



Rep. Arthur Turner

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LRB100 03806 MLM 23540 a

1 AMENDMENT TO HOUSE BILL 139

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 139 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by  
5 changing Section 40-25 as follows:

6 (30 ILCS 500/40-25)

7 Sec. 40-25. Length of leases.

8 (a) Maximum term. Leases shall be for a term not to exceed  
9 10 years inclusive, beginning January, 1, 2010, of proposed  
10 contract renewals and shall include a termination option in  
11 favor of the State after 5 years. Notwithstanding the  
12 provisions of this subsection (a), any lease for real property  
13 entered into by a public institution of higher education may  
14 exceed 10 years in length, but may not exceed 30 years in  
15 length, provided: (i) the lease requires the lessor to make  
16 capital improvements in excess of \$100,000 and (ii) the

1 governing board of the public institution of higher education  
2 determines a term of more than 10 years is necessary and is in  
3 the best interest of the public institution of higher  
4 education.

5 (b) Renewal. Leases may include a renewal option. An option  
6 to renew may be exercised only when a State purchasing officer  
7 determines in writing that renewal is in the best interest of  
8 the State and notice of the exercise of the option is published  
9 in the appropriate volume of the Procurement Bulletin at least  
10 60 calendar days prior to the exercise of the option.

11 (c) Subject to appropriation. All leases shall recite that  
12 they are subject to termination and cancellation in any year  
13 for which the General Assembly fails to make an appropriation  
14 to make payments under the terms of the lease.

15 (d) Holdover. Beginning January 1, 2010, no lease may  
16 continue on a month-to-month or other holdover basis for a  
17 total of more than 6 months. Beginning July 1, 2010, the  
18 Comptroller shall withhold payment of leases beyond this  
19 holdover period.

20 (Source: P.A. 98-1076, eff. 1-1-15.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."