**Section 1400.4565 Preferences for Veterans, Minorities, Women, and Persons with Disabilities**

This Part is subject to the applicable provisions of the Veterans Preference Act [330 ILCS 55], the Business Enterprise for Minorities, Women, and Persons with Disabilities Act [30 ILCS 575], and the State Treasurer Act [15 ILCS 505]. The Chief Procurement Officer shall do whatever is reasonably necessary to enable veterans, minorities, women and persons with disabilities to participate in the procurement process. The Chief Procurement Officer may rely on the determination of CMS and/or the Department of Veterans' Affairs that a person or business qualifies for a preference under these Acts. *It is hereby declared to be the policy of the State Treasurer to promote and encourage the use of businesses owned by or under the control of qualified veterans of the armed forces of the United States, qualified service-disabled veterans, minority persons, women, or persons with a disability in the area of goods and services. Furthermore, the State Treasurer shall utilize such businesses to the greatest extent feasible within the bounds of financial and fiduciary prudence, and take affirmative steps to remove any barriers to the full participation of such firms in the procurement and contracting opportunities afforded.* [15 ILCS 505/30(b)]

a) Definitions

For the purposes of this Section:

1) any *terms "minority person", "woman", "person with a disability", "minority-owned business", "women-owned business", "business owned by a person with a disability", and "control" have the meanings provided in Section 1 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; and*

2) *the terms "veteran", "qualified veteran-owned small business", "qualified service-disabled veteran-owned small business", "qualified service-disabled veteran", and "armed forces of the United States" have the meanings provided in* Section 45-57 *of the Illinois Procurement Code*. [15 ILCS 505/30(a)]

b) Procurement of Goods and Services

*When the State Treasurer procures goods and services, whether through a request for proposal or otherwise,* the Chief Procurement Officer *is authorized to incorporate preferences in the scoring process for:*

1)any of the following:

A) *a minority-owned business;*

B) *a women-owned business;*

C) *a business owned by a person with a disability;*

D) *a qualified veteran-owned small business; or*

E) *a qualified service-disabled veteran-owned small business; and*

2) *businesses having a record of support for increasing diversity and inclusion in board membership, management, employment, philanthropy, and supplier diversity, including investment professionals and investment sourcing.* [15 ILCS 505/30(d)]

c) Utilization of Financial Institutions

*When the State Treasurer utilizes a financial institution or determines the eligibility of a financial institution to participate in a banking contract, investment contract, investment activity, or other financial program of the State Treasurer, he or she shall review the financial institution's Community Reinvestment Act* (29 USC 2901) *rating, record, and current level of financial commitment to the community prior to making a decision to utilize or determine the eligibility of such financial institution*. [15 ILCS 505/30(d)]

d) Reporting

*Beginning with fiscal year 2019, and at least annually thereafter, the State Treasurer shall report on his or her utilization of minority-owned businesses, women-owned businesses, businesses owned by a person with a disability, qualified veteran-owned small businesses, or qualified service-disabled veteran-owned small businesses. The report shall be published on the State Treasurer's official website*. [15 ILCS 505/30(e)]

(Source: Amended at 43 Ill. Reg. 2275, effective January 31, 2019)