



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 20, 2022

Counsel for the City of Benbrook
Taylor, Olson, Adkins, Sralla, Elam, L.L.P.
6000 Western Place, Suite 200
Fort Worth, Texas 76107

OR2022-28856

Dear Ms. Hale:

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# 972873.

The City of Benbrook (the "city"), which you represent, received a request for information pertaining to a specified incident. The city claims some of the submitted information is excepted from disclosure under sections 552.117 and 552.152 of the Government Code. We have considered the claimed exceptions and reviewed the submitted information.

Section 552.1175 of the Government Code protects the home address, home telephone number, emergency contact information, date of birth, social security number, and family member information of certain individuals, when that information is held by a governmental body in a non-employment capacity and the individual elects to keep the information confidential.¹ Gov't Code § 552.1175. Section 552.1175 applies to a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code. *Id.* § 552.1175(a)(18). The city has marked information pertaining to an individual whom we understand is subject to section 552.1175(a)(18). The city has submitted an election by that individual to restrict access to the information in accordance with section 552.1175(b) of the Government Code.

¹ The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body. *See* Open Records Decision Nos. 481 at 2 (1987), 480 at 5 (1987).

Accordingly, the city must withhold the information it has marked under section 552.1175 of the Government Code.² 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,

James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/jm

Ref: ID# 972873

Enc. Submitted documents

c: Requestor
(w/o enclosures)

² As our ruling is dispositive, we do not address the arguments of the city to withhold this information.