



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 31, 2022

Ms. Vanessa Burgess
General Counsel
Texas Real Estate Commission
P.O. Box 12188
Austin, Texas 78711-2188

OR2022-33589

Dear Ms. Burgess:

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# 978257.

The Texas Real Estate Commission (the "commission") received a request for information pertaining to a named entity. You state the commission released information to the requestor, but made redactions as permitted by section 552.136(c) of the Government Code without requesting a decision from this office. Pursuant to section 552.136(d), the requestor has asked this office to review the information redacted by the commission and render a decision as to whether it is excepted from disclosure under section 552.136(b) of the Government Code. We have considered the commission's position and reviewed the information.

Section 552.136(b) of the Government Code provides, "[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." Gov't Code § 552.136(b); *see id.* § 552.136(a) (defining "access device"). This office has concluded insurance policy numbers constitute access device numbers for purposes of section 552.136. *See* Open Records Decision No. 684 (2009). Accordingly, the commission must continue to withhold the insurance policy number you redacted under section 552.136 of the Government Code.

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,

Jahna Ward
Assistant Attorney General
Open Records Division

JW/pt

Ref: ID# 978257

Enc. Submitted documents

c: Requestor
(w/o enclosures)