



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 24, 2009

Mr. Dennis J. Eichelbaum
Schwartz & Eichelbaum
Counsel for Lovejoy Independent School District
5300 Democracy Drive, Suite 200
Plano, Texas 75024

OR2009-08681

Dear Mr. Eichelbaum:

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# 347159.

The Lovejoy Independent School District (the "district"), which you represent, received a request for eight categories of information. You state you will release most of the responsive information. You claim that portions of the submitted information are excepted from disclosure under section 552.136 of the Government Code. We have considered the exception you claim and reviewed the submitted representative sample of information.¹

You claim the information you have marked in the submitted credit card statements is protected under section 552.136 of the Government Code. This section states that "[n]otwithstanding any other provision of this chapter, a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential." Gov't Code § 552.136. An access device number is one that may be used to "(1) obtain money, goods, services, or another thing of value; or (2) initiate a transfer

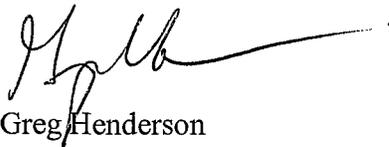
¹We assume the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent those records contain substantially different types of information than that submitted to this office.

of funds other than a transfer originated solely by paper instrument.” *Id.* Upon review, we agree the credit card account numbers you have marked, as well as the additional bank account and routing numbers we have marked, constitute access device numbers for purposes of section 552.136. Thus, this information must be withheld under section 552.136 of the Government Code. You have failed to demonstrate, however, how the corporate ID, load, and sequence numbers you have marked constitute access device numbers. Accordingly, this information, which we have marked for release, may not be withheld under section 552.136 of the Government Code. As you raise no further exceptions to disclosure, the remaining 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,



Greg Henderson
Assistant Attorney General
Open Records Division

GH/rl

Ref: ID#347159

Enc. Submitted documents

c: Requestor
(w/o enclosures)