



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 5, 2020

Ms. Ileana Fernandez
Assistant City Attorney III
City of Plano
P.O. Box 860358
Plano, Texas 75086-0358

OR2020-12684

Dear Ms. Fernandez:

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# 828482 (ORR# CM-R002713).

The City of Plano (the "city") received a request for records demonstrating two named individuals reside at a specified address. The city claims the submitted information is excepted from disclosure under section 552.124 of the Government Code. We have considered the exception the city claims and reviewed the submitted information.

Initially, we note the city only submitted information pertaining to library services. We assume, to the extent any additional responsive information existed when the city received the request for information, the city has released it. If not if the city has not released such information, then the city must do so immediately. *See* Gov't Code §§ 552.006, .301, .302; Open Records Decision No. 664 (2000).

Section 552.124 of the Government Code makes confidential "[a] record of a library or library system, supported in whole or in part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service[.]" Gov't Code § 552.124(a)-(b); *see also* Open Records Decision No. 100 at 3 (1975) (identifying information of library patrons in connection with object of their attentions is confidential by constitutional law). Upon review, we agree the city must withhold the submitted information under section 552.124 of the Government Code.

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/jlbm

Ref: ID# 828482

Enc. Submitted documents

c: Requestor
(w/o enclosures)