



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

September 29, 2011

Ms. Melissa Hernandez
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2011-14155

Dear Ms. Hernandez:

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# 431600 (COSA File No. W002323).

The City of San Antonio (the "city") received a request for eleven categories of information related to a specified listeriosis infection. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

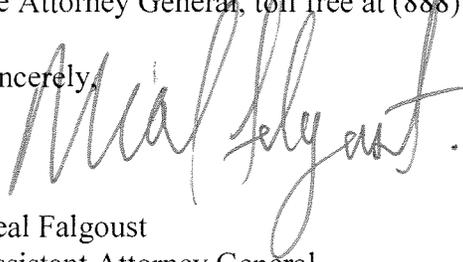
You inform us the submitted information was previously the subject of a similar request, in response to which this office issued Open Records Letter No. 2011-00523 (2011). In that ruling, we determined the city must withhold the submitted information under section 552.101 of the Government Code in conjunction with section 81.406 of the Health and Safety Code. You explain the submitted information is identical to the information at issue in the previous ruling. You state there has been no change in the law, facts, or circumstances on which the previous ruling was based. Thus, with regard to the submitted information, we conclude the city must continue to rely on Open Records Letter No. 2011-00523 as a previous determination and withhold the information in accordance with that ruling. *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 information is or is not excepted from disclosure).

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,



Neal Falgoust
Assistant Attorney General
Open Records Division

NF/agn

Ref: ID# 431600

Enc. Submitted documents

c: Requestor
(w/o enclosures)