



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 14, 2020

Mr. Mark G. Mann
Senior Assistant City Attorney
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

OR2020-10908

Dear Mr. Mann:

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# 821711 (ORR# GCA20-0071).

The City of Garland (the "city") received a request for information related to a specified animal. The city claims the submitted information is excepted from disclosure under section 552.1177 of the Government Code. We have considered the exception the city claims and reviewed the submitted information.

Section 552.1177(a) of the Government Code relates to the humane disposition by a municipality or county of an animal and provides the following:

Except as provided by Subsection (b), information is confidential and excepted from [required public disclosure] if the information relates to the name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance or an order of the commissioners court.

Gov't Code § 552.1177(a). The city asserts the submitted information identifies a person who adopted an animal from the city's municipal animal shelter. The city represents its municipal animal shelter made a humane disposition of the animal at issue under a municipal ordinance. Based on these representations and our review, we agree the city must withhold a portion of the submitted information, which we marked, under section 552.1177 of the Government Code. However, we find the city has failed to establish section

552.1177 of the Government Code is applicable to any of the remaining submitted information. Therefore, the city may not withhold the remaining submitted information on that ground, and must release it to the requestor.

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,

Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/gw

Ref: ID# 821711

Enc. Submitted documents

c: Requestor
(w/o enclosures)