



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

April 21, 2009

Ms. Marivi Gambini
Paralegal
City of Irving
825 West Irving Boulevard
Irving, Texas 75060

OR2009-05235

Dear Ms. Gambini:

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# 340986.

The City of Irving (the "city") received a request for a previous open records request made to the city and the city's corresponding request to the Office of the Attorney General for a decision which resulted in Open Records Letter Ruling 2008-04263. You claim that the submitted information is excepted from disclosure under section 552.137 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

Section 552.137 of the Government Code excepts from disclosure "an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body" unless the member of the public consents to its release or the e-mail address is of a type specifically excluded by subsection (c). *See Gov't Code* § 552.137(a)-(c). The e-mail address you have highlighted does not appear to be of a type specifically excluded by section 552.137(c). You state the individual whose e-mail address is at issue has not consented to the release of her e-mail address. Therefore, the city must

¹Although you raise section 552.101 of the Government Code in conjunction with section 552.137, this office has concluded that 552.101 does not encompass other exceptions found in the Act. *See Open Records Decision Nos. 676 at 1-2 (2002), 575 at 2 (1990).*

withhold the e-mail address you have highlighted under section 552.137 of the Government Code. As no other exceptions are raised, the remaining information must be released to the requestor.

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.oag.state.tx.us/open/index_orl.php, 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 must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Sarah Casterline
Assistant Attorney General
Open Records Division

SEC/jb

Ref: ID# 340986

Enc. Submitted documents

c: Requestor
(w/o enclosures)