



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 8, 2022

Ms. Alicia K. Kreh
Counsel for the Town of Flower Mound
Taylor, Olson, Adkins, Sralla, Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107

OR2022-03560

Re: ORR# 647-21

Dear Ms. Kreh:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 930690 (ORR# 647-21).

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. We understand you will withhold information pursuant to sections 552.130(c) and 552.147(b) of the Government Code and Open Records Decision No. 684 (2009).¹ You claim the marked date of birth must be withheld from the requestor pursuant to section 552.101 of the Government Code. Upon review of your arguments and the information, we conclude you must withhold the marked date of birth pursuant to section 552.101 of the Government Code in conjunction with common-law privacy. *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 WL 3394061, at *3 (Tex. App.—Austin May 22, 2015, pet. denied) (mem. op.).

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open->

¹ Section 552.130(c) of the Government Code allows a governmental body to redact the information described in section 552.130(a) without the necessity of seeking a decision from the attorney general. *See* Gov't Code § 552.130(c). If a governmental body redacts such information, it must notify the requestor in accordance with section 552.130(e). *See id.* § 552.130(d), (e). Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act. *See id.* § 552.147(b). Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information, including fingerprints under section 552.101 in conjunction with section 560.003 of the Government Code, without the necessity of seeking a decision from this office.

[government/governmental-bodies/open-records-memorandum-rulings.](#) You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor
(w/o enclosures)