



June 4, 1999

Mr. Robert S. Martin
Director & Librarian
Texas State Libraries & Archives Commission
P.O. Box 12927
Austin, Texas 78711-2927

OR99-1566

Dear Mr. Martin:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 124743.

The State Library and Archives Commission received a request for “all receipts for certified copies, including all supplementary documentation incident to the copies, such as copy request slips, ledgers, or request forms made or retained by your office” during two one-week periods. The requestor refers to section 552.124 of the Government Code and asks for all available information after the records are marked to withhold identifying information. You seek to withhold from disclosure the types of materials requested and reproduced for patrons to safeguard the privacy of those individuals under section 552.124:

[I]f the requestor submitting the enclosed request - - or another individual making a similar request in the future - - knew that a particular individual had requested materials from the commission’s holdings on a given day(s) and knew the focus of that individual’s research, it would be possible to make a fairly accurate determination of what materials that individual had used even if the name had been redacted from the copy request slips and materials request form.

Section 552.124 makes confidential, with certain exceptions, “[a] record of a library or library system, supported in whole or in part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service.” We agree

that section 552.124 requires redaction of the names, addresses, and any other information that specifically identifies library patrons. We have reviewed the records at issue, which were submitted to this office for review. The patron names, patron initials, patron addresses, and registration numbers if they identify the patrons, are confidential under section 552.124. However, the dates, copy number and cost amounts do not serve to identify the patron and are therefore not confidential under section 552.124. *See* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed). Thus, all of the information except for the patron names, patron initials, patron addresses, and registration numbers if identifying as to the patron, must be released.

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 should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', written over a horizontal line.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 124743

Encl. Submitted documents

cc: Mr. Ross Cunningham
Thompson, Coe, Cousins & Irons
701 Brazos, Suite 1500
Austin, Texas 78701
(w/o enclosures)