



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 10, 2020

Ms. Judith El Masri
Counsel for the City of Angleton
Randle Law Office Limited
820 Gessner, Suite 1570
Houston, Texas 77024-4494

OR2020-17180

Dear Ms. El Masri:

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# 833725.

The City of Angleton (the "city"), which you represent, received a request for information regarding a specified report involving two named individuals. We understand you will withhold information subject to section 552.117(a)(1) of the Government Code as permitted by section 552.024(c) of the Government Code.¹ You claim the submitted information is excepted from disclosure under sections 552.101 and 552.103 of the Government Code.² We have considered the exceptions you claim and reviewed the submitted information.

We note the information at issue was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2020-14047 (2020). In that ruling, we determined the city must: (1) withhold certain information under section 552.101 of the Government Code in conjunction with common-law privacy; (2) withhold certain information under section 552.101 of the Government Code in conjunction with section 6103(a) of title 26 of the United States Code; (3) withhold certain information under section 552.101 of the Government Code in conjunction with section 411.083 of the Government

¹ Section 552.117 of the Government Code excepts from disclosure the home addresses and telephone numbers, social security numbers, emergency contact information, and family member information of current or former officials or employees of a governmental body. *See* Gov't Code § 552.117(a)(1). Section 552.024 of the Government Code authorizes a governmental body to withhold information subject to section 552.117 without requesting a decision from this office if the employee or official or former employee or official chooses not to allow public access to the information. *See id* § 552.024(c).

² Although you do not cite section 552.103 of the Government Code in your brief, we understand you to raise this exception based on your arguments.

Code; (4) withhold certain information under section 552.117(a)(1) of the Government Code to the extent the individuals whose information is at issue timely requested confidentiality under section 552.024 of the Government Code; (5) withhold certain e-mail addresses under section 552.137 of the Government Code, to the extent the e-mail addresses at issue are not excluded by section 552.137(c) of the Government Code, unless the owners affirmatively consent to their public disclosure; and (6) release the remaining information; however, any information that is subject to copyright may be released only in accordance with copyright law. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the city may continue to rely on Open Records Letter No. 2020-14047 as a previous determination and withhold or release the information at issue in accordance with that ruling. *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 a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we need not address your submitted arguments.

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,

Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/rm

Ref: ID# 833725

Enc. Submitted documents

c: Requestor
(w/o enclosures)