



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 16, 2020

Ms. Stephanie Berry
Assistant City Attorney
City of Denton
215 East McKinney
Denton, Texas 76201

OR2020-26134

Dear Ms. Berry:

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# 854317 (ORR# C000987).

The City of Denton (the "city") received a request for adoption records for a specified animal. The city claims some of the submitted information is excepted from disclosure under section 552.1177 of the Government Code.¹ 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.

¹ Although the city also raises section 552.101 of the Government Code, the city has not provided any arguments to support this exception. Therefore, we assume the city has withdrawn its claim this section applies to the submitted information. See Gov't Code §§ 552.301, .302.

Act of May 25, 2019, 86th Leg., R.S., H.B. 2828, § 1 (to be codified as 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 indicates 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 find the city must withhold the information it marked under section 552.1177 of the Government Code. The city must release the remaining information.

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,

Jesse Harvey
Assistant Attorney General
Open Records Division

JHI/be

Ref: ID# 854317

Enc. Submitted documents

c: Requestor
(w/o enclosures)