



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 6, 2009

Ms. YuShan Chang
Assistant City Attorney
City of Houston Legal Department
P.O. Box 368
Houston, Texas 77001-0368

OR2009-06076

Dear Ms. Chang:

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# 342380.

The City of Houston (the "city") received a request for information pertaining to specified animals, two named doctors, controlled substances, and named employees at the Bureau of Animal Regulation and Care. You claim that portions of the submitted information are excepted from disclosure under section 552.130 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, we note that some of the responsive information has been previously ruled upon by this office in Open Records Letter Nos. 2009-03472 (2009) and 2009-03912 (2009). In Open Records Letter No. 2009-03472 we concluded that, with the exception of basic information, the city may withhold information pertaining to a pending criminal investigation of one of the named employees who is the subject of this request pursuant to section 552.108(a)(1). In Open Records Letter No. 2009-03912 we concluded that, with the exception of basic information and the information we have marked for release, the city may withhold the information at issue under section 552.108(a)(1). As we have no indication that the law, facts, and circumstances surrounding these prior rulings have changed, you may continue to rely on Open Records Letter Nos. 2009-03472 and 2009-03912 as previous determinations and withhold or release the responsive information in this request that was previously ruled on in accordance with these prior rulings. *See* Open Records Decision No. 673 (2001) (so

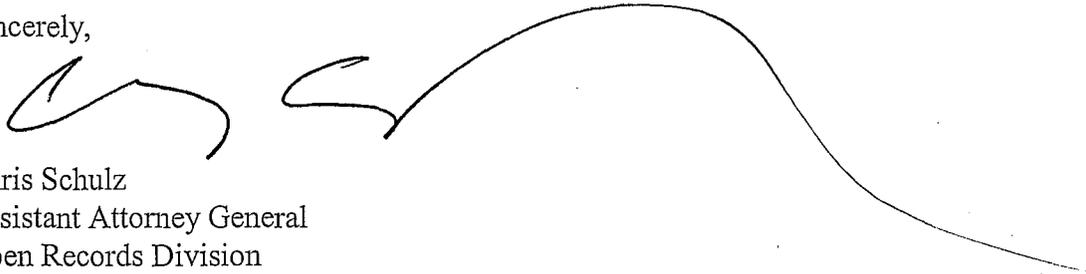
long as law, facts, circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in a prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). However, to the extent that the information requested in this instance was not the subject of the rulings in Open Records Letter Nos. 2009-03472 and 2009-03912, we will address your argument.

You claim a portion of the submitted information is excepted from disclosure under section 552.130 of the Government Code. Section 552.130 excepts from public disclosure information that relates to a motor vehicle operator's or driver's license or permit issued by an agency of this state or a motor vehicle title or registration issued by an agency of this state. *See* Gov't Code § 552.130(a)(1)-(2). We agree that the information you have marked must be withheld under section 552.130. The remaining submitted information must be released.

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,

A handwritten signature in black ink, appearing to read 'Chris Schulz', is written over a long, thin horizontal line that spans across the width of the page.

Chris Schulz
Assistant Attorney General
Open Records Division

CS/cc

Ref: ID# 342380

Enc. Submitted documents

cc: Requestor
(w/o enclosures)