



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 31, 1995

Ms. Sheree L. Rabe
Assistant City Attorney
City of Georgetown
P.O. Box 409
Georgetown, Texas 78627-0409

OR95-1166

Dear Ms. Rabe:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 24223.

The City of Georgetown (the "city") has received an open records request for the forwarding address of a former police officer. However, you seek to withhold the requested information and claim that sections 552.117(1)(A) or (B) of the Texas Government Code except the requested information from public disclosure.¹

Section 552.117(1)(A) provides that:

Information is excepted from the requirements of 552.021 if it is information relating to:

(1) the home address or home telephone number of:

(A) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024.

¹Chapter 552 of the Government Code was amended, effective September 1, 1995, so that these sections are now 552.117(1) and (2). The substantive changes to these sections have no bearing on the information at issue here.

Section 552.024(c) provides that if the former employee chooses not to allow public access to the information, the information is protected under subchapter C (information excepted from required public disclosure).

We have examined the former employee's "Employee Information Sheet" on which the former employee indicated that she did not wish to have her home address and telephone number released to the public without her consent. We conclude that the information requested must be withheld from public disclosure under section 552.117(1)(A) of the Government Code. Cf. Open Records Decision No. 622 (1994) at 5. As we resolve this matter under section 552.117(1)(A), we need not address the applicability of section 552.117(1)(B) at this time.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Todd Reese
Assistant Attorney General
Open Records Division

RTR/RWP/rho

Ref.: ID# 24223

Enclosures: Submitted documents

cc: Mr. Brad Wiewel
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(w/o enclosures)