



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 7, 2022

Ms. ML Calcote
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR2022-37965

Dear Ms. Calcote:

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# 988780 (PIR Nos. 22-2831 and 22-2885).

The Texas Department of Public Safety (the "department") received two requests from different requestors for information pertaining to a specified incident. You state you have released basic information pursuant to section 552.108(c) of the Government Code. *See* Gov't Code § 552.108(c). You claim the requested information is excepted from disclosure under section 552.108 of the Government Code. We have considered the exception you claim.

We note the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2022-30734 (2022). In that ruling, we determined the department may withhold the submitted information under section 552.108(a)(1) 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, we conclude the department may continue to rely on Open Records Decision No. 2022-30734 as a previous determination and withhold the requested information in accordance with that ruling.¹ *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

¹ As our ruling is dispositive, we need not address the submitted argument against disclosure of the requested 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,

Kimbell Kesling
Assistant Attorney General
Open Records Division

KK/pt

Ref: ID# 988780

c: 2 Requestors
(w/o enclosures)