

Certificate of Interested Parties Form 1295 Procedures

January 2016

Table of Contents

	Page
Implementation of House Bill 1295	3
Frequently Asked Questions	4
Logging In the First Time – Government Entity or State Agency	7
Acknowledging a Certificate	12

Implementation of House Bill 1295

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that 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 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 law applies 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. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

The Texas Ethics Commission was required to adopt rules necessary to implement that law, prescribe the disclosure of interested parties form, and post a copy of the form on the commission's website. The commission adopted the Certificate of Interested Parties form (Form 1295) on October 5, 2015. The commission also adopted new rules (Chapter 46) on November 30, 2015, to implement the law. The commission does not have any additional authority to enforce or interpret [House Bill 1295](#).

By January 1, 2016, the commission will make available on its website a new filing application that must be used to file Form 1295. A business entity must use the application to enter the required information on Form 1295 and print a copy of the completed form, which will include a certification of filing that will contain a unique certification number. An authorized agent of the business entity must sign the printed copy of the form and have the form notarized. The completed Form 1295 with the certification of filing must be filed with the governmental body or state agency with which the business entity is entering into the contract.

The governmental entity or state agency must notify the commission, using the commission's filing application, of the receipt of the filed Form 1295 with the certification of filing not later than the 30th day after the date the contract binds all parties to the contract. The commission will post the completed Form 1295 to its website within seven business days after receiving notice from the governmental entity or state agency.

Information regarding how to use the filing application will be available on this site by January 1, 2016.

Additional Information:

[HB 1295](#)

Certificate of Interested Parties ([Form 1295](#))

New Chapter 46, Ethics Commission Rules:

[46.1. Application](#)

[46.3. Definitions](#)

[46.5. Disclosure of Interested Parties Form](#)

Frequently Asked Questions

1. Who is required to file Form 1295?

In 2015, the Texas Legislature adopted House Bill 1295, which added section 2252.908 of the Government Code. The law states that 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 has adopted rules requiring the business entity to file Form 1295 electronically with the Commission.

2. What contracts does Form 1295 apply to?

The law applies 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. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A contract does not require an action or vote by the governing body of a governmental entity or state agency if:

- (1) the governing body has legal authority to delegate to its staff the authority to execute the contract;
- (2) the governing body has delegated to its staff the authority to execute the contract; and
- (3) the governing body does not participate in the selection of the business entity with which the contract is entered into.

1 T.A.C. § 46.1(c).

3. Can I file Form 1295 on paper?

No. A business entity must file Form 1295 electronically with the Texas Ethics Commission using the [online filing application](#). See Question #4 for information about logging in to the online filing application.

4. How do I login to the filing application?

If this is your first time logging in, you will need to create an account in order to register and receive a password. Once you have registered, you will receive an email containing a password setup link. Click on the link to set your password. After you have established an account, you will use your email address, password, and user type (either "Business Entity" or "Governmental Entity/State Agency") to log in to the [filing application](#). Watch our short videos on "*Logging In The First Time*" on the [Form 1295 File Reports Electronically](#) web page.

5. Is there a mobile version?

The mobile version is not complete at this time, but will be available soon.

6. Help! I forgot my password.

If you forgot your password, you can reset your password by clicking the “Forgot Password?” link on the [filing application](#) login screen. Once you enter your email address and filer type and successfully answer the security questions, you will receive an email containing a password reset link. If you cannot successfully answer your security questions, you will need to call the Texas Ethics Commission at (512)463-5800.

7. Can I have multiple accounts?

You can have a separate account associated with each unique email address. However, once an account is established, there is no way to combine it with another account. You can only view those certificates created under your own unique email address. If you want to view all your certificates together in one account, we highly encourage you to setup a specific email address to register your account and use that email address each time you login to the filing application.

8. How much time do I have to acknowledge a Form 1295?

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.

9. Do I send a copy of the notarized Form 1295 to the Texas Ethics Commission?

No. Do not send a paper copy of the notarized Form 1295 to the Texas Ethics Commission. If you are with a state agency or other governmental entity, you will login to the [filing application](#) and acknowledge receipt of Form 1295 electronically. See Question #4 for more information about logging into the [filing application](#).

10. What if I accidentally acknowledge the wrong Form 1295?

Before you acknowledge a Form 1295, you should double check that you are acknowledging the correct one. If you acknowledge a Form 1295 in error, you cannot undo the certification. Contact the Texas Ethics Commission at 512-463-5800 and ask to speak with Technical Support.

11. The filing application says this Form 1295 has already been acknowledged. What do I do now?

First, you should double check that you are entering the correct certification number. If you still receive an error, contact the Texas Ethics Commission at 512-463-5800 and ask to speak to technical support.

12. I submitted a Form 1295 and realized there is an error. Can I still edit it?

No. Once a Form 1295 has been submitted by the business entity, it can no longer be edited. If you found an error, you will need to start a new certificate and re-enter all the required information.

13. What if the contract associated with the Form 1295 is never fulfilled?

All certificates that are filed with the Texas Ethics Commission and acknowledged by a governmental entity will be posted to the Commission’s website regardless of the eventual outcome of the contract associated with the certificate.

14. Why am I not receiving email messages from the Texas Ethics Commission?

All password reset links will be sent to the email address you provided when you registered. This should be an email address that is current and that you check often. You can verify and update your email address right after you log in. Also, be sure to “whitelist” or mark as “safe” emails that come from “do-not-reply@ethics.state.tx.us” and be sure to check your Spam or Junk folder for any missing messages.

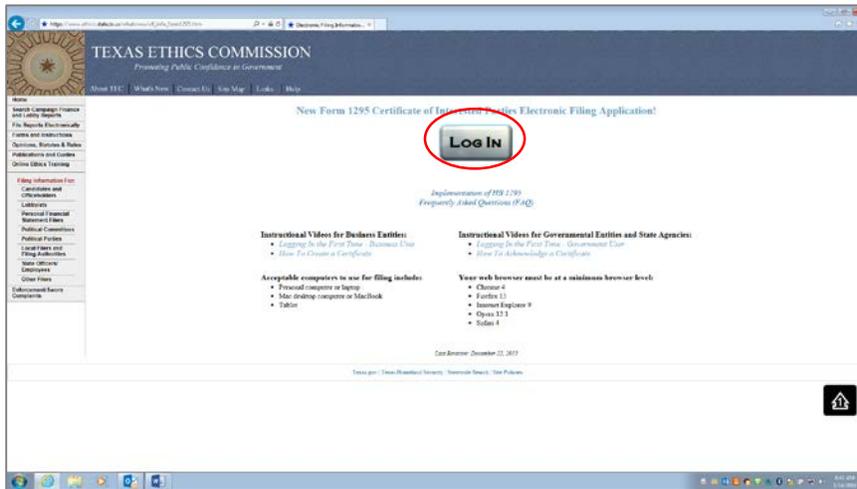
Last Revision: December 31, 2015

Logging In the First Time – Government Entity or State Agency

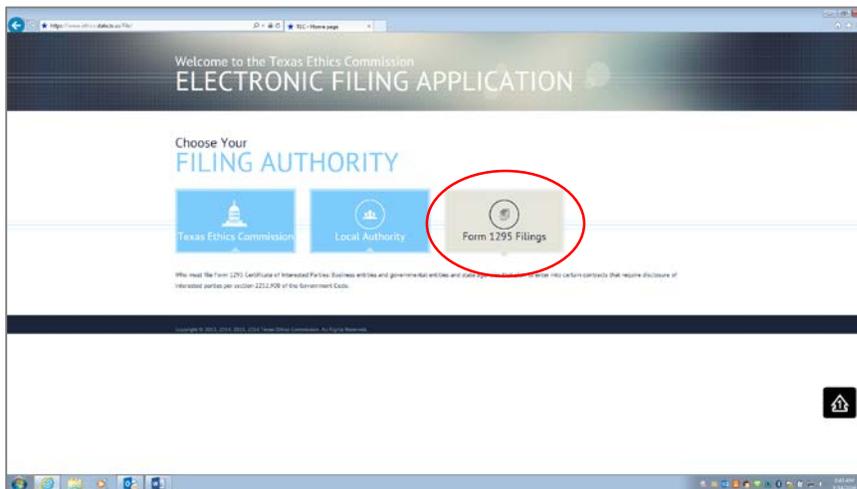
Instructions for Logging In the first time are as follows:

Access

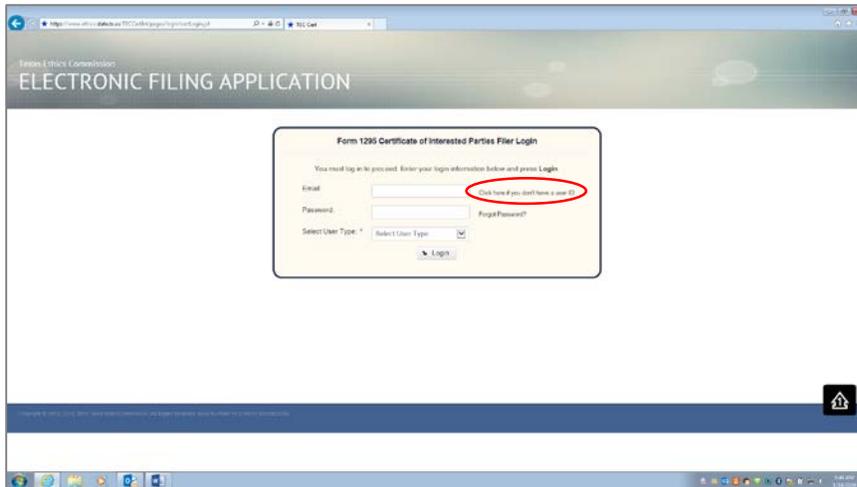
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm



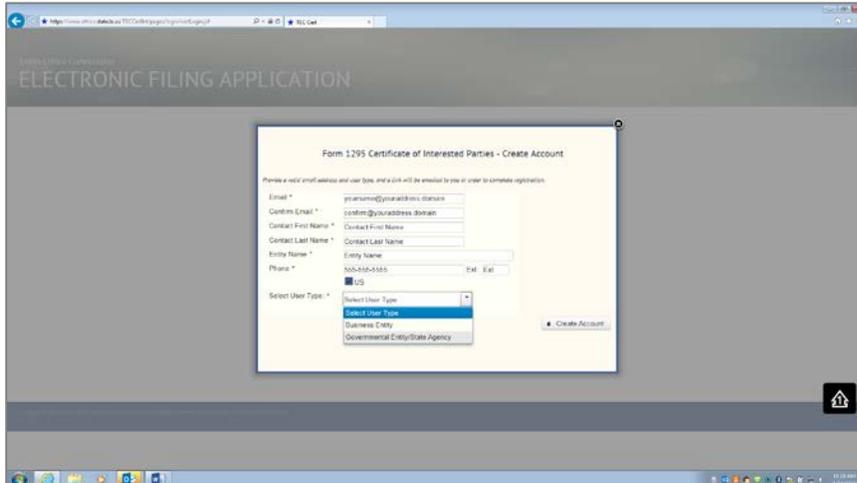
Click on "Log In"



Click on "Form 1295 Filings"



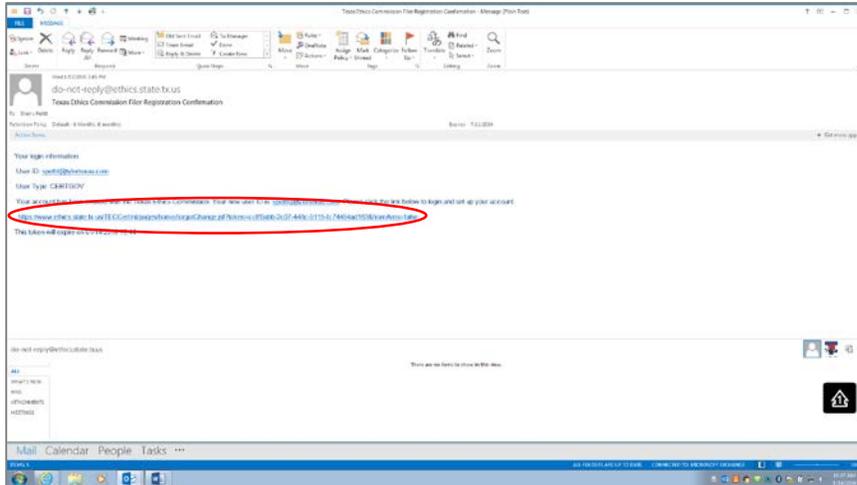
Click on “Click here if you don’t have a user ID”



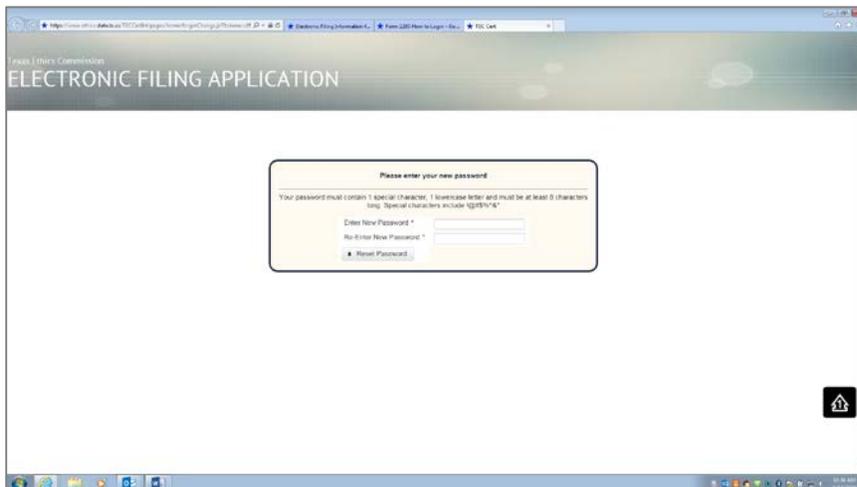
Enter:
Email (Twice for confirmation)
Contact First Name
Contact Last Name
Entity Name
Phone Number
Select User Type: Governmental Entity/State Agency

Click on “Create Account”

An email will be sent to your email address containing a link to set your password.

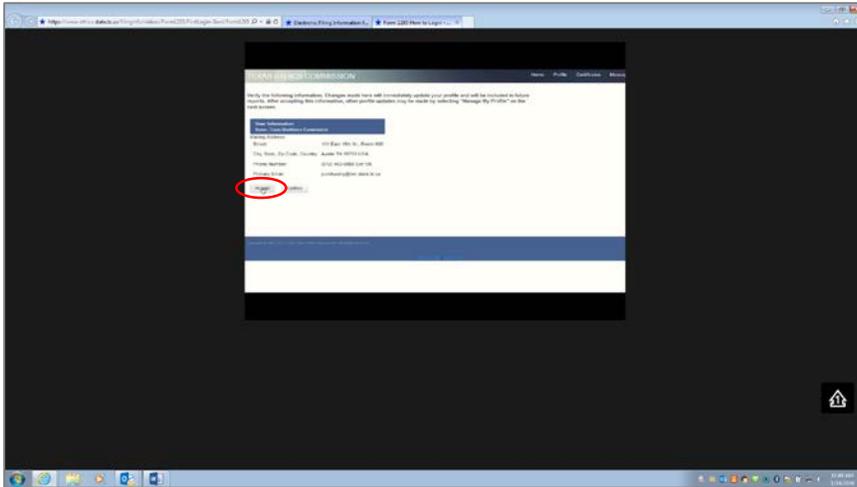


Click on the link in the email in order to login and complete the setting up of your account.



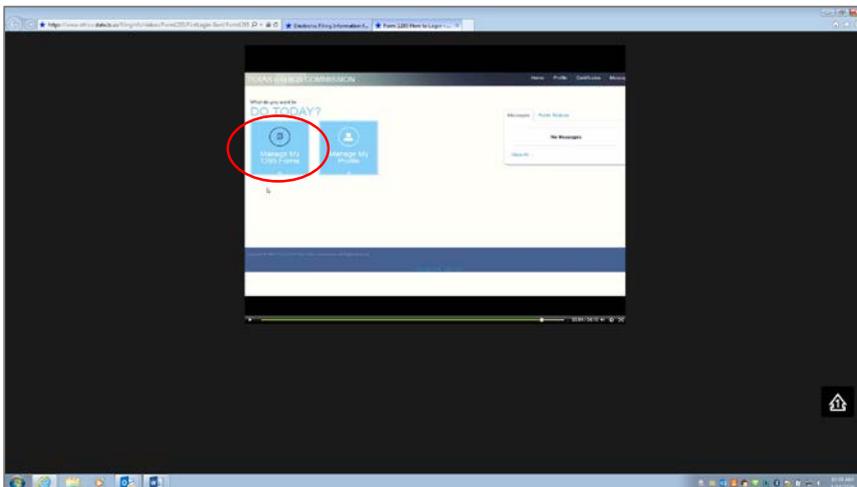
Enter a Password (Twice for confirmation)
Your password must contain 1 special character, 1 lowercase letter and must be at least 8 characters long. Special characters include !@#\$%^&*

Click on "Reset Password"



Verify the information. Changes made in this area will immediately update your profile and will be included in future reports.

If all information is accurate, click on “Accept”

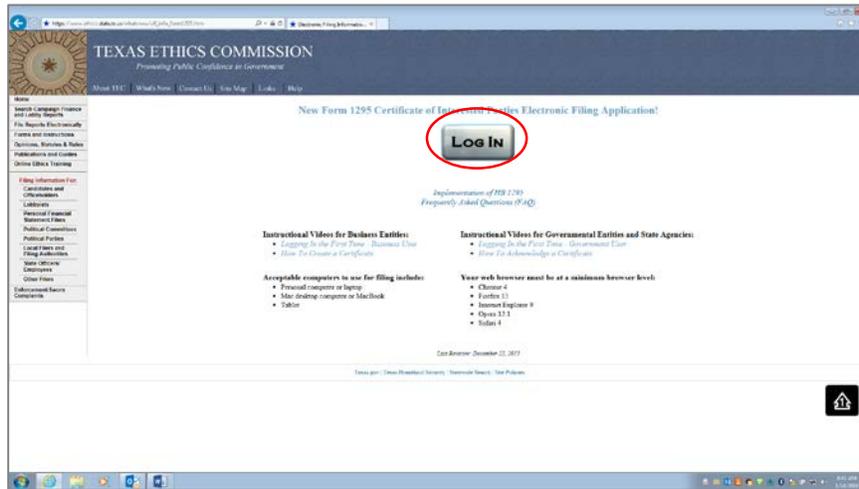


If you need to manage 1295 forms, click on “Manage my 1295 Forms”.

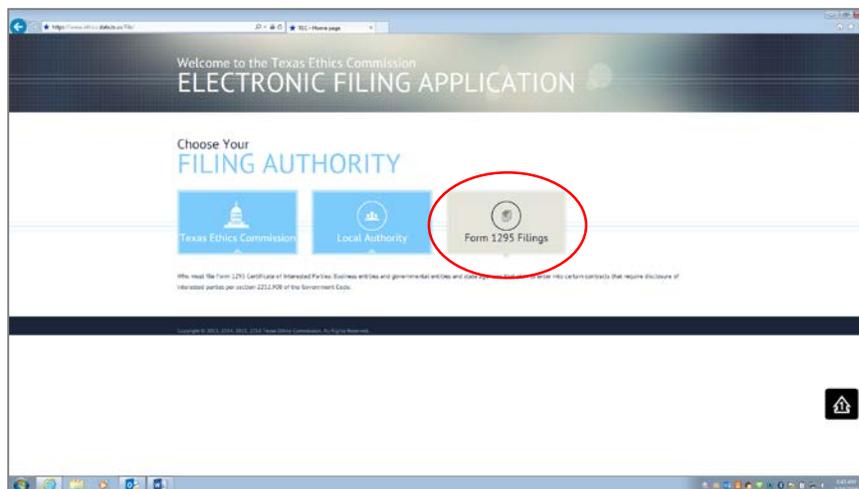
Acknowledging a Certificate

Access

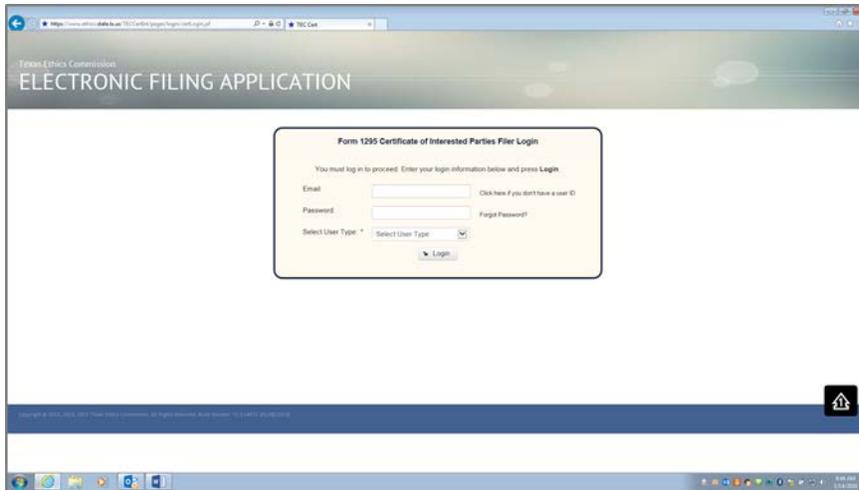
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm



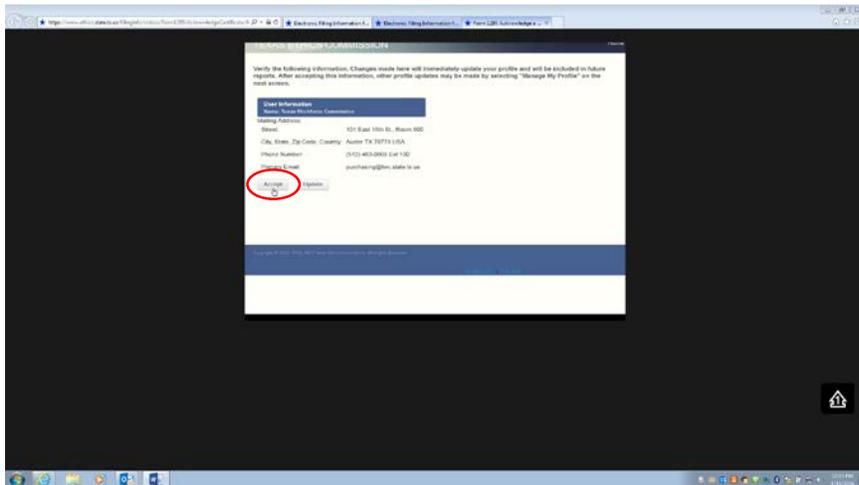
Click on "Log In"



Click on "Form 1295 Filings"

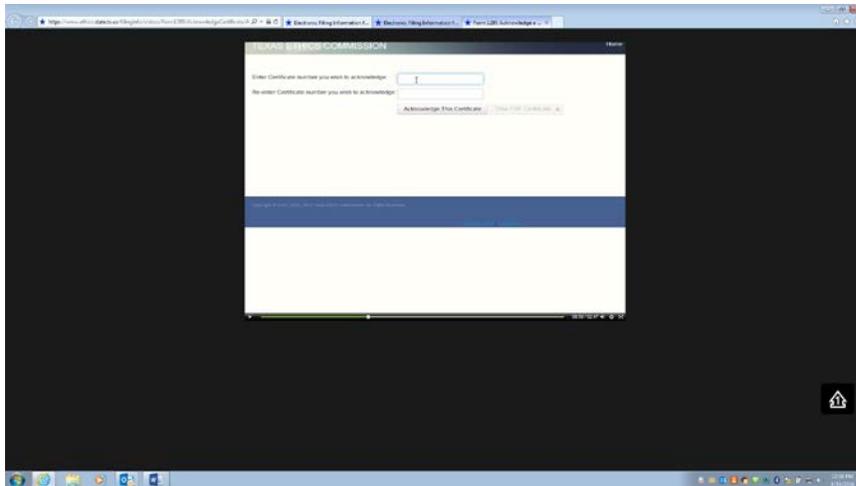


Enter:
Email
Password
Select User Type: Governmental Entity/State Agency
Click on “Login”

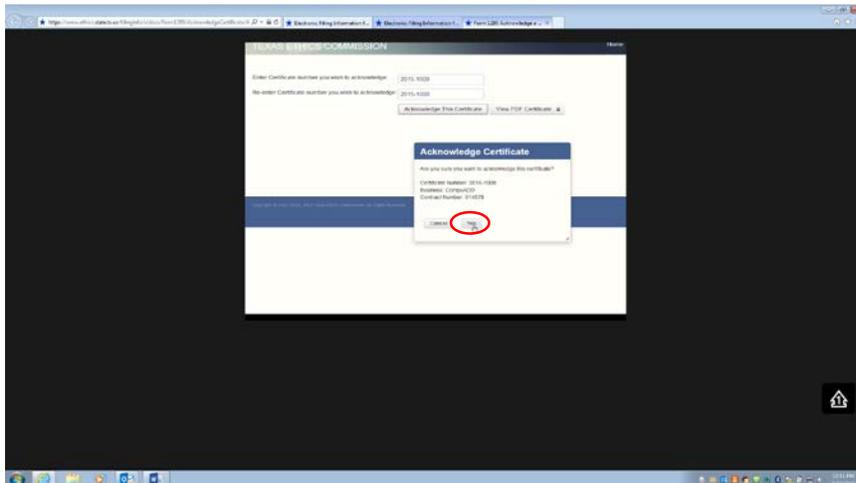


Verify the information. Changes made in this area will immediately update your profile and will be included in future reports.

If all information is accurate, click on “Accept”

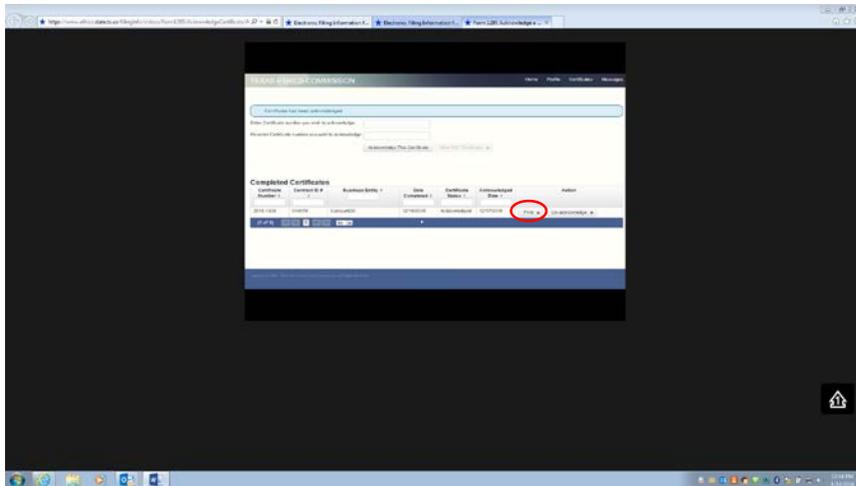


Enter the Certificate number you wish to acknowledge (Twice for confirmation)
Click on “Acknowledge This Certificate

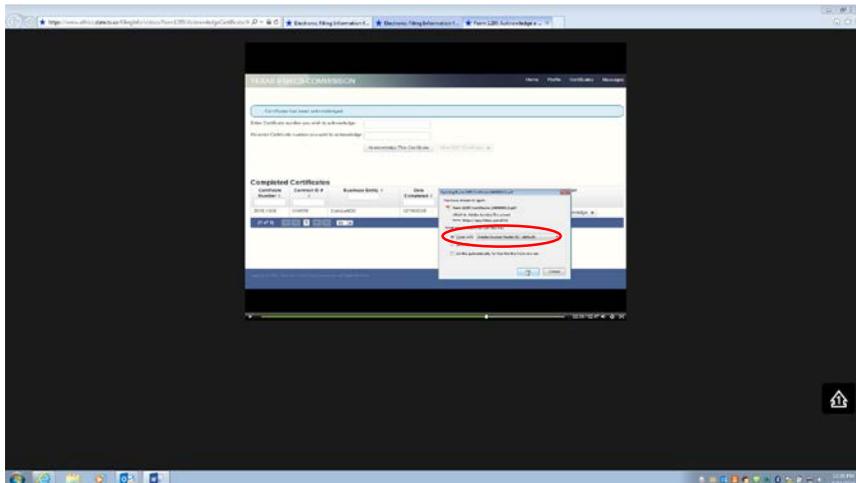


Verify the information.

If all information is accurate, click on “Yes”



Review the information.
Click on “Print” if the information is accurate.



Click on “Open with”
Select appropriate document
Click on “Ok”

CERTIFICATE OF INTERESTED PARTIES **FORM 1295**
1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

1. Name of business entity filing form, and the city, state and country of the business entity's place of business.
Company:
Austin, TX, United States

2. Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Workforce Commission, Texas

3. Provide the identification number used by the governmental entity or state agency to track the contract, and provide a description of the goods or services to be provided under the contract.
ID#:
Office Equipment and Computers

4. Name of Interested Party

Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Contracting	Intermediary
Horton, Bill	Austin, TX, United States	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Moran, Dennis	Austin, TX, United States	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OFFICE USE ONLY
CERTIFICATION OF FILING

Certificate Number: 2018-1028

Date Filed:

Date Acknowledged: 10/17/2018

Verify the information. There should be a date under Date Acknowledged in the “Office Use Only” section.

If all information is accurate, click on “Yes”

COMPLETED CERTIFICATES

Click on the certificate number to view details.
Please click on the certificate number to acknowledge.

Completed Certificates

Certificate Number	Business Entity	Date Acknowledged	Action
2018-1028	WORKFORCE COMMISSION	10/17/2018	ACKNOWLEDGE

If additional Certificates need to be acknowledged at this time, repeat steps.

Example of an acknowledged Certificate of Interested Parties form. The Date Acknowledged can be located in the “Office Use Only” section.

