



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 26, 2020

Ms. Marie N. Johnson
Counsel for the City of Denison
Messer, Fort & McDonald
6371 Preston Road, Suite 200
Frisco, Texas 75034

OR2020-06093

Dear Ms. Johnson:

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# 814383 (ORR# D120419SG).

The City of Denison (the "city"), which you represent, received a request for two specified incident reports. The city states it is withholding some of the requested information pursuant to Open Records Letter No. 2018-03683 (2018).¹ The city also states it has released some of the requested information, but claims some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the claimed exception 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." Gov't Code § 552.101. This section encompasses chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Section 772.318 of the Health and Safety Code applies to an emergency communication district for a county with a population of more than 20,000 and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a 9-1-1 service

¹ Open Records Letter No. 2018-03683 authorizes the city to withhold dates of birth of members of the public under section 552.101 of the Government Code in conjunction with common-law privacy without the necessity of requesting an attorney general's decision. See Gov't Code § 552.301(a); Open Records Decision No. 673 at 7-8 (2001).

supplier. *See* Open Records Decision No. 649 (1996). The city is located in Greyson County, which is part of an emergency communication district that is subject to section 772.318 of the Health and Safety Code. The city informs us the information it has marked under section 552.318 was provided to the city by a 9-1-1 service supplier. Based on these representations, we agree the city must withhold the information it has marked under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. The city must release the remaining 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/jxd

Ref: ID# 814383

Enc. Submitted documents

c: Requestor
(w/o enclosures)