



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 24, 2022

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

OR2022-05666

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# 933769 (ORR# 21-008).

The Fort Bend Central Appraisal District (the "district") received a request for the name of the owner of a specified property. The district claims the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception the district claims and reviewed the submitted information.

Initially, we note the requestor seeks the name of the owner of the property at issue. The district has submitted documents that contain information beyond this specific piece of information. Thus, the portions of the submitted documents that do not consist of the information requested 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 that information in response to the request.

Section 552.101 of the Government Code excepts from public 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 provides, in pertinent part, the following:

(b) Information in appraisal records under Section 25.02 is confidential and is available only for the official use of the appraisal district, this 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 the Office of Court Administration of the Texas Judicial System notifies the appraisal district of the judge's qualification for 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(c) A choice made under Subsection (b) remains valid until rescinded in writing by the individual.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.

Id. § 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). *Id.* § 25.025(a). The district informs us the individual identified in the information at issue is an individual to whom section 25.025 applies and the individual has requested confidentiality on the form prescribed by the comptroller under section 5.07. We understand the individual has not revoked the request for confidentiality. The district informs us the requestor is not an individual to whom the information is available under section 25.025(b). Upon review, we find the district must withhold the name of the property owner under section 552.101 in conjunction with section 25.025 of the Tax Code. *Id.* § 25.025(b).

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,

Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/jm

Ref: ID# 933769

Enc. Submitted documents

c: Requestor
(w/o enclosures)