

Thinking Outside of the PIA BOX

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Exceptions in the
Act
v.
Exceptions
Outside of the Act





Utilities Code


182.052

- ✦ Gov. operated utility may not disclose personal info.
- ✦ You can withhold this info without AG brief.
- ✦ Covers: address, phone number, social security number.

552.1331

- ✦ Information collected through metering system.
- ✦ You do not need to write a brief to withhold.
- ✦ Covers: volume/usage and delinquent account or shutoff lists.





Family Code

261.201

- ✦ Report of alleged or suspected abuse or neglect of child (under 18).
- ✦ Special right of access.

58.008

- ✦ Law enforcement records concerning a child who is alleged to have engaged in delinquent conduct.
- ✦ Special right of access.





Occupations Code

159.002

- ✦ Medical Practice Act.
- ✦ Continues to apply regardless of when communications were made.





Health & Safety Code

773.091

- ✦ EMS Records.
- ✦ Continues to apply regardless of when communications were made.

611.002

- ✦ Communications between patient and a professional, and records of the identify, diagnosis, evaluation, or treatment of a patient that are created or maintained by a professional.





Education Code

21.355

- ✦ Teacher Evaluations - Evaluation documents on the performance of a teacher or administrator.





Federal Statutes

ADA

- ✦ Info collected from an applicant or employee concerning the individual's medical condition and medical history.



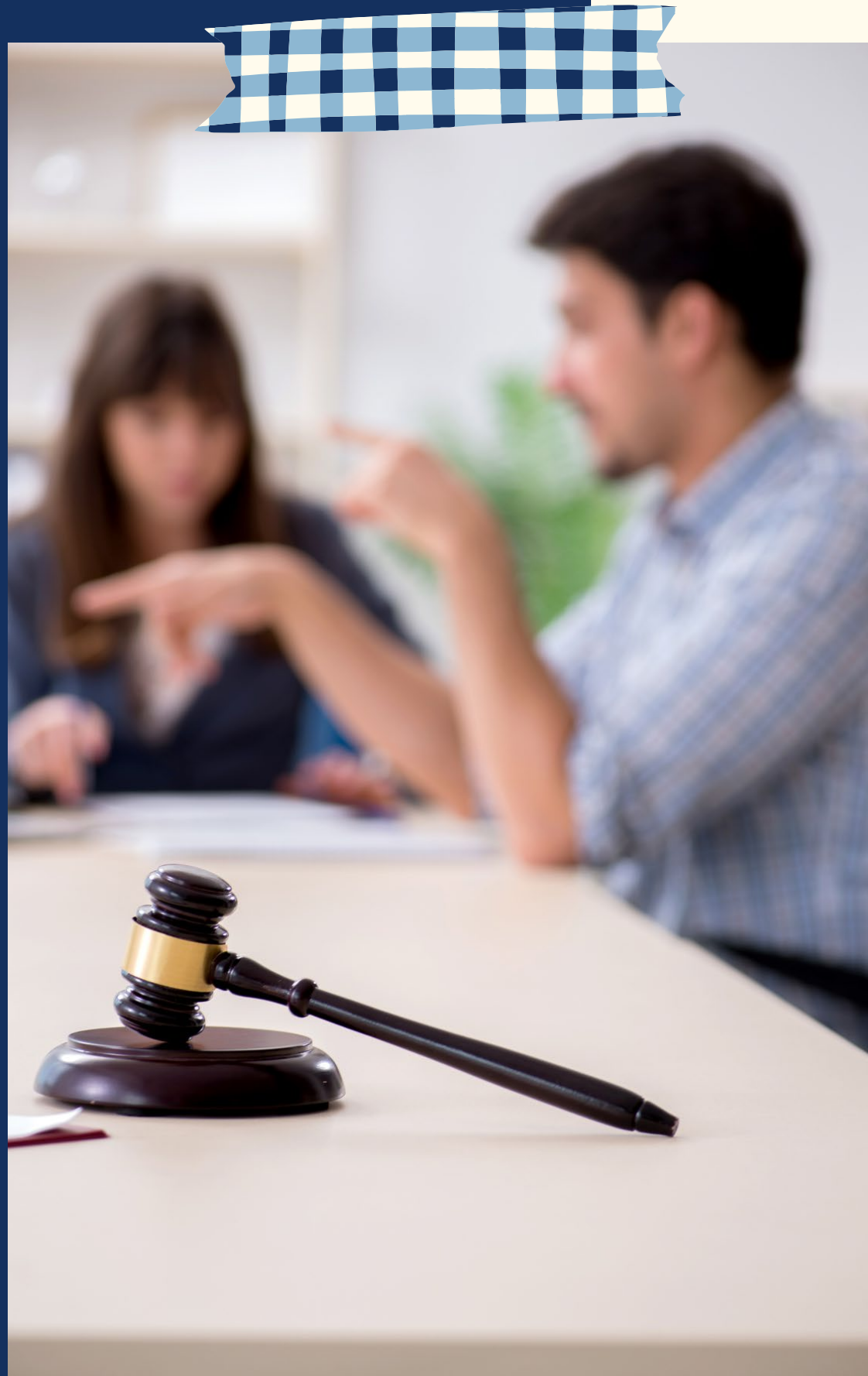


Other Government Code Sections

Ch 551 - Executive Session

✦ Caveat of Information taking in Executive Session.





Texas Rules of Evidence

Rule 503

✦ Attorney -Client Privileged Information.





Texas Rules of Civil Procedure

Rule 192.5

✦ Work Product.





Other Nuances

- ◆ Fraud
- ◆ DUI Video
- ◆ Inter/Intra -Gov Transfers
- ◆ Privacy rights lapse upon death



Questions?