



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 19, 2015

Ms. Brenda McDonald
Counsel for the City of Addison
Messer, Rockefeller & Fort, PLLC
6351 Preston Road, Suite 350
Frisco, Texas 79606

OR2015-09674

Dear Ms. McDonald:

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# 564119.

The Town of Addison (the "town"), which you represent, received a request for application information pertaining to a named individual. We understand the town has redacted certain information pursuant to sections 552.130 and 552.147 of the Government Code.¹ You claim the submitted is excepted from disclosure under sections 552.101, 552.111, 552.117, 552.130 and 552.137 of the Government Code.² We have considered the exceptions you claim and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2015- 08359 (2015). In that ruling, we determined the town was not required to release the submitted commission identification number. The ruling further determined the town must withhold (1) the information we marked under section 552.101 of the Government Code in conjunction with section 1703.306 of the Occupations Code and common-law privacy; (2) the submitted

¹Section 552.130 of the Government Code authorizes a governmental body to redact motor vehicle record information without a ruling from this office, but the governmental body must properly notify the requestor. *See* Gov't Code § 552.130(c)-(e). Section 552.147 authorizes a governmental body to redact the social security number of a living person without a decision from this office. *See id.* § 552.147(b).

²We understand the town to raise section 552.137 based on your markings.

DD-214 forms under section 552.140 of the Government Code; (3) the information marked under sections 552.130 and 552.137 of the Government Code; (4) the information we marked under section 552.1175 of the Government Code if it pertains to individuals who are subject to section 552.1175(a) and they elect to restrict access to this information in accordance with section 552.1175(b); and (5) the town must release the remaining responsive information. We have no indication there has been any change in the law, facts, or circumstances on which Open Records Letter No. 2015-08359 was based. Accordingly, we conclude the town must rely on Open Records Letter No. 2015-08359 as a previous determination and withhold or release the submitted information in accordance with that ruling. *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).

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,



Paige Lay
Assistant Attorney General
Open Records Division

PL/bhf

Ref: ID# 564119

Enc. Submitted documents

c: Requestor
(w/o enclosures)