



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2043

Introduced 2/15/2019, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

30 ILCS 500/20-15
30 ILCS 500/20-60
30 ILCS 500/50-85 new
30 ILCS 575/4f
30 ILCS 575/6

from Ch. 127, par. 132.606

Amends the Illinois Procurement Code. Provides for a scoring methodology for competitive sealed proposals under the Act. Provides that no vendor shall be eligible for renewal of a contract when that vendor has failed to demonstrate a good faith effort towards meeting the goals established in the utilization plan, or that vendor is not otherwise excused from compliance under the Business Enterprise Program Act. Provides for annual diversity training and a report on such training. Amends the Business Enterprise for Minorities, Women, and Persons with Disabilities Act. Provides that when a State agency or public institution of higher education issues requests for proposals or solicitations that fall within a service or product offering that has a history of disparate awards to a class of business owners that are underrepresented in contract awards, it shall be the aspirational goal to use service or product providers owned by minorities, women, and persons with disabilities for not less than 20% of the total dollar amount of that State contract. Provides that each State agency and institution of higher education shall include in its report on its utilization of businesses owned by minorities, women, and persons with disabilities a plan to increase the diversity of the vendors engaged in contracts with the State agency or public institution of higher education, with a particular focus on the most underrepresented in contract awards. Makes conforming changes.

LRB101 10729 RJF 55841 b

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by
5 changing Sections 20-15 and 20-60 and by adding Section 50-85
6 as follows:

7 (30 ILCS 500/20-15)

8 Sec. 20-15. Competitive sealed proposals.

9 (a) Conditions for use. When provided under this Code or
10 under rules, or when the purchasing agency determines in
11 writing that the use of competitive sealed bidding is either
12 not practicable or not advantageous to the State, a contract
13 may be entered into by competitive sealed proposals.

14 (b) Request for proposals. Proposals shall be solicited
15 through a request for proposals.

16 (c) Public notice. Public notice of the request for
17 proposals shall be published in the Illinois Procurement
18 Bulletin at least 14 calendar days before the date set in the
19 invitation for the opening of proposals.

20 (d) Receipt of proposals. Proposals shall be opened
21 publicly or via an electronic procurement system in the
22 presence of one or more witnesses at the time and place
23 designated in the request for proposals, but proposals shall be

1 opened in a manner to avoid disclosure of contents to competing
2 offerors during the process of negotiation. A record of
3 proposals shall be prepared and shall be open for public
4 inspection after contract award.

5 (e) Evaluation factors. The requests for proposals shall
6 state the relative importance of price and other evaluation
7 factors. Proposals shall be submitted in 2 parts: the first,
8 covering items except price; and the second, covering price.
9 The first part of all proposals shall be evaluated and ranked
10 independently of the second part of all proposals.

11 (e-5) Method of scoring.

12 (1) Except as otherwise provided in this subsection
13 (e-5), scoring rubrics for competitive sealed proposals
14 may provide for bonus points toward the evaluation of a
15 respondent's commitment to the use of diverse and
16 veteran-owned businesses.

17 (2) Factors to be considered in the award of bonus
18 points shall be set by rule by the applicable chief
19 procurement officer and may include, but are not limited
20 to:

21 (A) the percentage of members of the respondent's
22 governing board who are women, minorities, persons
23 with disabilities, or veterans;

24 (B) the percentage of the respondent's owners,
25 senior executive leaders, partners, president, chief
26 operating officer, managing director, senior

1 executives, or managers who are women, minorities,
2 persons with disabilities, or veterans;

3 (C) the percentage of the respondent's staff,
4 including both full-time and part-time employees, who
5 are women, minorities, persons with disabilities, or
6 veterans;

7 (D) the percentage of prior year revenues of the
8 respondent that involve businesses owned by women,
9 minorities, persons with disabilities, or veterans;

10 (E) whether the respondent has a training or
11 mentoring program with businesses owned by women,
12 minorities, persons with disabilities, or veterans;

13 (F) whether the respondent has a written supplier
14 diversity program;

15 (G) whether the respondent made efforts to assist
16 businesses owned by women, minorities, persons with
17 disabilities, or veterans in obtaining lines of credit
18 or insurance; and

19 (H) whether the respondent made efforts to assist
20 businesses owned by women, minorities, persons with
21 disabilities, or veterans in obtaining necessary
22 equipment, supplies, materials, or related assistance
23 or services.

24 (3) If any State agency or public institution of higher
25 education contract is eligible to be paid for or
26 reimbursed, in whole or in part, with federal-aid funds,

1 grants, or loans, and the provisions of this subsection
2 would result in the loss of those federal-aid funds,
3 grants, or loans, then the contract is exempt from the
4 provisions of this Section in order to remain eligible for
5 those federal-aid funds, grants, or loans.

6 For the purposes of this subsection (e-5):

7 "Manager" means a person who controls or administers all or
8 part of a company or similar organization.

9 "Minorities" has the same meaning as "minority person"
10 under Section 2 of the Business Enterprise for Minorities,
11 Women, and Persons with Disabilities Act.

12 "Persons with disabilities" has the same meaning as "person
13 with a disability" under Section 2 of the Business Enterprise
14 for Minorities, Women, and Persons with Disabilities Act.

15 "Senior executive" means the chief executive officer,
16 chief operating officer, chief financial officer, or anyone
17 else in charge of a principal business unit or function.

18 "Veteran" means a member of the Armed Forces of the United
19 States, a member of the Illinois National Guard, or a member of
20 any reserve component of the Armed Forces of the United States.

21 "Women" has the same meaning as "woman" under Section 2 of
22 the Business Enterprise for Minorities, Women, and Persons with
23 Disabilities Act.

24 (f) Discussion with responsible offerors and revisions of
25 offers or proposals. As provided in the request for proposals
26 and under rules, discussions may be conducted with responsible

1 offerors who submit offers or proposals determined to be
2 reasonably susceptible of being selected for award for the
3 purpose of clarifying and assuring full understanding of and
4 responsiveness to the solicitation requirements. Those
5 offerors shall be accorded fair and equal treatment with
6 respect to any opportunity for discussion and revision of
7 proposals. Revisions may be permitted after submission and
8 before award for the purpose of obtaining best and final
9 offers. In conducting discussions there shall be no disclosure
10 of any information derived from proposals submitted by
11 competing offerors. If information is disclosed to any offeror,
12 it shall be provided to all competing offerors.

13 (g) Award. Awards shall be made to the responsible offeror
14 whose proposal is determined in writing to be the most
15 advantageous to the State, taking into consideration price and
16 the evaluation factors set forth in the request for proposals.
17 The contract file shall contain the basis on which the award is
18 made.

19 (Source: P.A. 100-43, eff. 8-9-17.)

20 (30 ILCS 500/20-60)

21 Sec. 20-60. Duration of contracts.

22 (a) Maximum duration. A contract may be entered into for
23 any period of time deemed to be in the best interests of the
24 State but not exceeding 10 years inclusive, beginning January
25 1, 2010, of proposed contract renewals. Third parties may lease

1 State-owned dark fiber networks for any period of time deemed
2 to be in the best interest of the State, but not exceeding 20
3 years. The length of a lease for real property or capital
4 improvements shall be in accordance with the provisions of
5 Section 40-25. The length of energy conservation program
6 contracts or energy savings contracts or leases shall be in
7 accordance with the provisions of Section 25-45. A contract for
8 bond or mortgage insurance awarded by the Illinois Housing
9 Development Authority, however, may be entered into for any
10 period of time less than or equal to the maximum period of time
11 that the subject bond or mortgage may remain outstanding.

12 (b) Subject to appropriation. All contracts made or entered
13 into shall recite that they are subject to termination and
14 cancellation in any year for which the General Assembly fails
15 to make an appropriation to make payments under the terms of
16 the contract.

17 (c) The chief procurement officer shall file a proposed
18 extension or renewal of a contract with the Procurement Policy
19 Board prior to entering into any extension or renewal if the
20 cost associated with the extension or renewal exceeds \$249,999.
21 The Procurement Policy Board may object to the proposed
22 extension or renewal within 30 calendar days and require a
23 hearing before the Board prior to entering into the extension
24 or renewal. If the Procurement Policy Board does not object
25 within 30 calendar days or takes affirmative action to
26 recommend the extension or renewal, the chief procurement

1 officer may enter into the extension or renewal of a contract.
2 This subsection does not apply to any emergency procurement,
3 any procurement under Article 40, or any procurement exempted
4 by Section 1-10(b) of this Code. If any State agency contract
5 is paid for in whole or in part with federal-aid funds, grants,
6 or loans and the provisions of this subsection would result in
7 the loss of those federal-aid funds, grants, or loans, then the
8 contract is exempt from the provisions of this subsection in
9 order to remain eligible for those federal-aid funds, grants,
10 or loans, and the State agency shall file notice of this
11 exemption with the Procurement Policy Board prior to entering
12 into the proposed extension or renewal. Nothing in this
13 subsection permits a chief procurement officer to enter into an
14 extension or renewal in violation of subsection (a). By August
15 1 each year, the Procurement Policy Board shall file a report
16 with the General Assembly identifying for the previous fiscal
17 year (i) the proposed extensions or renewals that were filed
18 with the Board and whether the Board objected and (ii) the
19 contracts exempt from this subsection.

20 (d) Notwithstanding the provisions of subsection (a) of
21 this Section, the Department of Innovation and Technology may
22 enter into leases for dark fiber networks for any period of
23 time deemed to be in the best interests of the State but not
24 exceeding 20 years inclusive. The Department of Innovation and
25 Technology may lease dark fiber networks from third parties
26 only for the primary purpose of providing services ~~to~~ (i) to

1 the offices of Governor, Lieutenant Governor, Attorney
2 General, Secretary of State, Comptroller, or Treasurer and
3 State agencies, as defined under Section 5-15 of the Civil
4 Administrative Code of Illinois or (ii) for anchor
5 institutions, as defined in Section 7 of the Illinois Century
6 Network Act. Dark fiber network lease contracts shall be
7 subject to all other provisions of this Code and any applicable
8 rules or requirements, including, but not limited to,
9 publication of lease solicitations, use of standard State
10 contracting terms and conditions, and approval of vendor
11 certifications and financial disclosures.

12 (e) As used in this Section, "dark fiber network" means a
13 network of fiber optic cables laid but currently unused by a
14 third party that the third party is leasing for use as network
15 infrastructure.

16 (f) No vendor shall be eligible for renewal of a contract
17 when that vendor has failed to demonstrate a good faith effort
18 towards meeting the goals established in the utilization plan,
19 or that vendor is not otherwise excused from compliance under
20 the Business Enterprise Program Act.

21 (Source: P.A. 100-23, eff. 7-6-17; 100-611, eff. 7-20-18;
22 revised 10-11-18.)

23 (30 ILCS 500/50-85 new)

24 Sec. 50-85. Diversity training; report.

25 (a) All employees with purchasing power or the power to

1 award contracts under the Code shall complete annual training
2 for diversity and inclusion as prescribed by each chief
3 procurement officer in consultation with the Business
4 Enterprise Council. Employees for purposes of this subsection
5 include State purchasing officers, chief procurement officers,
6 State agency and public institution of higher education
7 purchasing staffs, and other applicable supportive personnel
8 and staff of each chief procurement officer.

9 (b) Each chief procurement officer shall submit to the
10 General Assembly an annual report that summarizes the diversity
11 training that was completed during the previous year and lays
12 out the plan for the diversity training programs in the coming
13 year. Each chief procurement officer shall also submit to the
14 Executive Ethics Commission an annual report detailing the
15 current status of his or her diversity efforts, and an action
16 plan to increase diversity within his or her office.

17 Section 10. The Business Enterprise for Minorities, Women,
18 and Persons with Disabilities Act is amended by changing
19 Sections 4f and 6 as follows:

20 (30 ILCS 575/4f)

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

22 Sec. 4f. Award of State contracts.

23 (1) It is hereby declared to be the public policy of the
24 State of Illinois to promote and encourage each State agency

1 and public institution of higher education to use businesses
2 owned by minorities, women, and persons with disabilities in
3 the area of goods and services, including, but not limited to,
4 insurance services, investment management services,
5 information technology services, accounting services,
6 architectural and engineering services, and legal services.
7 Furthermore, each State agency and public institution of higher
8 education shall utilize such firms to the greatest extent
9 feasible within the bounds of financial and fiduciary prudence,
10 and take affirmative steps to remove any barriers to the full
11 participation of such firms in the procurement and contracting
12 opportunities afforded.

13 (a) When a State agency or public institution of higher
14 education, other than a community college, awards a
15 contract for insurance services, for each State agency or
16 public institution of higher education, it shall be the
17 aspirational goal to use insurance brokers owned by
18 minorities, women, and persons with disabilities as
19 defined by this Act, for not less than 20% of the total
20 annual premiums or fees.

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

1 as defined by this Act, for not less than 20% of the total
2 funds under management. Furthermore, it is the
3 aspirational goal that not less than 20% of the direct
4 asset managers of the State funds be minorities, women, and
5 persons with disabilities.

6 (c) When a State agency or public institution of higher
7 education, other than a community college, awards
8 contracts for information technology services, accounting
9 services, architectural and engineering services, and
10 legal services, for each State agency and public
11 institution of higher education, it shall be the
12 aspirational goal to use such firms owned by minorities,
13 women, and persons with disabilities as defined by this Act
14 and lawyers who are minorities, women, and persons with
15 disabilities as defined by this Act, for not less than 20%
16 of the total dollar amount of State contracts.

17 (d) When a community college awards a contract for
18 insurance services, investment services, information
19 technology services, accounting services, architectural
20 and engineering services, and legal services, it shall be
21 the aspirational goal of each community college to use
22 businesses owned by minorities, women, and persons with
23 disabilities as defined in this Act for not less than 20%
24 of the total amount spent on contracts for these services
25 collectively. When a community college awards contracts
26 for investment services, contracts awarded to investment

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

5 (e) When a State agency or public institution of higher
6 education issues requests for proposals or solicitations,
7 including requests and solicitations for contracts with
8 group purchasing organizations, that fall within a service
9 or product offering that has a history of disparate awards
10 to a class of business owners that are underrepresented in
11 contract awards, it shall be the aspirational goal to use
12 service or product providers owned by minorities, women,
13 and persons with disabilities as defined by this Act for
14 not less than 20% of the total dollar amount of that State
15 contract.

16 If any State agency or public institution of higher
17 education contract is eligible to be paid for or
18 reimbursed, in whole or in part, with federal-aid funds,
19 grants, or loans, and the provisions of this paragraph (e)
20 would result in the loss of those federal-aid funds,
21 grants, or loans, then the contract is exempt from the
22 provisions of this paragraph (e) in order to remain
23 eligible for those federal-aid funds, grants, or loans.

24 (2) As used in this Section:

25 "Accounting services" means the measurement,
26 processing and communication of financial information

1 about economic entities including, but is not limited to,
2 financial accounting, management accounting, auditing,
3 cost containment and auditing services, taxation and
4 accounting information systems.

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

17 "Emerging investment manager" means an investment
18 manager or claims consultant having assets under
19 management below \$10 billion or otherwise adjudicating
20 claims.

21 "Information technology services" means, but is not
22 limited to, specialized technology-oriented solutions by
23 combining the processes and functions of software,
24 hardware, networks, telecommunications, web designers,
25 cloud developing resellers, and electronics.

26 "Insurance broker" means an insurance brokerage firm,

1 claims administrator, or both, that procures, places all
2 lines of insurance, or administers claims with annual
3 premiums or fees of at least \$5,000,000 but not more than
4 \$10,000,000.

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

8 (3) Each State agency and public institution of higher
9 education shall adopt policies that identify its plan and
10 implementation procedures for increasing the use of service
11 firms owned by minorities, women, and persons with
12 disabilities.

13 (4) Except as provided in subsection (5), the Council shall
14 file no later than March 1 of each year an annual report to the
15 Governor and the General Assembly. The report filed with the
16 General Assembly shall be filed as required in Section 3.1 of
17 the General Assembly Organization Act. This report shall: (i)
18 identify the service firms used by each State agency and public
19 institution of higher education, (ii) identify the actions it
20 has undertaken to increase the use of service firms owned by
21 minorities, women, and persons with disabilities, including
22 encouraging non-minority-owned firms to use other service
23 firms owned by minorities, women, and persons with disabilities
24 as subcontractors when the opportunities arise, (iii) state any
25 recommendations made by the Council to each State agency and
26 public institution of higher education to increase

1 participation by the use of service firms owned by minorities,
2 women, and persons with disabilities, and (iv) include the
3 following:

4 (A) For insurance services: the names of the insurance
5 brokers or claims consultants used, the total of risk
6 managed by each State agency and public institution of
7 higher education by insurance brokers, the total
8 commissions, fees paid, or both, the lines or insurance
9 policies placed, and the amount of premiums placed; and the
10 percentage of the risk managed by insurance brokers, the
11 percentage of total commission, fees paid, or both, the
12 lines or insurance policies placed, and the amount of
13 premiums placed with each by the insurance brokers owned by
14 minorities, women, and persons with disabilities by each
15 State agency and public institution of higher education.

16 (B) For investment management services: the names of
17 the investment managers used, the total funds under
18 management of investment managers; the total commissions,
19 fees paid, or both; the total and percentage of funds under
20 management of emerging investment managers owned by
21 minorities, women, and persons with disabilities,
22 including the total and percentage of total commissions,
23 fees paid, or both by each State agency and public
24 institution of higher education.

25 (C) The names of service firms, the percentage and
26 total dollar amount paid for professional services by

1 category by each State agency and public institution of
2 higher education.

3 (D) The names of service firms, the percentage and
4 total dollar amount paid for services by category to firms
5 owned by minorities, women, and persons with disabilities
6 by each State agency and public institution of higher
7 education.

8 (E) The total number of contracts awarded for services
9 by category and the total number of contracts awarded to
10 firms owned by minorities, women, and persons with
11 disabilities by each State agency and public institution of
12 higher education.

13 (5) For community college districts, the Business
14 Enterprise Council shall only report the following information
15 for each community college district: (i) the name of the
16 community colleges in the district, (ii) the name and contact
17 information of a person at each community college appointed to
18 be the single point of contact for vendors owned by minorities,
19 women, or persons with disabilities, (iii) the policy of the
20 community college district concerning certified vendors, (iv)
21 the certifications recognized by the community college
22 district for determining whether a business is owned or
23 controlled by a minority, woman, or person with a disability,
24 (v) outreach efforts conducted by the community college
25 district to increase the use of certified vendors, (vi) the
26 total expenditures by the community college district in the

1 prior fiscal year in the divisions of work specified in
2 paragraphs (a), (b), and (c) of subsection (1) of this Section
3 and the amount paid to certified vendors in those divisions of
4 work, and (vii) the total number of contracts entered into for
5 the divisions of work specified in paragraphs (a), (b), and (c)
6 of subsection (1) of this Section and the total number of
7 contracts awarded to certified vendors providing these
8 services to the community college district. The Business
9 Enterprise Council shall not make any utilization reports under
10 this Act for community college districts for Fiscal Year 2015
11 and Fiscal Year 2016, but shall make the report required by
12 this subsection for Fiscal Year 2017 and for each fiscal year
13 thereafter. The Business Enterprise Council shall report the
14 information in items (i), (ii), (iii), and (iv) of this
15 subsection beginning in September of 2016. The Business
16 Enterprise Council may collect the data needed to make its
17 report from the Illinois Community College Board.

18 (6) The status of the utilization of services shall be
19 discussed at each of the regularly scheduled Business
20 Enterprise Council meetings. Time shall be allotted for the
21 Council to receive, review, and discuss the progress of the use
22 of service firms owned by minorities, women, and persons with
23 disabilities by each State agency and public institution of
24 higher education; and any evidence regarding past or present
25 racial, ethnic, or gender-based discrimination which directly
26 impacts a State agency or public institution of higher

1 education contracting with such firms. If after reviewing such
2 evidence the Council finds that there is or has been such
3 discrimination against a specific group, race or sex, the
4 Council shall establish sheltered markets or adjust existing
5 sheltered markets tailored to address the Council's specific
6 findings for the divisions of work specified in paragraphs (a),
7 (b), and (c) of subsection (1) of this Section.

8 (Source: P.A. 99-462, eff. 8-25-15; 99-642, eff. 7-28-16;
9 100-391, eff. 8-25-17.)

10 (30 ILCS 575/6) (from Ch. 127, par. 132.606)

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

12 Sec. 6. Agency compliance plans. Each State agency and
13 public institutions of higher education under the jurisdiction
14 of this Act shall file with the Council an annual compliance
15 plan which shall outline the goals of the State agency or
16 public institutions of higher education for contracting with
17 businesses owned by minorities, women, and persons with
18 disabilities for the then current fiscal year, the manner in
19 which the agency intends to reach these goals and a timetable
20 for reaching these goals. The Council shall review and approve
21 the plan of each State agency and public institutions of higher
22 education and may reject any plan that does not comply with
23 this Act or any rules or regulations promulgated pursuant to
24 this Act.

25 (a) The compliance plan shall also include, but not be

1 limited to, (1) a policy statement, signed by the State agency
2 or public institution of higher education head, expressing a
3 commitment to encourage the use of businesses owned by
4 minorities, women, and persons with disabilities, (2) the
5 designation of the liaison officer provided for in Section 5 of
6 this Act, (3) procedures to distribute to potential contractors
7 and vendors the list of all businesses legitimately classified
8 as businesses owned by minorities, women, and persons with
9 disabilities and so certified under this Act, (4) procedures to
10 set separate contract goals on specific prime contracts and
11 purchase orders with subcontracting possibilities based upon
12 the type of work or services and subcontractor availability,
13 (5) procedures to assure that contractors and vendors make good
14 faith efforts to meet contract goals, (6) procedures for
15 contract goal exemption, modification and waiver, and (7) the
16 delineation of separate contract goals for businesses owned by
17 minorities, women, and persons with disabilities.

18 (b) Approval of the compliance plans shall include such
19 delegation of responsibilities to the requesting State agency
20 or public institution of higher education as the Council deems
21 necessary and appropriate to fulfill the purpose of this Act.
22 Such responsibilities may include, but need not be limited to
23 those outlined in subsections (1), (2) and (3) of Section 7,
24 paragraph (a) of Section 8, and Section 8a of this Act.

25 (c) Each State agency and public institution of higher
26 education under the jurisdiction of this Act shall file with

1 the Council an annual report of its utilization of businesses
2 owned by minorities, women, and persons with disabilities
3 during the preceding fiscal year including lapse period
4 spending and a mid-fiscal year report of its utilization to
5 date for the then current fiscal year. The reports shall
6 include a self-evaluation of the efforts of the State agency or
7 public institution of higher education to meet its goals under
8 the Act, as well as a plan to increase the diversity of the
9 vendors engaged in contracts with the State agency or public
10 institution of higher education, with a particular focus on the
11 most underrepresented in contract awards.

12 (d) Notwithstanding any provisions to the contrary in this
13 Act, any State agency or public institution of higher education
14 which administers a construction program, for which federal law
15 or regulations establish standards and procedures for the
16 utilization of minority-owned and women-owned businesses and
17 disadvantaged businesses, shall implement a disadvantaged
18 business enterprise program to include minority-owned and
19 women-owned businesses and disadvantaged businesses, using the
20 federal standards and procedures for the establishment of goals
21 and utilization procedures for the State-funded, as well as the
22 federally assisted, portions of the program. In such cases,
23 these goals shall not exceed those established pursuant to the
24 relevant federal statutes or regulations. Notwithstanding the
25 provisions of Section 8b, the Illinois Department of
26 Transportation is authorized to establish sheltered markets

1 for the State-funded portions of the program consistent with
2 federal law and regulations. Additionally, a compliance plan
3 which is filed by such State agency or public institution of
4 higher education pursuant to this Act, which incorporates
5 equivalent terms and conditions of its federally-approved
6 compliance plan, shall be deemed approved under this Act.

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