



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 21, 2020

Mr. Brian Sears
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR2020-01870

Dear Mr. Sears:

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# 807144 [PIR#s 19-4617, 19-4618, 19-4641, 19-4642, and 19-4730].

The Texas Department of Public Safety (the "department") received five requests for information pertaining to a specified investigation. You claim the requested information is excepted from disclosure under sections 552.101 and 552.108 of the Government Code. In addition, you notified an interested third party of the request for information and of their right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have received comments from the interested third party. We have considered the submitted arguments and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. You inform us the department, as an agent of the Committee on General Investigating of the Texas House of Representatives (the "committee"), conducted the investigation at issue at the request of the committee. *See* Gov't Code § 301.028(a)(3) (providing each standing committee, including a general investigating committee, may request necessary assistance from all state agencies, departments, and offices, including the department). Section 301.020(e) of the Government Code provides that "[i]nformation held by a general investigating committee is confidential

and not subject to public disclosure except as provided by the rules of the house establishing the committee.” *Id.* § 301.020(e)). Based upon our review, we conclude the submitted information is confidential under section 301.020(e) of the Government Code, and must be withheld under section 552.101 of the Government Code.¹

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,



Michael A. Pearle
Attorney
Open Records Division

MAP/gw

Ref: ID# 807144

Enc. Submitted documents

c: 5 Requestors
(w/o enclosures)

c: Third Party
(w/o enclosures)

¹ As our ruling is dispositive, we need not address the remaining arguments against disclosure.