



November 29, 1999

Mr. Russell Brown
Custodian of Records
Bellaire Police Department
5110 Jessamine
Bellaire, Texas 77401

OR99-3397

Dear Mr. Brown:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130149.

The Bellaire Police Department (the "department") received a request for the alarm permit applications on file with the department. You assert that the requested information is excepted from disclosure under section 552.108 of the Government Code. You have provided this office with a representative sample of the requested information.¹ We have reviewed the documents you have submitted and considered the exception you claim. Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Section 28(e) of the Private Investigators and Private Security Agencies Act provides that:

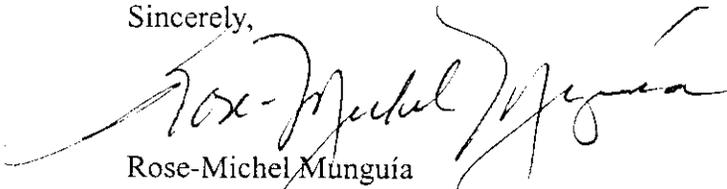
Information that is contained in alarm systems records held by a governmental body and that concerns the location of an alarm system, the name of the occupant of an alarm system location, or the type of alarm system used is confidential and may be disclosed only to the board or as otherwise required by state law or court order. TEX. REV. CIV. STAT. ANN. art. 4413(29bb),§28(e)(Vernon Supp. 1999).

¹We assume that 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 that those records contain substantially different types of information than that submitted to this office.

The information you provided this office must be withheld from disclosure under section 552.101 in conjunction with section 28(e) of the Private Investigators and Private Security Agencies Act as information that is contained in alarm systems records held by a governmental body.

As section 552.101 is dispositive, we will not address your section 552.108 assertion. 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 "Rose-Michel Munguía". The signature is fluid and cursive, written over the typed name.

Rose-Michel Munguía
Assistant Attorney General
Open Records Division

RMM/jc

Ref.: 130149

Encl.: Submitted documents

cc: Ms. Kristin Miller
2521 Fairway Park Drive #420
Houston, Texas 77092