



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 28, 2020

Mr. Zachary Noblitt
Assistant City Attorney
City of Irving
P.O. Box 152288
Irving, Texas 75015-2288

OR2020-06503

Dear Mr. Noblitt:

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# 814996 (City ID# PI-20-0282).

The City of Irving (the "city") received a request for the year, make, model, brand, and serial number of a specified city fax machine. You claim some of the submitted information is not subject to the Act. Additionally, you claim some the submitted information is excepted from disclosure under section 552.139 of the Government Code. We have considered the submitted arguments and reviewed the submitted information.

Initially, we note the city did not submit the requested year of the specified city fax machine. To the extent information responsive to this portion of the request existed on the date the city received the request, we assume the city has released it. If such information has not been released, then the city must release it at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to requested information, it must release information as soon as possible).

Next, we note the requestor only seeks certain categories of information pertaining to the specified city fax machine. You have submitted documents that contain information beyond these specific pieces of information. Thus, the portions of the submitted documents that do not consist of the information requested are not responsive to the present request. 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 such information in response to this

request.¹ As no exceptions to disclosure have been raised in regard to the responsive information, the city must release the 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,



Kimbell Kesling
Attorney
Open Records Division

KK/mo

Ref: ID# 814996

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹ As we are able to make this determination, we need not address the remaining arguments against disclosure of this information.