



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 4, 2020

Ms. Linda Pemberton
Paralegal
City of Killeen
P.O. Box 1329
Killeen, Texas 76540

OR2020-06844

Dear Ms. Pemberton:

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# 814673 (ORR# W030745).

The City of Killeen (the "city") received a request for copies of two specified invoices and a specified contract. The city claims the submitted information is excepted from disclosure under section 552.110 of the Government Code. Additionally, the city states it notified Texas General Land Office ("GLO") of the request for information and of its right to submit arguments to this office as to why the information at issue should not be released. *See* Gov't Code §552.304 (interested party may submit comments stating why information should or should not be released). As of the date of this letter, we have not received comments from GLO. We have considered the exception the city claims and reviewed the submitted information.

Initially, the city asserts the submitted information is excepted from disclosure under section 552.110 of the Government Code. However, section 552.110 protects only the interests of the third parties that have provided information to a governmental body, not those of the governmental body itself. *See id.* § 552.110 (excepts from disclosure trade secrets or commercial or financial information obtained from person). Therefore, we do not consider the city's argument under section 552.110.

Section 552.136 of the Government Code provides, "Notwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected,

assembled, or maintained by or for a governmental body is confidential.”¹ *Id.* § 552.136(b); *see id.* § 552.136(a) (defining “access device”). Accordingly, the city must withhold the account numbers under section 552.136 of the Government 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,



Britni Ramirez
Assistant Attorney General
Open Records Division

BR/eb

Ref: ID# 814673

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)

¹ The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body but ordinarily will not raise other exceptions. *See* Open Records Decision No. 487 (1987), 480 (1987), 470 (1987).