

CITY OF DALLAS

FORM 1295 – Certificate of Interested Parties

- to be filled with the Texas Ethics Commission after January 1, 2016
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Disclosure of Interested Parties

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that effective January 1, 2016 a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The Texas Ethics Commission (TEC) has adopted rules requiring the business entity to file Form 1295 electronically with the Commission, located at the TEC website: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

Form 1295 applies to the law applied only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed; or (2) has a value of at least \$1 million. Gov't Code § 2252.908. It also applies to contracts, amendments, extensions, and renewals.

A state agency or other governmental entity must acknowledge the receipt of the filed Form 1295 not later than the 30th day after the date the contract binds all parties to the contract. Once a Form 1295 is acknowledged, it will be posted to the Texas Ethics Commission's website within seven business days.

As of September 1, 2017 Senate Bill 255 went into effect, amending House Bill 1295. It makes the following changes:

(1) contracts entered into or amended on or after January 1, 2018 between the City and electric utility companies (e.g. Oncor Electric Delivery) no longer require the Form 1295.

(2) contracts entered into or amended on or after January 1, 2018 between the City and publicly traded companies (e.g. companies traded on at least one stock exchange such as the New York Stock Exchange) no longer require the Form 1295.

(3) the notary requirement in Section 6 of the Form 1295 is no longer required and has been replaced by an unsworn statement.

Business entities must still electronically file the form, print a hard copy, have the authorized agent sign the form, and then submit a copy to the City. Please note that forms filed after January 1, 2018 will not contain the notary stamp or signature (see attached example).

