



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 23, 2011

Mr. Don Cheatham  
General Counsel  
City of Houston  
P.O. Box 368  
Houston, Texas 77001-0368

OR2011-07225

Dear Mr. Cheatham:

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# 418323 (GC No. 18336).

The City of Houston (the "city") received a request for the full names, addresses, and other contact information of the individuals who owe the city the most money in citations and fees, including the amount owed.<sup>1</sup> You state some of the requested information will be made available to the requestor. You claim the submitted responsive information is excepted from disclosure under section 552.124 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Initially, you state, and we agree, most of the submitted information, which you have indicated, is not responsive to the present request because it does not consist of the requested names, addresses, other contact information, or amount owed. The city need not release nonresponsive information in response to this request, and this ruling will not address that information.

Section 552.124 of the Government Code makes confidential, with certain exceptions that are not applicable here, "[a] record of a library or library system, supported in whole or in

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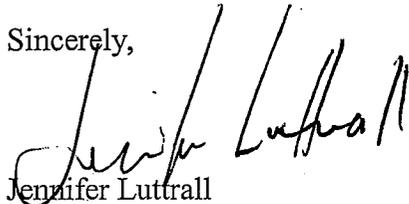
<sup>1</sup>We note that the city asked for and received clarification regarding this request. *See* Gov't Code § 552.222(b) (governmental body may communicate with requestor for purpose of clarifying or narrowing request for information).

part by public funds, that identifies or serves to identify a person who requested, obtained, or used a library material or service[.]” Gov’t Code § 552.124(a)-(b); *see also* Open Records Decision No. 100 at 3 (1975) (identifying information of library patrons in connection with object of their attentions is confidential by constitutional law). Only the names, addresses, and other information specifically identifying library patrons may be withheld under section 552.124. *See* Open Records Decision No. 649 at 3 (1996) (confidentiality provisions strictly construed). Accordingly, the city must withhold the identifying information we have marked under section 552.124 of the Government Code. The remaining responsive information, which consists of the amount owed the library, does not identify library patrons and, thus, must be released to the requestor.

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](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,



Jennifer Luttrall  
Assistant Attorney General  
Open Records Division

JL/dls

Ref: ID# 418323

Enc. Submitted documents

c: Requestor  
(w/o enclosures)