



October 27, 1999

Ms. Theda Lambert  
General Counsel  
Texas Department of Licensing and Regulation  
P.O. Box 12157  
Austin, Texas 78711

OR99-3030

Dear Ms. Lambert:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130175.

The Texas Department of Licensing and Regulation (the "department") received a request for the current address and telephone number of two people, Tommy Smith and Barry Brannon. You state that the department released the requested information regarding Mr. Brannon but seeks to withhold the information regarding Mr. Smith under sections 552.117 and 552.024 of the Government Code. Section 552.117 provides that information may be withheld if it is:

information that relates to the home address, home telephone number, social security number, or that reveals whether the following person has family members:

(1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024 [.]

You explain that Mr. Smith is a former employee of the department who elected, as provided by section 552.024, not to allow public access to the information requested. Presuming that Mr. Smith's election under section 552.024 of the Government Code complied with the requirements of that section and was not altered, the former employee's home address and telephone number are confidential and may not be released.

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.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Michels Anderson".

Patricia Michels Anderson  
Assistant Attorney General  
Open Records Division

PMA/ch

Ref: ID# 130175

Enclosures: Submitted documents

cc: Mr. J. Lynn Watson  
Rosenthal & Watson  
1010 Land Creek Cove, Suite 200  
Austin, Texas 78746  
(w/o enclosures)