



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

May 6, 2014

Mr. Keith R. Bradford  
Assistant County Attorney  
County of Nacogdoches  
101 West Main Street, Room 230  
Nacogdoches, Texas 75961

OR2014-07657

Dear Mr. Bradford:

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# 522299.

The Nacogdoches County Elections Administrator (the "county") received a request for (1) a list of all provisional voters that was generated in relation to a specified election; (2) any other records identifying individuals who presented themselves at a polling station for the specified election that relate to the voter's receipt of a provisional ballot, and whether the ballot was counted; and (3) records containing the names and contact information for election judges and poll workers who worked the specified election. You state you have released some responsive information to the requestor. You claim some of the remaining requested information is excepted from disclosure under sections 552.101 and 552.130 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.101 excepts from public disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This exception encompasses information that is made confidential by statute. You raise section 552.101 in conjunction with section 65.060 of the Election Code, which provides:

A social security number, Texas driver's license number, or number of a personal identification card issued by the Department of Public Safety furnished on a provisional ballot affidavit is confidential and does not constitute public information for purposes of Chapter 552, Government Code.

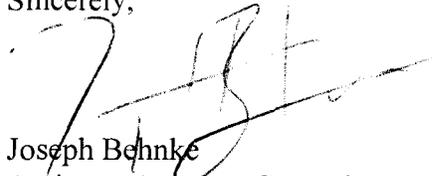
The general custodian of election records shall ensure that a social security number, Texas driver's license number, or number of a personal identification card issued by the Department of Public Safety is excluded from disclosure.

Elec. Code § 65.060. The submitted affidavits for provisional voters contain the partial social security numbers, Texas driver's license numbers, or numbers of a personal identification card issued by the Department of Public Safety of certain individuals. Therefore, this information, which we have marked, is confidential under section 65.060 of the Election Code and must be withheld under section 552.101 of the Government Code.<sup>1</sup> As there are no further arguments against disclosure of the remaining information, it must be released at this time.

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](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,



Joseph Behnke  
Assistant Attorney General  
Open Records Division

JB/som

Ref: ID# 522299

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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<sup>1</sup>As our ruling is dispositive for the information at issue, we need not address your remaining argument against its disclosure.