

# SB1878



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB1878

Introduced 2/10/2017, by Sen. James F. Clayborne, Jr.

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-10

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

LRB100 11258 MLM 21593 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 and offerors.

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

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

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

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

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