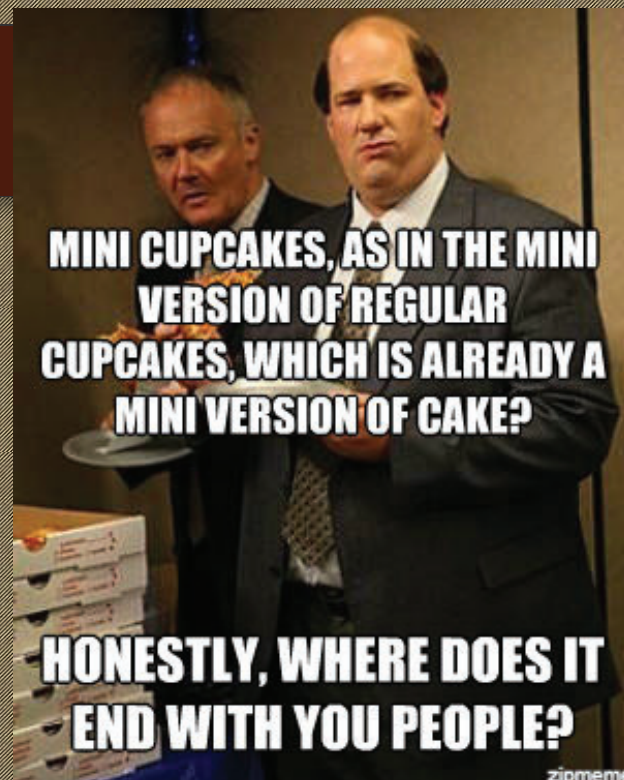


What You're Missing: Emerging Issues in Contracts

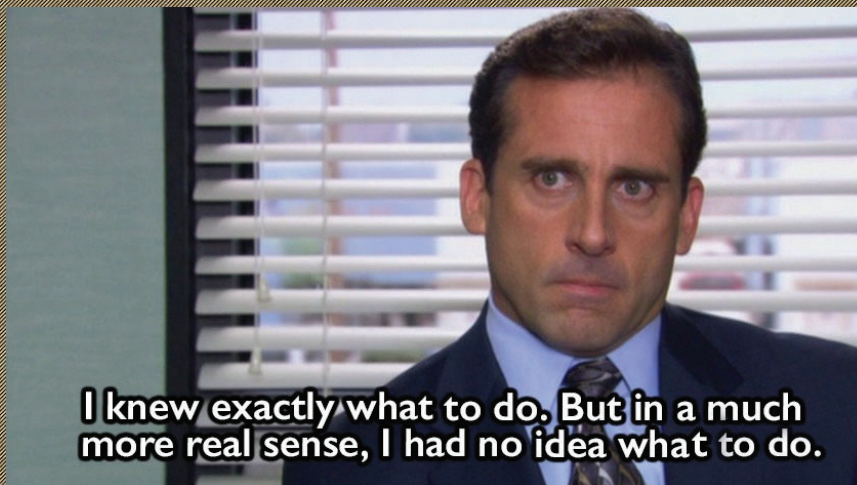
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Required Contract Actions and Provisions



HB 1295 Certificate of Interested Parties Tex. Gov't Code 2252.908(d)



HB 1295 - Tex. Gov't Code 2252.908(d)



FAQ #1: Is every Vendor required to complete the 1295?

No. Only contracts that require board approval, OR are valued at \$1 million or more. And then, only business entities (including sole proprietors). Specific exceptions: interagency contracts, institution of higher education, publicly traded business entity, and electric or gas utility.

HB 1295 - Tex. Gov't Code 2252.908(d)



FAQ #2: The vendor completed this once already for a previous contract, they should be good, right?

Nope. The disclosure is required for each applicable contract and must be submitted “at the time the business entity submits the signed contract to the governmental entity or state agency.” Gov’t Code 2252.908(d).

HB 1295 - Tex. Gov't Code 2252.908(d)



FAQ #3: What about amendments, surely we don't need a new one?

Not so fast. Texas Ethics Commission Rule § 46.4 requires a new form if the amended agreement 1) requires board action, 2) “the value of the changed contract is at least \$1 million,” or 3) there is a change to the previously filed 1295 form.

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