



Office of the Attorney General
State of Texas

June 13, 1997

DAN MORALES
ATTORNEY GENERAL

Ms. Sandra C. Joseph
Open Records Counsel
Comptroller of Public Accounts
Austin, Texas 78774

OR97-1385

Dear Ms. Joseph:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 106990.

The Comptroller of Public Accounts (the "comptroller") received a request for "the report of unclaimed funds made to your state by American Express Company in 1996." You claim that some of the requested information is excepted from disclosure by section 552.101 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. Section 74.104 of the Property Code provides as follows:

(a) Except as provided by Sections 74.201, 74.203 and 74.307, a property report filed with the State Treasurer under section 74.101 is confidential until the second anniversary of the date the report is filed.

(b) Notwithstanding any other provision of law, the social security number of an owner that is reported to the State Treasurer is confidential.

The comptroller has now assumed the duties of the State Treasurer. Gov't Code § 404.0011. You explain that some of the requested information is made public pursuant to sections 74.201, 74.203 and 74.101, for example, the name and last known address of the owners of the property. You have highlighted the remaining information in the requested records not made public by these sections. You claim this information is made confidential by section 74.104. We agree. You must withhold that information within the property report not specifically excepted from the confidentiality provision.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Don Ballard
Assistant Attorney General
Open Records Division

JDB/ch

Ref: ID# 106990

Enclosures: Submitted documents

cc: Mr. John Langley
P.O. Box 192
Hicksville, New York 11802
(w/o enclosures)