



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 29, 2014

Mr. William Christian  
Counsel for the Del Mar College District  
Graves Dougherty Hearon & Moody  
P.O. Box 98  
Austin, Texas 78767

OR2014-15288

Dear Mr. Christian:

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# 534982.

Del Mar College (the "college"), which you represent, received a request for two categories of information concerning the college's "Allowance for Doubtful Accounts" during a specified period. The college released information responsive to the request. However, as permitted by section 552.136(c) of the Government Code, the college redacted information it determined to be subject to section 552.136(b) of the Government Code without requesting a decision from this office. Gov't Code § 552.136(c). Pursuant to section 552.136(d), the requestor has asked this office to review the information and render a decision as to whether this information is excepted from disclosure under section 552.136 of the Government Code. We have considered the position and reviewed the submitted representative sample of information.<sup>1</sup>

Section 552.136(b) of the Government Code provides, "[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is

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<sup>1</sup>We assume 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 those records contain substantially different types of information than those submitted to this office.

Section 552.136(b) of the Government Code provides, “[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential.” Gov’t Code § 552.136(b); *see id.* § 552.136(a) (defining “access device”). You state the information at issue consists of internal account numbers that are used to track account balances and, in some case, can be used to conduct transactions within the college. Based on your representations and our review, we agree the college must withhold the information you redacted under section 552.136 of the Government Code.

The college also redacted information it determined to be subject to section 552.117 of the Government Code.<sup>2</sup> Section 552.117 excepts from disclosure the home address and telephone number, emergency contact information, social security number, and family member information of current or former officials or employees of a governmental body who request this information be kept confidential under section 552.024 of the Government Code. *Id.* § 552.117(a). Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. *See Open Records Decision No. 530 at 5 (1989)*. Thus, information may be withheld under section 552.117(a)(1) only on behalf of a current or former employee who made a request for confidentiality under section 552.024 prior to the date of the governmental body’s receipt of the request for the information. You state the employees at issue have elected to keep this information confidential. Accordingly, we agree the college must withhold the information you redacted under section 552.117 of the Government Code.

In summary, the college must withhold the information you redacted under section 552.136 and section 552.117 of the Government Code.

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.

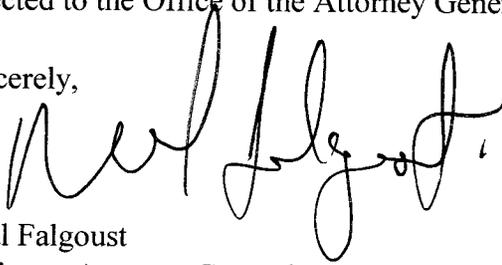
This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), or call the Office of the Attorney General’s Open Government Hotline, toll free, at (877) 673-6839.

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<sup>2</sup>Section 552.024(c)(2) of the Government Code permits the college to redact this information without requesting a ruling from this office. *See* Gov’t Code § 552.024(c)(2); *see also id.* § .024(c-1) (requestor may appeal governmental body’s decision to withhold information under section 552.024(c) to attorney general), .024(c-2) (governmental body withholding information pursuant to section 552.024(c) must provide certain notice to requestor).

Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read "Neal Falgoust". The signature is written in a cursive style with a large initial "N" and a long, sweeping underline.

Neal Falgoust  
Assistant Attorney General  
Open Records Division

NF/bhf

Ref: ID# 534982

Enc. Submitted documents

c: Requestor  
(w/o enclosures)