



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 28, 2010

Mr. Reg Hargrove
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2010-01376

Dear Mr. Hargrove:

This office received a request for review of the redaction of certain information subject to the Public Information Act (the "Act"), chapter 552 of the Government Code. The request for review was assigned ID# 368760.

The Office of the Attorney General (the "OAG") received a request for information pertaining to a certain lawsuit and David Talbot, Jr. The OAG released some information responsive to the request and sought a decision from this office as to whether W-4 forms are excepted from required public disclosure under section 552.101 of the Government Code. In Open Records Letter Ruling No. 2010-00825 (2010), we determined the W-4 forms must be withheld from disclosure under section 552.101 of the Government Code in conjunction with section 6103(a) of title 26 of the United States Code. As permitted by section 552.024(c)(2) of the Government Code, the OAG also redacted certain information it determined to be subject to section 552.117 of the Government Code without requesting a decision from this office. Pursuant to section 552.024(c-1), the requestor has asked this office to review the redacted information and render a decision as to whether this information is excepted from disclosure under section 552.117. We have considered the OAG's arguments and reviewed the redacted information.

Section 552.117(a)(1) excepts from disclosure the home address, home telephone number, social security number, and family member information of a current or former employee of

a governmental body who requests that this information be kept confidential under section 552.024. Whether a particular piece of information is protected by section 552.117 must be determined at the time the request for it is made. *See* Open Records Decision No. 530 at 5 (1989). The OAG explains the OAG employee timely elected to keep his personal information confidential. Therefore, the OAG must continue to withhold the information it redacted under section 552.117(a)(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, toll free, at (888) 672-6787.

Sincerely,



Karen Hattaway
Assistant Attorney General
Open Records Division

KEH/sdk

Ref: ID# 368760

Enc. Submitted documents

c: Requestor
(w/o enclosures)