



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 19, 2013

Mr. Jason M. Rammel
Sheets & Crossfield, P.C.
309 East Main Street
Round Rock, Texas 78664-5246

OR2013-02731

Dear Mr. Rammel:

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# 479080.

The City of Elgin (the "city"), which you represent, received a request for all information pertaining to a deceased individual. You state the city has released some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.103 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

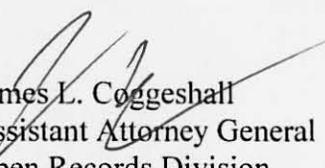
Initially, we note the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2012-20393 (2012). In Open Records Letter No. 2012-20393, we determined the following: the city (1) must withhold some of the information under section 552.101 of the Government Code in conjunction with section 411.083 of the Government Code and federal law; (2) must withhold some of the information under section 552.101 in conjunction with common-law privacy; (3) must withhold some of the information under section 552.130 of the Government Code; and (4) must release the remaining information in accordance with copyright law. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental

body, and ruling concludes that information is or is not excepted from disclosure). Accordingly, the city must continue to rely on Open Records Letter No. 2012-20393 as a previous determination and withhold or release the submitted information in accordance with that ruling.¹

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, toll free, at (888) 672-6787.

Sincerely,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/tch

Ref: ID# 479080

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As we are able to make this determination, we do not address your other argument to withhold this information.