



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 2, 2009

Ms. Claire Yancey
Assistant District Attorney
Denton County
P.O. Box 2850
Denton, Texas 76202

OR2009-07483

Dear Ms. Yancey:

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# 344949.

The Denton County Tax Assessor-Collector (the "tax assessor") received a request for "any and all disabled parking permit applications" and related records for a named individual. You claim that the submitted information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses information protected by other statutes. Section 681.003 of the Transportation Code establishes the procedures by which an individual may obtain a disabled parking "placard." Section 681.003(d) specifically provides:

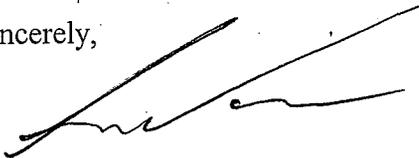
Information concerning the name or address of a person to whom a disabled parking placard is issued or in whose behalf a disabled parking placard is issued is confidential and not subject to disclosure under [the Act].

Transp. Code § 681.003(d). Section 681.003(d) specifically makes confidential only the name and address of a person who was issued a disabled parking placard. We believe, however, that the purpose of section 681.003(d) is to protect the privacy interests of those individuals who are issued disabled parking placards. Since the requestor knows the name and address of the individual who was issued the placard, the mere redaction of such information from the records at issue would not serve the purpose of the statute in this instance. Accordingly, we conclude that the tax assessor must withhold the submitted information in its entirety pursuant to section 552.101 of the Government Code in conjunction with section 681.003(d) of the Transportation Code.¹

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,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/eeg

Ref: ID# 344949

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your other argument against disclosure.