



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 17, 2016

Honorable Francisco I. Pena
Mayor
City of Rio Bravo
1701 Centeno Lane
Rio Bravo, Texas 78046

OR2016-13845

Dear Mayor Pena:

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# 615307.

The City of Rio Bravo (the "city") received a request for information concerning construction permits for a specified address and payment information for certain employees.¹ The city released information responsive to the request but withheld some information under section 552.024 of the Government Code without requesting a decision from this office. *See* Gov't Code §§ 552.024(c)(2), .117(a)(1). Pursuant to section 552.024(c-1) of the Government Code, the requestor has asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.117 of the Government Code. We have considered the city's position.

The rules established by this office for a review of public information redactions require a governmental body to submit to this office, within ten business days of receiving notice of the appeal, (1) an unredacted copy or representative sample of the specific information requested, (2) a copy or representative sample of the information requested illustrating the information redacted or withheld, (3) written comments stating the reasons why the information was redacted or withheld, (4) a copy of the written request for information, and

¹You did not submit a copy of the original request for information, so we take our description of the request from correspondence between the city and the requestor.

(5) a copy of the form letter notifying the requestor of the redactions and of the requestor's right to appeal. *See* 1 T.A.C. § 63.14(a). As of the date of this letter, the city has not submitted a copy or representative sample of the information requested illustrating the information redacted or withheld. *See id.* § 63.14(a)(2). Additionally, upon review, we find none of the information you submitted is made confidential under section 552.117 of the Government Code. *See* Gov't Code §§ 552.117(a)(1), .024. Accordingly, the city may not withhold any of the submitted information under section 552.117 of the Government Code, and we have no basis for determining the city's redactions are proper and excepted from disclosure under section 552.117 of the Government Code. If you believe any of the requested information is confidential under section 552.117 of the Government Code and may not lawfully be released, you must challenge this ruling in court pursuant to section 552.324 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, 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,



Neal Falgoust
Assistant Attorney General
Open Records Division

NF/eb

Ref: ID# 615307

Enc. Submitted documents

c: Requestor
(w/o enclosures)