



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 21, 2014

Ms. June B. Harden
Assistant Attorney General
Assistant Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2014-01244

Dear Ms. Harden:

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# 511588 (PIR No. 13-37484).

The Office of the Attorney General (the "OAG") received a request for specified correspondence received by the OAG from the Dallas Police and Fire Pension System (the "system"). Although the OAG takes no position on the public availability of the requested information, the OAG has notified the system of the request in order for the system to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.304 (interested party may submit written comments regarding availability of requested information). The system argues the submitted information may not be released pursuant to section 552.3035 of the Government Code. In the alternative, the system asserts the submitted information is excepted from disclosure under section 552.143 of the Government Code. We have reviewed the submitted information and considered the system's arguments.

We address the system's argument that section 552.3035 prohibits the OAG from releasing the submitted information. Section 552.3035 of the Government Code prohibits the OAG from disclosing to the requestor or the public any information submitted to the OAG under section 552.301(e)(1)(D) of the Government Code. *See id.* § 552.3035. Section 552.301(e)(1)(D) requires a governmental body requesting a decision from the OAG to submit a copy of the specific information requested to the OAG. *See id.*

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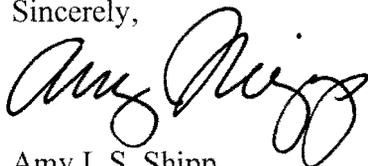
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§ 552.301(e)(1)(D). The submitted information at issue here consists of the information the system submitted to the OAG under section 552.301(e)(1)(D) in connection with Open Records Letter No. 2014-01235 (2014). *See id.* Since the information at issue is information the system submitted to the OAG pursuant to section 552.301(e)(1)(D), it is subject to section 552.3035. Consequently, section 552.3035 prohibits the OAG from releasing the information at issue.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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/ag

Ref: ID# 511588

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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¹As our ruling on this issue is dispositive, we do not address the remaining argument against disclosure.