



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 23, 2020

Mr. Kevin Bailey
Assistant City Attorney
City of Midland
P.O. Box 1152
Midland, Texas 79702-1152

OR2020-11573

Re: ORR# M029274-020620

Dear Mr. Bailey:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 823618.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You state some of the requested information has been released. Additionally, we understand you have redacted certain information pursuant to section 552.130(c) of the Government Code and dates of birth pursuant to Open Records Letter No. 2015-26022 (2015).¹ You claim the submitted information may be withheld from the requestor pursuant to section 552.108(a)(1) of the Government Code. Upon review, we find you must release the DIC-24 Statutory Warning and the DIC-25 Notice of Suspension. In releasing the DIC-24 and DIC-25 forms. Upon review of your arguments and the remaining information, we conclude you may withhold the remaining information under section 552.108(a)(1).² However, you must release the basic information pursuant to section 552.108(c) of the Government Code.

¹ Section 552.130(c) of the Government Code allows a governmental body to redact the information described in section 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e). Open Records Letter No. 2015-26022 authorizes the City of Midland to withhold public citizens' dates of birth under section 552.101 of the Government Code in conjunction with common-law privacy without requesting a ruling from this office.

²As our ruling is dispositive, we need not address your remaining argument against disclosure of the submitted information or the applicability of section 1701.661(a) of the Occupations Code to the submitted recordings. *See generally* Occ. Code § 1701.661(a), (e).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor
(w/o enclosures)