



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 1, 2020

Mr. Reggie Hollins
Legal Technology Specialist
City of Plano
P.O. Box 860358
Plano, Texas 75086-0358

OR2020-09889

Dear Mr. Hollins:

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# 819671 (Reference No. FD-R02359)

The City of Plano (the "city") received a request for the names of all city firefighters working at a specified substation on a specified date.¹ You claim the submitted information is excepted from disclosure under sections 552.152 and 552.159 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Initially, we note you have submitted information pertaining to all substations. The requestor seeks information pertaining to only a specified substation, which you marked. The submitted information pertaining to the other substations is not responsive to the instant request for information. 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 You state the city sought and received clarification of the information requested. *See* Gov't Code § 552.222 (providing if request for information is unclear, governmental body may ask requestor to clarify request); *see also City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (holding when governmental entity, acting in good faith, requests clarification of unclear or overbroad request for public information, ten-business-day period to request attorney general opinion is measured from date request is clarified or narrowed). Additionally, we note, and you provide documentation showing, you sent the requestor an estimate of charges pursuant to section 552.2615 of the Government Code. *See* Gov't Code § 552.2615.

Section 552.159 of the Government Code excepts from disclosure “[a] work schedule or a time sheet of a firefighter or volunteer firefighter or emergency medical services personnel as defined by [s]ection 773.003, Health and Safety Code[.]”² Gov’t Code § 552.159. Upon review, we find the responsive information is subject to section 552.159 of the Government Code. Therefore, the city must withhold the responsive information under section 552.159 of the Government Code.³

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,

Michelle Garza
Assistant Attorney General
Open Records Division

MRG/jlbn

Ref: ID# 819671

Enc. Submitted documents

c: Requestor
(w/o enclosures)

² The Eighty-sixth Legislature passed three versions of section 552.159 of the Government Code. In this instance, we address the provision enacted by Act of May 27, 2019, 86th Leg., R.S., H.B. 2446, § 7.

³ As our ruling is dispositive, we need not address your remaining argument against disclosure of this information.