



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 24, 2010

Ms. Susan K. Bohn
General Counsel
Lake Travis Independent School District
3322 Ranch Road 620 South
Austin, Texas 78738

OR2010-09328

Dear Ms. Bohn:

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# 384145 (LTISD Nos. 040510-D17/DL 4169 and 040510-D1A/DL 4172).

The Lake Travis Independent School District (the "district") received two requests from the same requestor for all billing statements, invoices, and receipts for district legal expenses received or paid in March 2010, and all billing statements, invoices, and payments regarding mobile communications devices or services paid during the month of March 2010. You state you have released some of the requested information. You claim portions of the submitted information are excepted from disclosure under sections 552.107 and 552.136 of the Government Code and privileged under Texas Rule of Evidence 503. We have considered your arguments and reviewed the submitted information.

Initially, you note the information submitted at Tab 1 was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2010-08547 (2010). In that ruling, we found the district may withhold portions of the information at issue pursuant to rule 503 of the Texas Rules of Evidence. As we have no indication that the law, facts, and circumstances on which the prior ruling was based have changed, the district may continue to rely on the ruling as a previous determination and withhold or release the information submitted at Tab 1 in accordance with Open Records Letter No. 2010-08547. See Open Records Decision No. 673 (2001) (so long as law, facts, and 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 prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).¹

¹As we are able to make this determination, we do not address your arguments against the disclosure of this information.

Section 552.136 of the Government Code states “[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 of funds other than a transfer originated solely by paper instrument. *Id.* Upon review, we agree the district must withhold the bank account and routing numbers you have marked, as well as the additional information we have marked, under section 552.136 of the Government Code.²

In summary, the district may continue to rely on Open Records Letter No. 2010-08547 as a previous determination and withhold or release the information submitted at Tab 1 in accordance with that ruling. The district must withhold the information marked under section 552.136 of the Government Code. 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, toll free, at (888) 672-6787.

Sincerely,



Matt Entsminger
Assistant Attorney General
Open Records Division

MRE/tp

²We note this office recently issued Open Records Decision No. 684 (2009), a previous determination to all governmental bodies authorizing them to withhold ten categories of information, including bank account and routing numbers under section 552.136 of the Government Code, without the necessity of requesting an attorney general decision.

Ref: ID# 384145

Enc. Submitted documents

c: Requestor
(w/o enclosures)