



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 11, 2016

Chief Bryan Beavers
Kemp Volunteer Fire Department
1307 South Elm Street
Kemp, Texas 75143

OR2016-15609

Dear Chief Beavers:

This office was asked to determine whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. The request was assigned ID# 617759.

The Kemp Volunteer Fire Department (the "department") received a request for information concerning credit card records. The department released information responsive to the request but withheld some information under section 552.136 of the Government Code without requesting a decision from this office. *See* Gov't Code § 552.136(c)–(e). The requestor asked this office to review the information and render a decision as to whether it is excepted from disclosure under section 552.136(b) of the Government Code. We have considered the department's position.

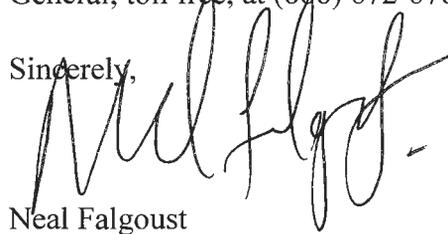
Section 552.136(d) authorizes this office to promulgate rules establishing the procedures for review of a governmental body's public information redactions. *See id.* § 552.136(d). The rules established by this office for a review of public information redactions require a governmental body to submit 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 (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). This office notified the department of the review on May 12, 2016. As of the date of this letter, the department has not submitted a copy or

representative sample of the information requested illustrating the information redacted or withheld. *See id.* § 63.14(a)(2). Accordingly, we have no basis for determining the department's redactions pursuant to section 552.136 of the Government Code are proper. If you believe any of the requested information is confidential under section 552.136 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,

A handwritten signature in black ink, appearing to read 'Neal Falgoust', written over a white background.

Neal Falgoust
Assistant Attorney General
Open Records Division

NF/bw

Ref: ID# 617759

c: Requestor