



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 22, 2022

Ms. Danielle Folsom
Assistant City Attorney
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2022-05298

Dear Ms. Folsom:

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# 931491 (F002432-111821 and F002506-112421).

The City of Houston and the Houston Fire Department (collectively, the "city") received two requests from the same requestor for information pertaining to a specified incident. You claim the requested information was the subject of a previous request for information and is excepted from disclosure under sections 552.101, 552.103, 552.107, 552.108, 552.111, and 552.152 of the Government Code. We have considered your arguments.

You inform us the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2022-04337 (2022). In that ruling, we concluded the following: (1) the city must release certain marked information pursuant to section 552.022 of the Government Code; (2) with the exception of the basic information, which must be released, the city may withhold the remaining information at issue under section 552.108(a)(1) of the Government Code; and (3) in releasing the information subject to section 552.022 of the Government Code, the city must withhold the routing and bank account numbers under section 552.136 of the Government Code. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the city must continue to rely on Open Records Letter No. 2022-04337 as a previous determination and withhold or release the requested 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

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

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.

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,

Jennifer Copeland
Assistant Attorney General
Open Records Division

JC/be

Ref: ID# 931491

c: Requestor