



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 28, 2020

Ms. Taylor Floyd
Assistant City Attorney
City of Dallas
1500 Marilla Street, 7DN
Dallas, Texas 75207

OR2020-06417

Dear Ms. Floyd:

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# 813451 (City ORR 011282).

The City of Dallas (the "city") received a request for information pertaining to two named individuals. You state the city will release some information. You also state the city will withhold information pursuant to Open Records Letter No. 2017-09757 (2017) and Open Records Decision No. 684 (2009).¹ You claim some of the submitted information is excepted from disclosure under section 552.124 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.²

Section 552.124 of the Government Code makes confidential, with certain exceptions that are not applicable here, "[a] record of a library or library system, supported in whole or in

¹ Open Records Letter No. 2017-09757 is a previous determination authorizing the city to withhold the dates of birth of living individuals under section 552.101 of the Government Code in conjunction with common-law privacy and the dates of birth of current and former employees held in an employment context under section 552.102 of the Government Code without requesting a decision from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). Open Records Decision No. 684 serves as a previous determination to all governmental bodies authorizing them to withhold certain categories of information without the necessity of requesting an attorney general decision. *See* Open Records Decision No. 684.

²We assume the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service[.]” Gov’t Code § 552.124(a)-(b); *see also* Open Records Decision No. 100 at 3 (1975) (identifying information of library patrons in connection with object of their attentions is confidential by constitutional law). We note only names, addresses, and other information specifically identifying library patrons may be withheld under section 552.124. *See* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed). Upon review, we agree the information you have marked, in addition to the information we have marked, identifies individuals who requested, obtained, or used library materials or services. Therefore, the city must withhold the marked information under section 552.124 of the Government Code. As you raise no further exceptions to disclosure, 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,



Paige Lay
Assistant Attorney General
Open Records Division

PL/be

Ref: ID# 813451

Enc. Submitted documents

c: Requestor
(w/o enclosures)