



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

May 23, 2022

Mr. John B. Dahill  
Executive Director  
TechShare Local Government Corporation  
500 West 13th Street  
Austin, Texas 78701

OR2022-14732

Dear Mr. Dahill:

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# 949651.

The TechShare Local Government Corporation (the "corporation") received a request for information pertaining to a specified software during a certain period of time. You claim some of the submitted information is excepted from disclosure under section 552.139 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample information.<sup>1</sup> Additionally, we have received and considered comments from the requestor. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released).

Initially, the requestor asserts the corporation failed to comply with its procedural obligations under the Act. Section 552.301 describes the procedural obligations placed on a governmental body that receives a written request for information it wishes to withhold. Pursuant to section 552.301(b), the governmental body must ask for the attorney general's decision and state the exceptions that apply within ten business days after receiving the request. *See id.* § 552.301(a), (b). The corporation received the request for information on March 2, 2022. Accordingly, the corporation's ten-business-day deadline was March 16, 2022. The envelope in which the corporation submitted to this office the information required by section 552.301(b) demonstrates the information was shipped on March 16,

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<sup>1</sup> We assume the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

2022. *See id.* § 552.308(a) (prescribing rules for calculating submission dates of documents sent via first class United States mail, common or contract carrier, or interagency mail). Thus, we conclude the corporation's correspondence to this office was timely mailed. Consequently, we find the corporation complied with the procedural requirements mandated by section 552.301 of the Government Code. Accordingly, we will consider the arguments of the corporation against disclosure of the submitted information.

Section 552.139 of the Government Code provides:

(a) Information is excepted from [required public disclosure] if it is information that relates to computer network security, to restricted information under Section 2059.055 [of the Government Code], or to the design, operation, or defense of a computer network.

(b) The following information is confidential:

(1) a computer network vulnerability report;

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use; [and]

...

(4) information directly arising from a governmental body's routine efforts to prevent, detect, investigate, or mitigate a computer security incident, including information contained in or derived from an information security log.

*Id.* § 552.139(a), (b)(1)-(2), (4). Section 2059.055 of the Government Code provides in pertinent part:

(b) Network security information is confidential under this section if the information is:

(1) related to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity;

(2) collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or

(3) related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity.

*Id.* § 2059.055(b). The corporation states the information you marked “consists of service domain addresses, URL addresses, IP addresses, file store system identifications, file paths, table names, unique user entity identifiers, report coding, and software code” that relates to the network security or to the design, operation, or defense of the computer networks at issue. You assert release of the information at issue “would subject the networks to much greater vulnerability to cyberattack.” Upon review, we find the information you marked relates to computer network security or the design, operation, or defense of a computer network. Accordingly, the corporation must withhold the information you marked under section 552.139 of the Government Code. The corporation 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,

D. Michelle Case  
Assistant Attorney General  
Open Records Division

DMH/mo

Ref: ID# 949651

Enc. Submitted documents

c: Requestor  
(w/o enclosures)