



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

January 8, 2016

Ms. Elaine Nicholson
Assistant City Attorney
City of Austin
P.O. Box 1088
Austin, Texas 78767-8828

OR2016-00614

Dear Ms. Nicholson:

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# 594415.

The Austin-Travis County Emergency Medical Services Department (the "department") received a request for a specified report. You claim portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information protected by other statutes, including section 772.318 of the Health and Safety Code. Chapter 772 of the Health and Safety Code authorizes the development of local emergency communications districts. Sections 772.118, 772.218, and 772.318 of the Health and Safety Code are applicable to emergency 9-1-1 districts established in accordance with chapter 772. *See* Open Records Decision No. 649 (1996). These sections make the originating telephone number and address of a 9-1-1 caller that are furnished by a 9-1-1 service supplier confidential. *Id.* at 2. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

We understand the department is part of an emergency communication district established under section 772.318. You assert the telephone number and address of the 9-1-1 caller you marked in the submitted information is confidential under section 772.318. You do not indicate, however, whether that information was furnished by a 9-1-1 service supplier. Therefore, we will rule conditionally. To the extent the information you have marked consists of the originating telephone number and address of a 9-1-1 caller that was furnished by a 9-1-1 service supplier, this information is confidential under section 772.318 of the Health and Safety Code and the department must withhold it under section 552.101 of the Government Code. If this information does not consist of the originating telephone number and address of a 9-1-1 caller provided by a 9-1-1 service supplier, then the department may not withhold the marked information under section 552.101 in conjunction with section 772.318. As you raise no other exceptions to disclosure, the remaining information must be released.

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,



Matthew Taylor
Assistant Attorney General
Open Records Division

MT/bw

Ref: ID# 594415

Enc. Submitted documents

c: Requestor
(w/o enclosures)