



June 22, 1999

Ms. Marie E. Galindo
Assistant City Attorney
City of Midland
300 N. Loraine, Room 320
Midland, Texas 79702-1152

OR99-1721

Dear Ms. Galindo:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 125270.

The City of Midland (the "city") received a request for a list of city employee names, addresses and zip codes. You indicate that you wish to withhold the addresses and zip codes of police officers, including those of officers who have consented to the release of this information. You have submitted the responsive information to our office for review. You claim that the subject information is excepted from disclosure under section 552.117 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.117 reads:

Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, or social security number, or that reveals whether the following person has family members:

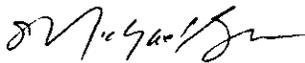
- (1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;
- (2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024; or

(3) an employee of the Texas Department of Criminal Justice, regardless of whether the employee complies with Section 552.024.

Gov't Code § 552.117. The information at issue relates to the home addresses of peace officers. Section 552.117(2) excepts this information from disclosure *regardless* of an officer's election under section 552.024. There is no statutory release provision for this information. We therefore conclude that the subject consent forms do not authorize the city to release this information and it must be withheld.

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,



Michael Jay Burns
Assistant Attorney General
Open Records Division

MJB/ch

Ref: ID# 125270

Encl. Submitted documents

cc: Mr. Mike Counts
Personal Credit Plan, Inc.
3308 W. Illinois Avenue
Midland, Texas 79703
(w/o enclosures)