



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 4, 2019

Ms. Captoria Brown
Senior Paralegal
City of Carrollton
1945 East Jackson
Carrollton, Texas 75006

OR2019-33927

Dear Ms. Brown:

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# 799523 (City ID 17406).

The City of Carrollton (the "city") received a request for information pertaining to a specified request for proposals. Although you take no position as to whether the requested information is excepted under the Act, you state release of the requested information may implicate the proprietary interests of ICS Integrated Computer Systems; Mark43, Inc. ("Mark43"); TriTech Software Systems; and Tyler Technologies. Accordingly, you state, and provide documentation showing, you notified these interested third parties of the request for information and of its right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have received comments from Mark43. We have considered the submitted arguments.

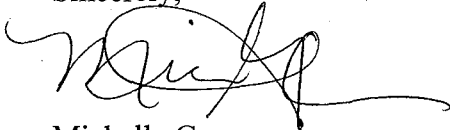
We note the requested information was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2019-09155 (2019). In that ruling, we determined 1) the city may withhold the indicated information under section 552.104(a) of the Government Code, 2) the city must withhold the marked information under section 552.110(b) of the Government Code, 3) the city must withhold the bank

account numbers and insurance policy numbers in the remaining information under section 552.136 of the Government Code, and 4) the city must release the remaining information; however, any information that is subject to copyright may be released only in accordance with copyright law. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the city must continue to rely on Open Records Letter No. 2019-09155 as a previous determination and withhold or release the information at issue in accordance with that ruling. *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 addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not address the submitted arguments.

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,



Michelle Garza
Assistant Attorney General
Open Records Division

MG/rm

Ref: ID# 799523

Enc. Submitted documents

c: Requestor
(w/o enclosures)

4 Third Parties
(w/o enclosures)