



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 8, 2020

Ms. Delietrice Henry
Open Records Assistant
City of Plano
P.O. Box 860358
Plano, Texas 75086

OR2020-22573

Dear Ms. Henry:

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# 845923 (Ref. #P009592-071320).

The City of Plano (the "city") received a request for a named individual's blood sample results. You state you have released some information. You claim the submitted information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

Generally, the Act authorizes the Office of the Attorney General to render decisions and opinions in two situations. The first occurs when a governmental body receives a written request for information from an individual or entity acting as a member of the public and requests a ruling from this office because the governmental body wishes to withhold responsive information in accordance with one of the Act's exceptions to disclosure. *See* Gov't Code §§ 552.301, .306. The second situation occurs when this office issues "materials, including detailed and comprehensive written decisions and opinions, that relate

¹ We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

to or are based on [the Act]” in order to “maintain uniformity in the application, operation, and interpretation of [the Act.]” *Id.* § 552.011.

We note the submitted information is not responsive to the instant request for information because it does not consist of the specified blood sample results. We do not address the public availability of information that is not responsive to the request and the city is not required to release that information in response to the request. Therefore, because the city does not seek to withhold any responsive information, this situation falls outside of the Act and beyond the scope of this office’s authority to render a decision, and we consider this matter closed. If you have any questions with regard to this letter, please refer to ID# 845923.

Sincerely,

Thana Hussaini
Assistant Attorney General
Open Records Division

TSH/jm

Ref: ID# 845923

Enc. Submitted documents

c: Requestor
(w/o enclosures)