



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 4, 2019

Ms. Dawn May  
Northeast Texas Public Health District  
P.O. Box 2039  
Tyler, Texas 75710

OR2019-34080

Dear Ms. May:

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# 798860.

The Northeast Texas Public Health District (the "district") received a request for the job applications for specified employees. You state the district released information to the requestor, but made redactions as permitted by sections 552.024(c) and 552.130(c) of the Government Code without requesting a decision from this office. We note the district also redacted personal e-mail addresses under section 552.137 of the Government Code pursuant to Open Records Decision No. 684 (2009).<sup>1</sup> Pursuant to sections 552.024(c-1) and 552.130(d), the requestor has asked this office to review the information redacted by the district and render a decision as to whether it is excepted from disclosure under sections 552.117(a)(1) and 552.130(a) of the Government Code. We have considered the district's position and reviewed the information.

Section 552.117(a)(1) of the Government Code excepts from disclosure the home address and telephone number, emergency contact information, social security number, and family member information of a current or former employee or official of a governmental body who requests this information be kept confidential under section 552.024 of the Government Code. *See* Gov't Code § 552.117(a)(1). Whether a particular item of information is protected by section 552.117(a)(1) must be determined at the time of the governmental body's receipt of the request for the information. *See* Open Records Decision

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<sup>1</sup> Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information, including an e-mail address of a member of the public under section 552.137 of the Government Code, without the necessity of seeking a decision from this office.

No. 530 at 5 (1989). Thus, information may be withheld under section 552.117(a)(1) only on behalf of a current or former employee or official who made a request for confidentiality under section 552.024 prior to the date of the governmental body's receipt of the request for the information. The submitted information demonstrates the individuals whose information is at issue timely requested confidentiality under section 552.024 of the Government Code. Accordingly, the district must continue to withhold the information it previously redacted under section 552.117(a)(1) of the Government Code.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator's license, driver's license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. *See* Gov't Code § 552.130. Accordingly, the district must continue to withhold the motor vehicle record information it previously redacted under section 552.130 of the Government Code.

In summary, the city must continue to withhold the information it marked under sections 552.117 and 552.130 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,



Cindy Nettles  
Assistant Attorney General  
Open Records Division

CN/jxd

Ref: ID# 798860

Enc. Submitted documents

c: Requestor  
(w/o enclosures)