



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

March 27, 2013

Ms. Mareia L. Schreiber
Legal Assistant
City Attorney's Office
City of Galveston
P.O. Box 779
Galveston, Texas 77553-0779

OR2013-04980

Dear Ms. Schreiber:

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# 482260 (ORR# 13-008).

The City of Galveston (the "city") received a request for all correspondence during a specified time period pertaining to the implementation of a specified program. You state you have released some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.104 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You state the submitted information was subject to a previous determination issued by this office in Open Records Letter No. 2012-05709 (2012). In that ruling, we concluded the city may withhold the submitted information under section 552.104 of the Government Code. You state the law, facts, or circumstances on which the prior ruling was based have not changed. Thus, we conclude the city may rely on the prior ruling as a previous determination and withhold the information at issue in accordance with that decision. *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 a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes information is or is not excepted from disclosure).

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,

A handwritten signature in black ink, appearing to be 'NK' with a large flourish.

Nneka Kanu
Assistant Attorney General
Open Records Division

NK/bhf

Ref: ID# 482260

Enc. Submitted documents

c: Requestor
(w/o enclosures)