



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 6, 2022

Ms. Victoria Hayslett
Assistant City Attorney
City of Austin
Post Office Box 1088
Austin, Texas 78767-8828

OR2022-16181

Dear Ms. Hayslett:

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# 951684 (PIR# C130180).

The City of Austin (the "city") received a request for information pertaining to a specified grant. The city claims some of the submitted information is excepted from disclosure under section 552.160 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.¹

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;

¹ 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.

(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). The city states the submitted information consists of confidential information concerning individuals and business entities that applied for disaster recovery assistance. Based on these representations and our review, we find section 552.160 is applicable to some of the information at issue. Accordingly, except for the information we have marked for release, the city must withhold the information it marked under section 552.160 of the Government Code. However, we find the city has failed to demonstrate some of the information we have marked for release 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. Further, we note some of the information we have marked for release pertains to recovery funds which have been awarded and is therefore subject to section 552.160(c). 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,

Katie Stallcup
Assistant Attorney General
Open Records Division

AKS/be

Ref: ID# 951684

Enc. Submitted documents

c: Requestor
(w/o enclosures)