

SB1884



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1884

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

SYNOPSIS AS INTRODUCED:

720 ILCS 5/33E-9

from Ch. 38, par. 33E-9

Amends the Criminal Code of 2012. Provides that a provision providing for change orders shall only apply to a change order or series of change orders which authorize or necessitate an increase or decrease in either the cost of a public contract by a total of \$100,000 (rather than \$10,000) or more or the time of completion by a total of 30 days or more.

LRB101 10719 SLF 55831 b

A BILL FOR

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 33E-9 as follows:

6 (720 ILCS 5/33E-9) (from Ch. 38, par. 33E-9)

7 Sec. 33E-9. Change orders. Any change order authorized
8 under this Section shall be made in writing. Any person
9 employed by and authorized by any unit of State or local
10 government to approve a change order to any public contract who
11 knowingly grants that approval without first obtaining from the
12 unit of State or local government on whose behalf the contract
13 was signed, or from a designee authorized by that unit of State
14 or local government, a determination in writing that (1) the
15 circumstances said to necessitate the change in performance
16 were not reasonably foreseeable at the time the contract was
17 signed, or (2) the change is germane to the original contract
18 as signed, or (3) the change order is in the best interest of
19 the unit of State or local government and authorized by law,
20 commits a Class 4 felony. The written determination and the
21 written change order resulting from that determination shall be
22 preserved in the contract's file which shall be open to the
23 public for inspection. This Section shall only apply to a

1 change order or series of change orders which authorize or
2 necessitate an increase or decrease in either the cost of a
3 public contract by a total of \$100,000 ~~\$10,000~~ or more or the
4 time of completion by a total of 30 days or more.

5 (Source: P.A. 86-150; 87-618.)