



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

December 12, 2019

Ms. Mehran Jadidi  
Assistant City Attorney  
City of Galveston  
P.O. Box 779  
Galveston, Texas 77553-0779

OR2019-35205

Dear Ms. Jadidi:

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# 801201 (ORR# W006413).

The City of Galveston (the "city") received a request for names and addresses of individuals who registered to take a particular firefighter written examination, excluding current employees. The city states it has released the responsive names, but claims the submitted addresses are excepted from disclosure under section 552.1175 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

Initially, we note, to the extent the submitted addresses pertain to current employees, such information is not responsive to the request for information. This ruling does not address the public availability of any information that is not responsive to the request, and the city is not required to release this information in response to this request.

Section 552.1175 of the Government Code protects the home address, home telephone number, emergency contact information, date of birth, social security number, and family member information of certain individuals, when that information is held by a governmental body in a non-employment capacity and the individual elects to keep the information confidential. Gov't Code § 552.1175. We note an individual's personal post office box number is not a "home address" for purposes of section 552.1175 and, therefore, may not be withheld on that ground. *See* Open Records Decision No. 622 at 6 (1994) (purpose of section 552.117 is to protect public employees from being harassed at home);

*see also* Open Records Decision No. 658 at 4 (1998) (statutory confidentiality provision must be express and cannot be implied). Section 552.1175 applies, in part, to “a firefighter or volunteer firefighter or emergency medical services personnel as defined by section 773.003, Health and Safety Code.” *Id.* § 552.1175(a)(15). The city must withhold the responsive information we have marked under section 552.1175 of the Government Code if the individuals at issue are subject to section 552.1175(a) of the Government Code and elect to restrict access to this information in accordance with section 552.1175(b) of the Government Code. However, the city may not withhold this information under section 552.1175 if the individuals either are not subject to section 552.1175(a) or do not elect to restrict access to this information in accordance with section 552.1175(b). The city must release the remaining responsive 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,

  
James L. Coggeshall  
Assistant Attorney General  
Open Records Division

JLC/mo

Ref: ID# 801201

Enc. Submitted documents

c: Requestor  
(w/o enclosures)