



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 16, 2026

Ms. Yolanda Dawson
Open Records Attorney
Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, Texas 78711

OR2026-001320

Dear Ms. Dawson:

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# 25-049036 (ORR# R043085).

The Texas Department of Licensing and Regulation (the "department") received a request for a specified type of licensee.¹ The department states it has released some of the requested information. The department claims the submitted information is excepted from disclosure under section 552.11765 of the Government Code. We have considered the claimed exception and reviewed the submitted representative sample of information.²

Section 552.11765 of the Government Code provides, in relevant part, the following:

(a) In this section, "license" means a license, certificate, registration, permit, or other authorization that:

¹The department sought and received clarification of the information requested. See Gov't Code § 552.222 (if request for information is unclear, governmental body may ask requestor to clarify request); see also *City of Dallas v. Abbott*, 304 S.W.3d 380, 387 (Tex. 2010) (if governmental entity, acting in good faith, requests clarification of unclear or over-broad request, ten-day period to request attorney general ruling is measured from date request is clarified).

² 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.

(1) is issued by a governmental body described by Section 552.003(1)(A)(i); and

(2) an individual must obtain to practice or engage in a particular business, occupation, or profession.

(b) Except as provided by Subsections (c) . . . and (d), information maintained by a governmental body described by Section 552.003(1)(A)(i) is confidential and excepted from the requirements of Section 552.021 if the information:

(1) is a license application; or

(2) relates to the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, state identification number, passport number, emergency contact information, or payment information of:

(A) an applicant for a license issued by the governmental body;

(B) an individual who holds a license issued by the governmental body; or

(C) an individual who previously held a license issued by the governmental body.

(c) Subsection (b) does not make confidential or except from required public disclosure the name, license number, or license status of an applicant for a license, a license holder, or an individual who previously held a license.

Gov't Code § 552.11765(a)-(c). The department states the submitted information relates to applicants, license holders, or former license holders for licenses issued by the department and is made confidential by section 552.11765(b). We understand section 552.11765(d) is not applicable to the information at issue. We note a post office box number is not a "home address" for purposes of section 552.11765. *Cf.* Open Records Decision No. 622 at 4 (1994) (legislative history makes clear that purpose of section 552.117 is to "protect public employees from being harassed at *home*" (emphasis added) (citing House Committee on State Affairs, Bill Analysis, H.B. 1979, 69th Leg. (1985))). Upon review, we conclude the department must withhold the submitted home addresses and home telephone numbers under section 552.11765(b) of the Government Code. The department must release the remaining information.

Finally, the department has asked this office to issue a previous determination permitting it to withhold certain information under section 552.11765 of the Government Code without requesting a ruling from this office. *See* Gov't Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision

No. 673 (2001). After due consideration, we have decided to grant the department's request on this matter. Therefore, this letter ruling authorizes the department to withhold the following types of information under section 552.11765 of the Government Code: the home address, home telephone number, electronic mail address, social security number, date of birth, driver's license number, state identification number, passport number, and emergency contact information of an applicant, license holder, or former license holder for a license issued by the department. *See* Gov't Code § 552.11765(b)(2). We note a person or a person's authorized representative has a special right of access under section 552.023 of the Government Code to information that is protected from public disclosure by laws intended to protect the person's privacy interests. *See id.* § 552.023(a); Open Records Decision No. 481 at 4 (1987) (privacy theories not implicated when individual requests information concerning himself). Consequently, this previous determination is not applicable to information requested by a person or the authorized representative of a person whose information is at issue. So long as the elements of law, fact, and circumstances do not change so as to no longer support the findings set forth above, the department need not ask for a decision from this office again with respect to these types of information. *See* ORD 673 at 7-8 (listing elements of second type of previous determination under Gov't Code § 552.301(a)).

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/tb

Ref: ID# 25-049036

c: Requestor