



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

January 14, 2022

Mr. Michael B. Gary  
Chief of Legal Service and Compliance  
Fort Bend Central Appraisal District  
2801 B.F. Terry Boulevard  
Rosenberg, Texas 77471-5600

OR2022-01341

Dear Mr. Gary:

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# 925976 (Reference No. 2021-0012).

The Fort Bend Central Appraisal District (the "district") received a request for certain information pertaining to a specified address. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note the requestor only seeks the name of the owner of the specified address. The district has submitted documents that contain information beyond the requested information. Thus, the portions of the submitted documents that contain information beyond the requested information are not responsive to the present request. This ruling does not address the public availability of any information that is not responsive to the request, and the district is not required to release such information in response to this request.<sup>1</sup>

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses section 25.025 of the Tax Code, which states, in pertinent part, as follows:

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<sup>1</sup> As we are able to make this determination, we need not address the submitted argument against disclosure of this information.

(b) Information in appraisal records under Section 25.02 is confidential and is available only for the official use of the appraisal district, the state, the comptroller, and taxing units and political subdivisions of this state if:

(1) the information identifies the home address of a named individual to whom this section applies; and

(2) the individual:

(A) chooses to restrict public access to the information on the form prescribed for that purpose by the comptroller under Section 5.07; or

(B) is a federal or state judge, or the spouse of a federal or state judge, beginning on the date of the Office of Court Administration of the Texas Judicial System notifies the appraisal district of the judge's qualification of the judge's office.

(c) A choice made under Subsection (b) remains valid until rescinded in writing by the individual.

(d) This section does not prohibit the public disclosure of information in appraisal records that identifies property according to an address if the information does not identify an individual who has made an election under Subsection (b) in connection with the individual's address.

Tax Code § 25.025(b)-(d). Section 25.025(a) sets forth certain categories of individuals who are authorized to make an election of confidentiality pursuant to section 25.025(b). *See id.* § 25.025(a). The district informs us the individual identified in the responsive information may be an individual to whom section 25.025 applies and may have requested confidentiality on the form prescribed by the comptroller under section 5.07. Upon review, to the extent a property owner to whom section 25.025 applies has filed a request for confidentiality on the form prescribed under section 5.07 and has not revoked it, the district must withhold the responsive information under section 552.101 of the Government Code in conjunction with section 25.025 of the Tax Code. If a property owner is not an individual to whom section 25.025 applies or if no election is made, the district may not withhold the responsive information under section 552.101 on that basis, and thus, must release the responsive 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,

Kimbell Kesling  
Assistant Attorney General  
Open Records Division

KK/eb

Ref: ID# 925976

Enc. Submitted documents

c: Requestor  
(w/o enclosures)