



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 29, 2016

Mr. Lance Brenton
General Counsel
Texas Board of Architectural Examiners
P.O. Box 12337
Austin, Texas 78711

OR2016-21961

Dear Mr. Lance Brenton:

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# 628376.

The Texas Board of Architectural Examiners (the "board") received a request for contact information, including e-mail addresses, for all board members. You claim portions of the requested information are exempted from disclosure under section 552.137 of the Government Code. We have considered the exception you claim.

Section 552.137 of the Government Code exempts from disclosure "an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body" unless the member of the public consents to its release or the e-mail address is of a type specifically excluded by subsection (c). *See* Gov't Code § 552.137(a)-(c). We note subsection 552.137(c)(5) states that subsection 552.137(a) does not apply to an e-mail address "provided to a governmental body for the purpose of providing public comment on or receiving notices related to an application for a license as defined by section 2001.003(2) of [the Government Code], or receiving orders or decisions from a governmental body." *Id.* § 552.137(c)(5). You state some of the requested e-mail addresses are subject to section 552.137(c)(5). However, you state the remaining e-mail addresses at issue are not subject to section 552.137(c)(5) or any other subsection of (c). Therefore, the board must withhold the e-mail addresses that are not subject to section 552.137(c)(5) under

section 552.137 of the Government Code, unless the owners affirmatively consent to their 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,

A handwritten signature in cursive script that reads "Erin Groff". The signature is written in black ink and is positioned above the typed name and title.

Erin Groff
Assistant Attorney General
Open Records Division

EMG/som

Ref: ID# 628376

Enc. Submitted documents

c: Requestor
(w/o enclosures)