



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 15, 2022

Mr. Douglas P. Ray
Senior Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2022-04576

Dear Mr. Ray:

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# 932232 (Ref. No. R045625).

The City of Houston (the "city") received a request for information pertaining to a specified assistance program. You claim the submitted information is excepted from disclosure under section 552.160 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.160 of the Government Code provides, in relevant part:

(b) Except as provided by Subsection (c), the following information maintained by a governmental body is confidential:

- (1) the name, social security number, house number, street name, and telephone number of an individual or household that applies for state or federal disaster recovery funds;
- (2) the name, tax identification number, address, and telephone number of a business entity or an owner of a business entity that applies for state or federal disaster recovery funds; [and]
- (3) any other information the disclosure of which would identify or tend to identify a person or household that applies for state or federal disaster recovery funds.

(c) The street name and census block group of and the amount of disaster recovery funds awarded to a person or household are not confidential after the date on which disaster recovery funds are awarded to the person or household.

Gov't Code § 552.160(b), (c); *see also id.* § 552.160(a); *id.* § 418.004(1) (defining “disaster” for purposes of section 552.160). You state the submitted information consists of confidential information concerning business entities or owners of business entities that applied for disaster recovery assistance. Based on your representations and our review, we find section 552.160 is applicable to some of the information at issue. Accordingly, the city must withhold the information we have marked under section 552.160 of the Government Code. However, we find you failed to demonstrate the remaining information identifies or tends to identify a business entity, an owner of a business entity, a person, or a household that applied for state or federal disaster recovery funds. Thus, the city may not withhold any portion of the remaining information under section 552.160 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,

Alexandra C. Burks
Assistant Attorney General
Open Records Division

ACB/jxd

Ref: ID# 932232

Enc. Submitted documents

c: Requestor
(w/o enclosures)