



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 7, 2016

Mr. Renatto Garcia
Assistant City Attorney
City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469-9277

OR2016-12870

Dear Mr. Garcia:

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# 613263 (City Ref. No. 15-160546).

The City of Corpus Christi (the "city") received a request for information pertaining to a specified animal, its owner, or a specified address, to include information pertaining to a specified incident. You claim portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note the submitted information consists only of a rabies vaccination certificate pertaining to the specified animal. To the extent any information responsive to the remainder of the request existed on the date the city received the request, we assume the city has released it. If the city has not released any such information, it must do so at this time. *See* Gov't Code §§ 552.301(a), .302; see also Open Records Decision No. 664 (2000) (if governmental body concludes no exceptions apply to requested information, it must release information as soon as possible).

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 section 826.0211(a) of the Health and Safety Code, which provides:

Information contained in a rabies vaccination certificate or in any record compiled from the information contained in one or more certificates that identifies or tends to identify an owner or an address, telephone number, or other personally identifying information of an owner of a vaccinated animal is confidential and not subject to disclosure under [the Act]. The information contained in the certificate or record may not include the social security number or the driver's license number of the owner of the vaccinated animal.

Health & Safety Code § 826.0211(a). We note section 826.0211 is applicable only to information contained in a rabies vaccination certificate or in a record compiled from information contained in one or more rabies vaccination certificates. The submitted information consists of a rabies vaccination certificate. Therefore, the city must withhold the owner's identifying information you marked under section 552.101 of the Government Code in conjunction with section 826.0211 of the Health and Safety Code. The city must release the remaining information.

You ask this office to issue a previous determination permitting the city to withhold information contained in a rabies vaccination certificate that identifies or tends to identify an owner or an address, telephone number, or other personally identifying information of an owner of a vaccinated animal under section 552.101 of the Government Code in conjunction with section 826.0211(a) of the Health and Safety Code without seeking a ruling from this office. *See* Gov't Code § 552.301(a) (allowing governmental body to withhold information subject to previous determination); Open Records Decision No. 673 (2001). After due consideration, we have decided to grant your request on this matter. Therefore, this letter ruling authorizes the city to withhold information contained in a rabies vaccination certificate that identifies or tends to identify an owner or an address, telephone number, or other personally identifying information of an owner of a vaccinated animal under section 552.101 of the Government Code in conjunction with section 826.0211(a) of the Health and Safety Code without requesting a ruling from this office. We note section 826.0211(b) permits the city to disclose such information to "a governmental entity or a person that, under a contract with a governmental entity, provides animal control services or animal registration services for the governmental entity for purposes related to the protection of public health and safety." Health & Safety Code § 826.0211(b). So long as the elements of law, fact, and circumstances do not change so as to no longer support the findings set forth above, the city need not ask for a decision from this office again with respect to this type of information. *See* ORD 673 at 7-8 (listing elements of second type of previous determination under Gov't Code § 552.301(a)).

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, appearing to read "Lee Seidlits", with a long horizontal flourish extending to the right.

Lee Seidlits
Assistant Attorney General
Open Records Division

CLS/bw

Ref: ID# 613263

Enc. Submitted documents

c: Requestor
(w/o enclosures)