



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 30, 2015

Mr. A. Dylan Wood
Counsel for the Fayette County Appraisal District
Perdue Brandon Fielder Collins & Mott, L.L.P.
3301 Northland Drive, Suite 505
Austin, Texas 78731

OR2015-05969

Dear Mr. Wood:

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# 557852.

The Fayette County Appraisal District (the "district"), which you represent, received a request for documents pertaining to a specified property during a specified time period. You state the district is releasing some of the requested information. You claim some of the submitted information is excepted from disclosure under section 552.101 of the Government Code.¹ Additionally, we have received and considered correspondence from an interested third party. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have considered the submitted arguments and reviewed the submitted information.

Section 552.101 of the Government Code excepts from public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information protected by section 22.27 of the Tax Code, which provides:

- (a) Rendition statements, real and personal property reports, attachments to those statements and reports, and other information the owner of property

¹Although you initially raised section 552.101 of the Government Code in conjunction with section 25.025(b) of the Tax Code for some of the information at issue, you inform our office that you wish to withdraw your claim under that section because the individual whose information is at issue has rescinded his request for confidentiality in writing. *See* Tax Code § 25.025(c). Accordingly, we do not address your argument under that section.

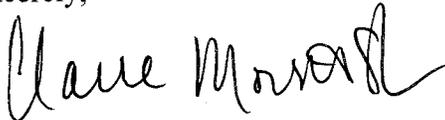
provides to the appraisal office in connection with the appraisal of the property, including income and expense information related to a property filed with an appraisal office and information voluntarily disclosed to an appraisal office or the comptroller about real or personal property sales prices after a promise it will be held confidential, are confidential and not open to public inspection. The statements and reports and the information they contain about specific real or personal property or a specific real or personal property owner and information voluntarily disclosed to an appraisal office about real or personal property sales prices after a promise it will be held confidential may not be disclosed to anyone other than an employee of the appraisal office who appraises property except as authorized by Subsection (b) of this section.

Tax Code § 22.27(a). We understand the district is an “appraisal office” for purposes of section 22.27(a). You state the information submitted as Exhibit B-3 was provided to the district by a property owner in connection with appraisals of the owner’s property pursuant to section 22.27(a). You state none of the exceptions in section 22.27(b) apply in this instance. Based on your representations and our review, we conclude the district must withhold Exhibit B-3 under section 552.101 of the Government Code in conjunction with section 22.27(a) of the Tax Code. The district must release the remaining information.

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, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/som

Ref: ID# 557852

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. James R. Perry
1108 Lavaca Street, Suite 110
Austin, Texas 78701
(w/o enclosures)