ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

December 10, 2014

Ms. Catelyn H. Kostbar
Administrative Technician III
Harris County Appraisal District
P.O. Box 920975
Houston, Texas 77292-0975

OR2014-22390

Dear Ms. Kostbar:

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# 546184 (HCAD Ref. No. 14-3141).

The Harris County Appraisal District (the "district") received a request for the iFile number for a specified account. You claim a portion of the submitted information is excepted from disclosure under section 552.136 of the Government Code.[1] We have considered the exception you claim and reviewed the submitted information.

As you acknowledge, the requestor only seeks the iFile number for the specified account. Accordingly, any other information is not responsive to the request for information. This ruling does not address the availability of non-responsive information, and the district need not release non-responsive information to the requestor.

Section 552.136 of the Government Code states, "Notwithstanding 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(b). Section 552.136(a) defines "access device" as "a card, plate, code, account

[1]We note, and you acknowledge, the district did not comply with section 552.301 of the Government Code in requesting this decision. *See* Gov't Code § 552.301 (b), (e). Nonetheless, because section 552.136 of the Government Code can provide a compelling reason to overcome the presumption of openness, we will consider its applicability to the submitted information. *See id.* §§ 552.007, .302, .352.

number, personal identification number, electronic serial number, mobile identification number, or other telecommunications service, equipment, or instrument identifier or means of account access that alone or in conjunction with another access device may be used to . . . obtain money, goods, services, or another thing of value [or] initiate a transfer of funds other than a transfer originated solely by paper instrument." *Id.* § 552.136(a). You represent that iFile numbers can be used to access confidential property information that is valuable to property owners and third party professionals involved in the protests of property tax appraisals. Based on your representations and our review, we agree the iFile number at issue is an access device number for purposes of section 552.136(a). Accordingly, the district must withhold the submitted iFile number under section 552.136 of the Government Code.

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,

Megan G. Holloway
Assistant Attorney General
Open Records Division

MGH/cbz

Ref: ID# 546184

Enc. Submitted documents

c: Requestor
(w/o enclosures)