April 4, 2022

Ms. Logan Leal
Counsel for the Harris County Sports and Convention Corporation
Husch Blackwell, LLP
600 Travis Street, Suite 2350
Houston, Texas 77002

Dear Ms. Leal:

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# 938088.

The Harris County Sports and Convention Corporation (the “corporation”), which you represent, received a request for plans pertaining to a specified agreement. The corporation claims the submitted information is excepted from disclosure under section 552.103 of the Government Code. Additionally, the corporation states release of the submitted information may implicate the proprietary interests of Scoremore Holdings, LLC (“Scoremore”). Accordingly, the corporation states, and provides documentation showing, it notified Scoremore of the request for information and of the right to submit arguments to this office as to why the submitted information should not be released. See Gov’t Code § 552.305(d); see also Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted argument and the submitted information.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2022-03743 (2022). In that ruling, we determined the corporation may withhold the responsive information under section 552.103 of the Government Code. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the corporation may rely on Open Records Letter No. 2022-03743 as a previous
determination and withhold the submitted information in accordance with that ruling. 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 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,

Katie Stallcup
Assistant Attorney General
Open Records Division

AKS/jm

Ref: ID# 938088

c: Requestor

Third Party

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1 As our ruling is dispositive, we need not address the corporation’s argument against disclosure of the submitted information.