



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 6, 2020

Mr. L. Brian Narvaez
Brown & Hofmeister, LLP
Counsel for the City of McKinney
740 East Campbell Road, Suite 800
Richardson, TX 75081

OR2020-07122

Dear Mr. Narvaez:

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# 815221 (McKinney ID# P013473-120919).

The City of McKinney (the "city"), which you represent, received a request for information related to specified incident. You state you have released some information. You claim the requested information is subject to a previous ruling from this office. You also claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the submitted arguments.

You state the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2019-36388 (2019). In that ruling, we determined: with the exception of the basic information, which must be released, the city may withhold the requested information under section 552.108(a)(1) of the Government Code. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Therefore, the city may continue to rely on Open Records Letter No. 2019-36388 as a previous determination and withhold or release the requested information in accordance with that ruling.¹ *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is

¹ As we are able to make this determination, we need not address your argument against disclosure of the requested information.

addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Sean McCormick
Attorney
Open Records Division

SMC/mo

Ref: ID# 815221

c: Requestor