



November 18, 1999

Ms. Linda Cloud
Executive Director
Texas Lottery Commission
P.O. Box 16630
Austin, Texas 78761-6630

OR99-3310

Dear Ms. Cloud:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 129503.

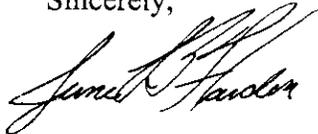
The Texas Lottery Commission (the "commission") received a request for a copy of a specific security report. You explain that the commission maintains two versions of the requested report: a "public" version and a "confidential" version. You state that a copy of the "public" report has been released to the requestor. You seek, however, to withhold the "confidential" version of the report pursuant to sections 552.101, 552.110, and 552.111 of the Government Code. We have considered your arguments and have reviewed the submitted materials.

Section 552.101 of the Government Code excepts from disclosure information that is deemed confidential by law, including information made confidential by statute. Section 466.022(b) of the Government Code makes confidential, among other things, 1) security plans and procedures of the commission designed to ensure the integrity and security of the operation of the lottery and 2) information of a nature that is designed to ensure the integrity and security of the selection of winning tickets or numbers in the lottery, other than information describing the general procedures for selecting winning tickets or numbers. We have reviewed the portions of the security report that you have marked as coming within the confidentiality of section 466.022(b). Based on your representation that disclosing the marked information "would compromise the lottery games and the security and integrity of the Texas Lottery Commission," we conclude that the commission may withhold the marked portions of the security report pursuant to section 552.101 in conjunction with section 466.022 of the Government Code.¹

¹Because we are able to make a determination under section 552.101, we need not address you other claimed exceptions.

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 cursive script, appearing to read "June B. Harden".

June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref: ID# 129503

Encl. Submitted documents

cc: Mr. Stephen Fenoglio
Attorney and Counselor at Law
3660 Stone Ridge Road, Suite B-102
Austin, Texas 78746-7759
(w/o enclosures)

Mr. Ray Slocum
Pricewaterhouse Coopers
1100 Louisiana Avenue, Suite 4100
Houston, Texas 77002
(w/o enclosures)