



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 22, 2016

Mr. Michael Phelps
Senior Paralegal
Harris County Appraisal District
P.O. Box 920975
Houston, Texas 77292-0975

OR2016-04157

Dear Mr. Phelps

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# 599358 (Ref. No. 15-4311).

The Harris County Appraisal District (the “district”) received a request for a specified property appraisal worksheet. You claim some of the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code.¹ We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” Gov’t Code § 552.101. This section encompasses information protected by other statutes. Section 22.27 of the Tax Code provides the following:

(a) Rendition statements, real and personal property reports, attachments to those statements and reports, and other information the owner of property provides to the appraisal office in connection with the appraisal of the

¹We note, and the district acknowledges, it did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov’t Code § 552.301(b), (e). Nevertheless, because the exceptions the district claims can provide a compelling reasons to overcome the presumption of openness, we will consider the district’s claimed exceptions for the submitted information. *See id.* §§ 552.007, .302, .352.

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 represent the information you have indicated was furnished to the district by property owners or agents of property owners in connection with the appraisals of property and was obtained under promises of confidentiality. None of the exceptions in section 22.27(b) apply in this instance. *See id.* § 22.27(b). Based on your representations and our review, we find the district must withhold Exhibit 3 and the information you have marked in Exhibit 4 under section 552.101 of the Government Code in conjunction with section 22.27(a) of the Tax Code.

Section 552.130 of the Government Code provides information relating to a motor vehicle operator’s or driver’s license, motor vehicle title or registration, or personal identification document issued by an agency of this state or another state or country is excepted from public release. Gov’t Code § 552.130(a). Upon review, we find the district must withhold the motor vehicle record information it has marked under section 552.130 of the Government Code.²

In summary, the district must withhold Exhibit 3 and the information you have marked in Exhibit 4 under section 552.101 of the Government Code in conjunction with section 22.27(a) of the Tax Code. The district must withhold the motor vehicle record information it has marked under section 552.130 of the Government Code. The remaining information must be released.

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.

²As our ruling is dispositive, we need not address the district’s remaining argument against disclosure.

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,

A handwritten signature in black ink that reads "Katelyn Blackburn-Rader". The signature is written in a cursive style with a large initial 'K'.

Katelyn Blackburn-Rader
Assistant Attorney General
Open Records Division

KB-R/bw

Ref: ID# 599358

Enc. Submitted documents

c: Requestor
(w/o enclosures)