. As with any exception to disclosure, a governmental body asserting section 418.182 must adequately explain how the responsive records fall within the scope of the statute. *See* Gov’t Code § 552.301(e)(1)(A) (governmental body must explain how claimed exception to disclosure applies).

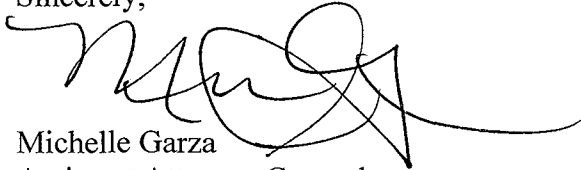
You state Exhibit B-1 consists of badge in reports for the named individual at the county courthouse. You state the badge in system is part of the county’s security system used to protect public and private property and the safety of courthouse occupants. You inform us disclosure of this information would reveal the vulnerabilities of the system, including the locations of security checkpoints and points of entry to the courthouse. Upon review, we find the responsive information relates to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity. *See Tex. Dep’t of Pub. Safety v. Abbott*, 310 S.W.3d 670 (Tex. App.—Austin 2010, no pet.). Therefore, the county must withhold Exhibit B-1 under section 552.101 of the Government Code in conjunction with section 418.182 of the Government Code.

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 'Michelle Garza', with a long horizontal flourish extending to the right.

Michelle Garza  
Assistant Attorney General  
Open Records Division

MG/mo

Ref: ID# 792683

Enc. Submitted documents

c: Requestor  
(w/o enclosures)