



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 29, 2009

Mr. Jesús Toscano, Jr.
Administrative Assistant City Attorney
City Attorney's Office
1500 Marilla Street, Room 7DN
Dallas, Texas 75201

OR2009-01156

Dear Mr. Toscano:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 334475.

The Dallas Public Library (the "library") received a request for (1) the contract between the library and any vendor providing high-resolution scanning services, (2) all bills or invoices and payment records related to such vendors for the past two years, (3) all bills or invoices rendered to patrons for photograph copying and/or scanning services, and (4) documents justifying the quoted price for providing a requested service. You claim that portions of the submitted information are excepted from disclosure under sections 552.124 and 552.137 of the Government Code. We have considered the exceptions you claim and reviewed the submitted representative sample of the responsive information.¹

Section 552.124 of the Government Code makes confidential, with certain exceptions that are not applicable here, "[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,

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.

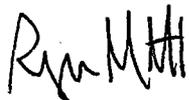
or used a library material or service.” Gov’t Code § 552.124(a)-(b); *see also* Open Records Decision No. 100 at 3 (1975) (identifying information of library patrons in connection with object of their attentions is confidential by constitutional law). Only the names, addresses, and other information specifically identifying library patrons may be withheld under section 552.124. *See* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed).

The submitted information consists of photograph reproduction order forms. These forms contain information that identifies or serves to identify persons who requested, obtained, or used library materials or services. Accordingly, the library must withhold the information we have marked under section 552.124 of the Government Code. The library must release the remainder of the submitted information to the requestor.²

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Ryan T. Mitchell
Assistant Attorney General
Open Records Division

RTM/jb

Ref: ID# 334475

Enc. Submitted documents

c: Requestor
(w/o enclosures)

²As our ruling is dispositive, we need not address your remaining argument against disclosure.