

**STATE LAW H.B. 914
EFFECTIVE JANUARY 1, 2006**

What is H.B. 914?

Effective January 1, 2006, H.B. 914 requires any person or business that contracts with or is considering doing business with a local governmental entity to file a "conflicts of interest questionnaire." The conflict of interest questionnaire (FORM CIQ) was created by the Texas Ethics Commission (TEC) and is available online at www.ethics.state.tx.us. The bill provides that failure to file the statement or questionnaire is punishable as a class C misdemeanor. This new law is in accordance with Section 176.006 of the Local Government Code.

Who must file a "conflict of interest questionnaire"?

Any person who contracts or seeks to contract for the sale or purchase of property, goods, or services (including submitting a bid on a contract) with a local governmental entity or any other political subdivision such as the Council of Governments must file a questionnaire.

To what type of contracts does the bill apply?

The bill applies to any written contract and any implied contract, such as purchase orders, procurement card purchases, utility purchases, and more. As written, the bill appears to apply to any purchase made by a city or other political subdivision.

When must a vendor file the conflict of interest questionnaire?

A person who wishes to conduct business with a local government or political subdivision must file a questionnaire *no later than seven days* after the date the person begins contract discussions or negotiations with the governmental agency, or submits an application or response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the agency.

With whom should the questionnaire be filed?

The questionnaire should be filed with the entity's records administrator.

What about posting the information on the Internet?

The government agency is required to provide access to the completed questionnaires on their Internet Web site.