

# SB0351



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB0351

Introduced 2/8/2011, by Sen. John J. Cullerton

### SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-10

Amends the Illinois Procurement Code. Makes a technical change in a Section concerning resident bidders.

LRB097 04099 PJG 44138 b

A BILL FOR

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 Section 45-10 as follows:

6 (30 ILCS 500/45-10)

7 Sec. 45-10. Resident bidders.

8 (a) Amount of preference. When a contract is to be awarded  
9 to the ~~the~~ lowest responsible bidder, a resident bidder shall  
10 be allowed a preference as against a non-resident bidder from  
11 any state that gives or requires a preference to bidders from  
12 that state. The preference shall be equal to the preference  
13 given or required by the state of the non-resident bidder.  
14 Further, if only non-resident bidders are bidding, the  
15 purchasing agency is within its right to specify that Illinois  
16 labor and manufacturing locations be used as a part of the  
17 manufacturing process, if applicable. This specification may  
18 be negotiated as part of the solicitation process.

19 (b) Residency. A resident bidder is a person authorized to  
20 transact business in this State and having a bona fide  
21 establishment for transacting business within this State where  
22 it was actually transacting business on the date when any bid  
23 for a public contract is first advertised or announced. A

1 resident bidder includes a foreign corporation duly authorized  
2 to transact business in this State that has a bona fide  
3 establishment for transacting business within this State where  
4 it was actually transacting business on the date when any bid  
5 for a public contract is first advertised or announced.

6 (c) Federal funds. This Section does not apply to any  
7 contract for any project as to which federal funds are  
8 available for expenditure when its provisions may be in  
9 conflict with federal law or federal regulation.

10 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)