



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 25, 2022

Mr. Nicholas Perez
Staff Attorney
Galveston Central Appraisal District
9850 Emmett F. Lowry Expressway, Suite A
Texas City, Texas 77591

OR2022-01983

Dear Mr. Perez:

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# 926650.

The Galveston Central Appraisal District (the "district") received a request for parcel data of all commercial properties. You claim some of the submitted information is excepted from disclosure under section 552.137 of the Government Code.¹ Additionally, you state release of the submitted information may implicate the privacy interests of certain individuals. Accordingly, we understand you notified the individuals of the request for information pursuant to section 552.304 of the Government Code.² See Gov't Code § 552.304 (providing that interested party may submit comments stating why information should or should not be released). We have considered the exception you claim and reviewed the submitted information.

Section 552.137 of the Government Code excepts from disclosure "an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body" unless the member of the public consents to its release or the e-mail address is of a type specifically excluded by subsection (c). *Id.* § 552.137(a)-(c). Section 552.137 does not apply to an institutional e-mail address, the general e-mail address of a

¹ Although you raise section 552.305 of the Government Code, we note section 552.305 is not an exception to disclosure under the Act. Rather, section 552.305 provides the procedural requirements for notifying third parties that their interests may be affected by a request for information. See Gov't Code § 552.305.

² As of the date of this letter, we have not received comments from any third party explaining why any of the submitted information should not be released.

business, an e-mail address of a person who has a contractual relationship with a governmental body, an e-mail address of a vendor who seeks to contract with a governmental body, an e-mail address maintained by a governmental entity for one of its officials or employees, or an e-mail address provided to a governmental body on a letterhead. *See id.* § 552.137(c). Because we are unable to discern whether the e-mail addresses within the submitted information fall within the scope of section 552.137(c), we must rule conditionally. To the extent the e-mail addresses at issue are not excluded by section 552.137(c), the district must withhold them under section 552.137, unless the individuals to whom the e-mail addresses belong affirmatively consent to their release. The district 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,

Joseph Hoggatt
Assistant Attorney General
Open Records Division

JWH/mo

Ref: ID# 926650

Enc. Submitted documents

c: Requestor
(w/o enclosures)