



Sen. Emil Jones, III

Filed: 5/23/2019

10100SB0534sam005

LRB101 04295 RJF 61151 a

1 AMENDMENT TO SENATE BILL 534

2 AMENDMENT NO. _____. Amend Senate Bill 534 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Labor Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 1505-215 as follows:

7 (20 ILCS 1505/1505-215 new)

8 Sec. 1505-215. Bureau on Apprenticeship Programs; Advisory
9 Board.

10 (a) There is created within the Department of Labor a
11 Bureau on Apprenticeship Programs. This Bureau shall work to
12 increase minority participation in active apprentice programs
13 in Illinois that are approved by the United States Department
14 of Labor. The Bureau shall identify barriers to minorities
15 gaining access to construction careers and make
16 recommendations to the Governor and the General Assembly for

1 policies to remove those barriers. The Department may hire
2 staff to perform outreach in promoting diversity in active
3 apprenticeship programs approved by the United States
4 Department of Labor. The Bureau shall annually compile racial
5 and gender workforce diversity information from contractors
6 receiving State or other public funds and by labor unions with
7 members working on projects receiving State or other public
8 funds.

9 (b) There is created the Advisory Board for Diversity in
10 Active Apprenticeship Programs Approved by the United States
11 Department of Labor. This Advisory Board shall be composed of
12 12 legislators; 3 members appointed by the President of the
13 Senate, 3 members appointed by the Speaker of the House of
14 Representatives, 3 members appointed by the Minority Leader of
15 the Senate, and 3 members appointed by the Minority Leader of
16 the House of Representatives. The President of the Senate and
17 the Speaker of the House of Representatives shall each appoint
18 a co-chairperson. Members of the Advisory Board shall receive
19 no compensation for serving as members of the Advisory Board.
20 The Advisory Board shall meet quarterly. The Advisory Board may
21 request necessary additional information from the Department
22 for the purposes of performing its duties under this Section.
23 The Advisory Board may advise the Department of programs to
24 increase diversity in active apprenticeship programs. The
25 Department shall provide administrative support and staffing
26 for the Advisory Board.

1 Section 10. The Business Enterprise for Minorities, Women,
2 and Persons with Disabilities Act is amended by changing
3 Sections 4, 4f, and 7 as follows:

4 (30 ILCS 575/4) (from Ch. 127, par. 132.604)

5 (Section scheduled to be repealed on June 30, 2020)

6 Sec. 4. Award of State contracts.

7 (a) Except as provided in subsections (b) and (c), not less
8 than 20% of the total dollar amount of State contracts, as
9 defined by the Secretary of the Council and approved by the
10 Council, shall be established as an aspirational goal to be
11 awarded to businesses owned by minorities, women, and persons
12 with disabilities; provided, however, that of the total amount
13 of all State contracts awarded to businesses owned by
14 minorities, women, and persons with disabilities pursuant to
15 this Section, contracts representing at least 11% shall be
16 awarded to businesses owned by minorities, contracts
17 representing at least 7% shall be awarded to women-owned
18 businesses, and contracts representing at least 2% shall be
19 awarded to businesses owned by persons with disabilities.

20 The above percentage relates to the total dollar amount of
21 State contracts during each State fiscal year, calculated by
22 examining independently each type of contract for each agency
23 or public institutions of higher education which lets such
24 contracts. Only that percentage of arrangements which

1 represents the participation of businesses owned by
2 minorities, women, and persons with disabilities on such
3 contracts shall be included.

4 (b) Not ~~In the case of State construction contracts, the~~
5 ~~provisions of subsection (a) requiring a portion of State~~
6 ~~contracts to be awarded to businesses owned and controlled by~~
7 ~~persons with disabilities do not apply. The following~~
8 ~~aspirational goals are established for State construction~~
9 ~~contracts: not~~ less than 20% of the total dollar amount of
10 State construction contracts is established as an aspirational
11 a goal to be awarded to businesses owned by minorities, women,
12 and persons with disabilities; provided that, contracts
13 representing at least 11% of the total dollar amount of State
14 construction contracts shall be awarded to businesses owned by
15 minorities; contracts representing at least 7% of the total
16 dollar amount of State construction contracts shall be awarded
17 to women-owned businesses; and contracts representing at least
18 2% of the total dollar amount of State construction contracts
19 shall be awarded to businesses owned by persons with
20 disabilities ~~minority owned and women-owned businesses.~~

21 (c) (Blank). ~~In the case of all work undertaken by the~~
22 ~~University of Illinois related to the planning, organization,~~
23 ~~and staging of the games, the University of Illinois shall~~
24 ~~establish a goal of awarding not less than 25% of the annual~~
25 ~~dollar value of all contracts, purchase orders, and other~~
26 ~~agreements (collectively referred to as "the contracts") to~~

1 ~~minority owned businesses or businesses owned by a person with~~
2 ~~a disability and 5% of the annual dollar value the contracts to~~
3 ~~women owned businesses. For purposes of this subsection, the~~
4 ~~term "games" has the meaning set forth in the Olympic Games and~~
5 ~~Paralympic Games (2016) Law.~~

6 (d) Within one year after April 28, 2009 (the effective
7 date of Public Act 96-8), the Department of Central Management
8 Services shall conduct a social scientific study that measures
9 the impact of discrimination on minority and women business
10 development in Illinois. Within 18 months after April 28, 2009
11 (the effective date of Public Act 96-8), the Department shall
12 issue a report of its findings and any recommendations on
13 whether to adjust the goals for minority and women
14 participation established in this Act. Copies of this report
15 and the social scientific study shall be filed with the
16 Governor and the General Assembly.

17 (e) Except as permitted under this Act or as otherwise
18 mandated by federal law or regulation, those who submit bids or
19 proposals for State contracts subject to the provisions of this
20 Act, whose bids or proposals are successful and include a
21 utilization plan but that fail to meet the goals set forth in
22 subsection (b) of this Section, shall be notified of that
23 deficiency and shall be afforded a period not to exceed 10
24 calendar days from the date of notification to cure that
25 deficiency in the bid or proposal. The deficiency in the bid or
26 proposal may only be cured by contracting with additional

1 subcontractors who are owned by minorities or women, but in no
2 case shall an identified subcontractor with a certification
3 made pursuant to this Act be terminated from the contract
4 without the written consent of the State agency or public
5 institution of higher education entering into the contract.

6 (f) Non-construction solicitations that include Business
7 Enterprise Program participation goals shall require bidders
8 and offerors to include utilization plans. Utilization plans
9 are due at the time of bid or offer submission. Failure to
10 complete and include a utilization plan, including
11 documentation demonstrating good faith effort when requesting
12 a waiver, shall render the bid or offer non-responsive.

13 (Source: P.A. 99-462, eff. 8-25-15; 99-514, eff. 6-30-16;
14 100-391, eff. 8-25-17.)

15 (30 ILCS 575/4f)

16 (Section scheduled to be repealed on June 30, 2020)

17 Sec. 4f. Award of State contracts.

18 (1) It is hereby declared to be the public policy of the
19 State of Illinois to promote and encourage each State agency
20 and public institution of higher education to use businesses
21 owned by minorities, women, and persons with disabilities in
22 the area of goods and services, including, but not limited to,
23 insurance services, investment management services,
24 information technology services, accounting services,
25 architectural and engineering services, and legal services.

1 Furthermore, each State agency and public institution of higher
2 education shall utilize such firms to the greatest extent
3 feasible within the bounds of financial and fiduciary prudence,
4 and take affirmative steps to remove any barriers to the full
5 participation of such firms in the procurement and contracting
6 opportunities afforded.

7 (a) When a State agency or public institution of higher
8 education, other than a community college, awards a
9 contract for insurance services, for each State agency or
10 public institution of higher education, it shall be the
11 aspirational goal to use insurance brokers owned by
12 minorities, women, and persons with disabilities as
13 defined by this Act, for not less than 20% of the total
14 annual premiums or fees; provided that, contracts
15 representing at least 11% of the total annual premiums or
16 fees shall be awarded to businesses owned by minorities;
17 contracts representing at least 7% of the total annual
18 premiums or fees shall be awarded to women-owned
19 businesses; and contracts representing at least 2% of the
20 total annual premiums or fees shall be awarded to
21 businesses owned by persons with disabilities.

22 (b) When a State agency or public institution of higher
23 education, other than a community college, awards a
24 contract for investment services, for each State agency or
25 public institution of higher education, it shall be the
26 aspirational goal to use emerging investment managers

1 owned by minorities, women, and persons with disabilities
2 as defined by this Act, for not less than 20% of the total
3 funds under management; provided that, contracts
4 representing at least 11% of the total funds under
5 management shall be awarded to businesses owned by
6 minorities; contracts representing at least 7% of the total
7 funds under management shall be awarded to women-owned
8 businesses; and contracts representing at least 2% of the
9 total funds under management shall be awarded to businesses
10 owned by persons with disabilities. Furthermore, it is the
11 aspirational goal that not less than 20% of the direct
12 asset managers of the State funds be minorities, women, and
13 persons with disabilities.

14 (c) When a State agency or public institution of higher
15 education, other than a community college, awards
16 contracts for information technology services, accounting
17 services, architectural and engineering services, and
18 legal services, for each State agency and public
19 institution of higher education, it shall be the
20 aspirational goal to use such firms owned by minorities,
21 women, and persons with disabilities as defined by this Act
22 and lawyers who are minorities, women, and persons with
23 disabilities as defined by this Act, for not less than 20%
24 of the total dollar amount of State contracts; provided
25 that, contracts representing at least 11% of the total
26 dollar amount of State contracts shall be awarded to

1 businesses owned by minorities or minority lawyers;
2 contracts representing at least 7% of the total dollar
3 amount of State contracts shall be awarded to women-owned
4 businesses or women who are lawyer; and contracts
5 representing at least 2% of the total dollar amount of
6 State contracts shall be awarded to businesses owned by
7 persons with disabilities or persons with disabilities who
8 are lawyers.

9 (d) When a community college awards a contract for
10 insurance services, investment services, information
11 technology services, accounting services, architectural
12 and engineering services, and legal services, it shall be
13 the aspirational goal of each community college to use
14 businesses owned by minorities, women, and persons with
15 disabilities as defined in this Act for not less than 20%
16 of the total amount spent on contracts for these services
17 collectively; provided that, contracts representing at
18 least 11% of the total amount spent on contracts for these
19 services shall be awarded to businesses owned by
20 minorities; contracts representing at least 7% of the total
21 amount spent on contracts for these services shall be
22 awarded to women-owned businesses; and contracts
23 representing at least 2% of the total amount spent on
24 contracts for these services shall be awarded to businesses
25 owned by persons with disabilities. When a community
26 college awards contracts for investment services,

1 contracts awarded to investment managers who are not
2 emerging investment managers as defined in this Act shall
3 not be considered businesses owned by minorities, women, or
4 persons with disabilities for the purposes of this Section.

5 (2) As used in this Section:

6 "Accounting services" means the measurement,
7 processing and communication of financial information
8 about economic entities including, but is not limited to,
9 financial accounting, management accounting, auditing,
10 cost containment and auditing services, taxation and
11 accounting information systems.

12 "Architectural and engineering services" means
13 professional services of an architectural or engineering
14 nature, or incidental services, that members of the
15 architectural and engineering professions, and individuals
16 in their employ, may logically or justifiably perform,
17 including studies, investigations, surveying and mapping,
18 tests, evaluations, consultations, comprehensive planning,
19 program management, conceptual designs, plans and
20 specifications, value engineering, construction phase
21 services, soils engineering, drawing reviews, preparation
22 of operating and maintenance manuals, and other related
23 services.

24 "Emerging investment manager" means an investment
25 manager or claims consultant having assets under
26 management below \$10 billion or otherwise adjudicating

1 claims.

2 "Information technology services" means, but is not
3 limited to, specialized technology-oriented solutions by
4 combining the processes and functions of software,
5 hardware, networks, telecommunications, web designers,
6 cloud developing resellers, and electronics.

7 "Insurance broker" means an insurance brokerage firm,
8 claims administrator, or both, that procures, places all
9 lines of insurance, or administers claims with annual
10 premiums or fees of at least \$5,000,000 but not more than
11 \$10,000,000.

12 "Legal services" means work performed by a lawyer
13 including, but not limited to, contracts in anticipation of
14 litigation, enforcement actions, or investigations.

15 (3) Each State agency and public institution of higher
16 education shall adopt policies that identify its plan and
17 implementation procedures for increasing the use of service
18 firms owned by minorities, women, and persons with
19 disabilities.

20 (4) Except as provided in subsection (5), the Council shall
21 file no later than March 1 of each year an annual report to the
22 Governor and the General Assembly. The report filed with the
23 General Assembly shall be filed as required in Section 3.1 of
24 the General Assembly Organization Act. This report shall: (i)
25 identify the service firms used by each State agency and public
26 institution of higher education, (ii) identify the actions it

1 has undertaken to increase the use of service firms owned by
2 minorities, women, and persons with disabilities, including
3 encouraging non-minority-owned firms to use other service
4 firms owned by minorities, women, and persons with disabilities
5 as subcontractors when the opportunities arise, (iii) state any
6 recommendations made by the Council to each State agency and
7 public institution of higher education to increase
8 participation by the use of service firms owned by minorities,
9 women, and persons with disabilities, and (iv) include the
10 following:

11 (A) For insurance services: the names of the insurance
12 brokers or claims consultants used, the total of risk
13 managed by each State agency and public institution of
14 higher education by insurance brokers, the total
15 commissions, fees paid, or both, the lines or insurance
16 policies placed, and the amount of premiums placed; and the
17 percentage of the risk managed by insurance brokers, the
18 percentage of total commission, fees paid, or both, the
19 lines or insurance policies placed, and the amount of
20 premiums placed with each by the insurance brokers owned by
21 minorities, women, and persons with disabilities by each
22 State agency and public institution of higher education.

23 (B) For investment management services: the names of
24 the investment managers used, the total funds under
25 management of investment managers; the total commissions,
26 fees paid, or both; the total and percentage of funds under

1 management of emerging investment managers owned by
2 minorities, women, and persons with disabilities,
3 including the total and percentage of total commissions,
4 fees paid, or both by each State agency and public
5 institution of higher education.

6 (C) The names of service firms, the percentage and
7 total dollar amount paid for professional services by
8 category by each State agency and public institution of
9 higher education.

10 (D) The names of service firms, the percentage and
11 total dollar amount paid for services by category to firms
12 owned by minorities, women, and persons with disabilities
13 by each State agency and public institution of higher
14 education.

15 (E) The total number of contracts awarded for services
16 by category and the total number of contracts awarded to
17 firms owned by minorities, women, and persons with
18 disabilities by each State agency and public institution of
19 higher education.

20 (5) For community college districts, the Business
21 Enterprise Council shall only report the following information
22 for each community college district: (i) the name of the
23 community colleges in the district, (ii) the name and contact
24 information of a person at each community college appointed to
25 be the single point of contact for vendors owned by minorities,
26 women, or persons with disabilities, (iii) the policy of the

1 community college district concerning certified vendors, (iv)
2 the certifications recognized by the community college
3 district for determining whether a business is owned or
4 controlled by a minority, woman, or person with a disability,
5 (v) outreach efforts conducted by the community college
6 district to increase the use of certified vendors, (vi) the
7 total expenditures by the community college district in the
8 prior fiscal year in the divisions of work specified in
9 paragraphs (a), (b), and (c) of subsection (1) of this Section
10 and the amount paid to certified vendors in those divisions of
11 work, and (vii) the total number of contracts entered into for
12 the divisions of work specified in paragraphs (a), (b), and (c)
13 of subsection (1) of this Section and the total number of
14 contracts awarded to certified vendors providing these
15 services to the community college district. The Business
16 Enterprise Council shall not make any utilization reports under
17 this Act for community college districts for Fiscal Year 2015
18 and Fiscal Year 2016, but shall make the report required by
19 this subsection for Fiscal Year 2017 and for each fiscal year
20 thereafter. The Business Enterprise Council shall report the
21 information in items (i), (ii), (iii), and (iv) of this
22 subsection beginning in September of 2016. The Business
23 Enterprise Council may collect the data needed to make its
24 report from the Illinois Community College Board.

25 (6) The status of the utilization of services shall be
26 discussed at each of the regularly scheduled Business

1 Enterprise Council meetings. Time shall be allotted for the
2 Council to receive, review, and discuss the progress of the use
3 of service firms owned by minorities, women, and persons with
4 disabilities by each State agency and public institution of
5 higher education; and any evidence regarding past or present
6 racial, ethnic, or gender-based discrimination which directly
7 impacts a State agency or public institution of higher
8 education contracting with such firms. If after reviewing such
9 evidence the Council finds that there is or has been such
10 discrimination against a specific group, race or sex, the
11 Council shall establish sheltered markets or adjust existing
12 sheltered markets tailored to address the Council's specific
13 findings for the divisions of work specified in paragraphs (a),
14 (b), and (c) of subsection (1) of this Section.

15 (Source: P.A. 99-462, eff. 8-25-15; 99-642, eff. 7-28-16;
16 100-391, eff. 8-25-17.)

17 (30 ILCS 575/7) (from Ch. 127, par. 132.607)

18 (Section scheduled to be repealed on June 30, 2020)

19 Sec. 7. Exemptions; waivers; publication of data.

20 (1) Individual contract exemptions. The Council, on its own
21 initiative or at the request of the affected agency, public
22 institution of higher education, or recipient of a grant or
23 loan of State funds of \$250,000 or more complying with Section
24 45 of the State Finance Act, may permit an individual contract
25 or contract package, (related contracts being bid or awarded

1 simultaneously for the same project or improvements) be made
2 wholly or partially exempt from State contracting goals for
3 businesses owned by minorities, women, and persons with
4 disabilities prior to the advertisement for bids or
5 solicitation of proposals whenever there has been a
6 determination, reduced to writing and based on the best
7 information available at the time of the determination, that
8 there is an insufficient number of businesses owned by
9 minorities, women, and persons with disabilities to ensure
10 adequate competition and an expectation of reasonable prices on
11 bids or proposals solicited for the individual contract or
12 contract package in question.

13 (a) Written request for contract exemption. A written
14 request for an individual contract exception must include,
15 but is not limited to, the following:

16 (i) a list of qualified businesses owned by
17 minorities, women, and persons with disabilities that
18 would qualify for the purpose of the contract;

19 (ii) each business's deficiency that would impair
20 adequate competition or qualification; and

21 (iii) the difference in cost between the contract
22 proposals being offered by businesses owned by
23 minorities, women, and persons with disabilities and
24 the agency or the public institution of higher
25 education's expectations of reasonable prices on bids
26 or proposals within that class.

1 (b) Determination. The Council's determination
2 concerning an individual contract exemption must include
3 the following:

4 (i) the justification for each business's
5 disqualification;

6 (ii) the number of waivers of the affected agency,
7 public institution of higher education, or recipient
8 of a grant or loan of State funds of \$250,000 or more
9 complying with Section 45 of the State Finance Act that
10 have been granted by the Council for that fiscal year;
11 and

12 (iii) the affected agency or public institution of
13 higher education's most current percentages in
14 contracts awarded to businesses owned by minorities,
15 women, and persons with disabilities for that fiscal
16 year.

17 (2) Class exemptions.

18 (a) Creation. The Council, on its own initiative or at
19 the request of the affected agency or public institution of
20 higher education, may permit an entire class of contracts
21 be made exempt from State contracting goals for businesses
22 owned by minorities, women, and persons with disabilities
23 whenever there has been a determination, reduced to writing
24 and based on the best information available at the time of
25 the determination, that there is an insufficient number of
26 qualified businesses owned by minorities, women, and

1 persons with disabilities to ensure adequate competition
2 and an expectation of reasonable prices on bids or
3 proposals within that class.

4 (a-1) Written request for class exemption. A written
5 request for a class exception must include, but is not
6 limited to, the following:

7 (i) a list of qualified businesses owned by
8 minorities, women, and persons with disabilities that
9 pertain to the class of contracts in the requested
10 waiver;

11 (ii) each business's deficiency that would impair
12 adequate competition or qualification; and

13 (iii) the difference in cost between the contract
14 proposals being offered by businesses owned by
15 minorities, women, and persons with disabilities and
16 the agency or the public institution of higher
17 education's expectations of reasonable prices on bids
18 or proposals within that class.

19 (a-2) Determination. The Council's determination
20 concerning class exemptions must include the following:

21 (i) the justification for each business's
22 disqualification;

23 (ii) the number of waivers of the requesting agency
24 or public institution of higher education that have
25 been granted by the Council for that fiscal year; and

26 (iii) the agency or public institution of higher

1 education's most current percentages in contracts
2 awarded to businesses owned by minorities, women, and
3 persons with disabilities for that fiscal year.

4 (b) Limitation. Any such class exemption shall not be
5 permitted for a period of more than one year at a time.

6 (3) Waivers. Where a particular contract requires a
7 contractor to meet a goal established pursuant to this Act, the
8 contractor shall have the right to request a waiver from such
9 requirements. The Council shall grant the waiver where the
10 contractor demonstrates that there has been made a good faith
11 effort to comply with the goals for participation by businesses
12 owned by minorities, women, and persons with disabilities.

13 (a) Request for waiver. A contractor's request for a
14 waiver under this subsection (3) must include, but is not
15 limited to, the following:

16 (i) a list of qualified businesses owned by
17 minorities, women, and persons with disabilities that
18 pertain to the class of contracts in the requested
19 waiver;

20 (ii) each business's deficiency that would impair
21 adequate competition or qualification;

22 (iii) the difference in cost between the contract
23 proposals being offered by businesses owned by
24 minorities, women, and persons with disabilities and
25 the agency or the public institution of higher
26 education's expectations of reasonable prices on bids

1 or proposals within that class.

2 (b) Determination. The Council's determination
3 concerning waivers must include following:

4 (i) the justification for each business's
5 disqualification;

6 (ii) the number of waivers the contractor has been
7 granted by the Council for that fiscal year; and

8 (iii) the affected agency or public institution of
9 higher education's most current percentages in
10 contracts awarded to businesses owned by minorities,
11 women, and persons with disabilities for that fiscal
12 year.

13 (4) Conflict with other laws. In the event that any State
14 contract, which otherwise would be subject to the provisions of
15 this Act, is or becomes subject to federal laws or regulations
16 which conflict with the provisions of this Act or actions of
17 the State taken pursuant hereto, the provisions of the federal
18 laws or regulations shall apply and the contract shall be
19 interpreted and enforced accordingly.

20 (5) Each chief procurement officer, as defined in the
21 Illinois Procurement Code, shall maintain on his or her
22 official Internet website a database of the following: (i)
23 waivers granted under this Section with respect to contracts
24 under his or her jurisdiction; (ii) a State agency or public
25 institution of higher education's written request for an
26 exemption of an individual contract or an entire class of

1 contracts; and (iii) The Council's written determination
2 granting or denying a request for an exemption of an individual
3 contract or an entire class of contracts. The database, which
4 shall be updated periodically as necessary, shall be searchable
5 by contractor name and by contracting State agency.

6 (6) Each chief procurement officer, as defined by the
7 Illinois Procurement Code, shall maintain on its website a list
8 of all firms that have been prohibited from bidding, offering,
9 or entering into a contract with the State of Illinois as a
10 result of violations of this Act.

11 Each public notice required by law of the award of a State
12 contract shall include for each bid or offer submitted for that
13 contract the following: (i) the bidder's or offeror's name,
14 (ii) the bid amount, (iii) the name or names of the certified
15 firms identified in the bidder's or offeror's submitted
16 utilization plan, and (iv) the bid's amount and percentage of
17 the contract awarded to businesses owned by minorities, women,
18 and persons with disabilities identified in the utilization
19 plan.

20 (Source: P.A. 99-462, eff. 8-25-15; 100-391, eff. 8-25-17.)

21 Section 15. The Criminal Code of 2012 is amended by
22 changing Section 17-10.3 as follows:

23 (720 ILCS 5/17-10.3)

24 Sec. 17-10.3. Deception relating to certification of

1 disadvantaged business enterprises.

2 (a) Fraudulently obtaining or retaining certification. A
3 person who, in the course of business, fraudulently obtains or
4 retains certification as a minority-owned business,
5 women-owned business, service-disabled veteran-owned small
6 business, or veteran-owned small business commits a Class 1 ~~2~~
7 felony.

8 (b) Willfully making a false statement. A person who, in
9 the course of business, willfully makes a false statement
10 whether by affidavit, report or other representation, to an
11 official or employee of a State agency or the Business
12 Enterprise Council for Minorities, Women, and Persons with
13 Disabilities for the purpose of influencing the certification
14 or denial of certification of any business entity as a
15 minority-owned business, women-owned business,
16 service-disabled veteran-owned small business, or
17 veteran-owned small business commits a Class 1 ~~2~~ felony.

18 (c) Willfully obstructing or impeding an official or
19 employee of any agency in his or her investigation. Any person
20 who, in the course of business, willfully obstructs or impedes
21 an official or employee of any State agency or the Business
22 Enterprise Council for Minorities, Women, and Persons with
23 Disabilities who is investigating the qualifications of a
24 business entity which has requested certification as a
25 minority-owned business, women-owned business,
26 service-disabled veteran-owned small business, or

1 veteran-owned small business commits a Class 1 ~~2~~ felony.

2 (d) Fraudulently obtaining public moneys reserved for
3 disadvantaged business enterprises. Any person who, in the
4 course of business, fraudulently obtains public moneys
5 reserved for, or allocated or available to, minority-owned
6 businesses, women-owned businesses, service-disabled
7 veteran-owned small businesses, or veteran-owned small
8 businesses commits a Class 1 ~~2~~ felony.

9 (e) Definitions. As used in this Article, "minority-owned
10 business", "women-owned business", "State agency" with respect
11 to minority-owned businesses and women-owned businesses, and
12 "certification" with respect to minority-owned businesses and
13 women-owned businesses shall have the meanings ascribed to them
14 in Section 2 of the Business Enterprise for Minorities, Women,
15 and Persons with Disabilities Act. As used in this Article,
16 "service-disabled veteran-owned small business",
17 "veteran-owned small business", "State agency" with respect to
18 service-disabled veteran-owned small businesses and
19 veteran-owned small businesses, and "certification" with
20 respect to service-disabled veteran-owned small businesses and
21 veteran-owned small businesses have the same meanings as in
22 Section 45-57 of the Illinois Procurement Code.

23 (Source: P.A. 100-391, eff. 8-25-17.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."