



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 2, 2020

Mr. John C. Lemon
Counsel for the City of Alice
Lemon & Gonzalez-Lemon
520 East 2nd Street
Alice, Texas 78332

OR2020-27495

Dear Mr. Lemon:

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# 852486 (Ref. Nos. 2020-134 & 2020-141).

The City of Alice (the "city"), which you represent, received two requests from different requestors for a named individual's personnel file. You claim some of the submitted information is excepted from disclosure under sections 552.101, 552.102, 552.117, 552.1175, 552.119, 552.140, 552.147, and 552.152 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for a ruling, in response to which this office issued Open Records Letter No. 2019-24201 (2019). We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Thus, the city must continue to rely on Open Records Letter No. 2019-24201 as a previous determination and withhold or release the submitted information in accordance with that ruling.¹ 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 prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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.

¹ As we are able to make this determination, we need not address the submitted arguments against disclosure.

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,

Michelle Garza
Assistant Attorney General
Open Records Division

MRG/gw

Ref: ID# 852486

Enc. Submitted documents

c: 2 Requestors
(w/o enclosures)