



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2959

Introduced 12/15/2021, by Sen. Napoleon Harris, III

SYNOPSIS AS INTRODUCED:

220 ILCS 5/5-117

Amends the Public Utilities Act. Provides that any supplier of energy that generates more than 500 kilowatt hours of electricity annually within the State (rather than any supplier of energy within the State) and all companies that develop, build, install, or maintain a renewable energy project with total annual revenues over \$15,000,000 shall submit an annual report on all procurement goals and actual spending for female-owned, minority-owned, veteran-owned, and small business enterprises in the previous calendar year. Deletes language that exempts specified wind energy and solar energy from having to submit an annual report. Provides that each participating company in its annual report shall include an explanation of the plan for the next year to increase participation, including a buying plan for the specific goods and services the company intends to buy in the next 6 to 18 months, including any procurement codes used by the company, to assist entrepreneurs and diverse companies to understand upcoming opportunities to work with the company submitting the buying plan.

LRB102 20561 LNS 29429 b

1 AN ACT concerning regulation.

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

4 Section 5. The Public Utilities Act is amended by changing
5 Section 5-117 as follows:

6 (220 ILCS 5/5-117)

7 Sec. 5-117. Supplier diversity goals.

8 (a) The public policy of this State is to collaboratively
9 work with companies that serve Illinois residents to improve
10 their supplier diversity in a non-antagonistic manner.

11 (b) The Commission shall require all gas, electric, and
12 water companies with at least 100,000 customers under its
13 authority, as well as suppliers of wind energy, solar energy,
14 hydroelectricity, nuclear energy, and any other supplier of
15 energy that generates more than 500 kilowatt hours of
16 electricity annually within this State and all companies that
17 develop, build, install, or maintain a renewable energy
18 project with total annual revenues over \$15,000,000 ~~other than~~
19 ~~wind energy and solar energy required to comply with the~~
20 ~~reporting requirements under Section 1505-215 of the~~
21 ~~Department of Labor Law of the Civil Administrative Code of~~
22 ~~Illinois~~, to submit an annual report by April 15, 2015 and
23 every April 15 thereafter, in a searchable Adobe PDF format,

1 on all procurement goals and actual spending for female-owned,
2 minority-owned, veteran-owned, and small business enterprises
3 in the previous calendar year. These goals shall be expressed
4 as a percentage of the total work performed by the entity
5 submitting the report, and the actual spending for all
6 female-owned, minority-owned, veteran-owned, and small
7 business enterprises shall also be expressed as a percentage
8 of the total work performed by the entity submitting the
9 report.

10 (c) Each participating company in its annual report shall
11 include the following information:

12 (1) an explanation of the plan for the next year to
13 increase participation, including a buying plan for the
14 specific goods and services the company intends to buy in
15 the next 6 to 18 months, including any procurement codes
16 used by the company, to assist entrepreneurs and diverse
17 companies to understand upcoming opportunities to work
18 with the company submitting the buying plan;

19 (2) an explanation of the plan to increase the goals;

20 (3) the areas of procurement each company shall be
21 actively seeking more participation in the next year;

22 (4) an outline of the plan to alert and encourage
23 potential vendors in that area to seek business from the
24 company;

25 (5) an explanation of the challenges faced in finding
26 quality vendors and offer any suggestions for what the

1 Commission could do to be helpful to identify those
2 vendors;

3 (6) a list of the certifications the company
4 recognizes;

5 (7) the point of contact for any potential vendor who
6 wishes to do business with the company and explain the
7 process for a vendor to enroll with the company as a
8 minority-owned, women-owned, or veteran-owned company; and

9 (8) any particular success stories to encourage other
10 companies to emulate best practices.

11 (d) Each annual report shall include as much
12 State-specific data as possible. If the submitting entity does
13 not submit State-specific data, then the company shall include
14 any national data it does have and explain why it could not
15 submit State-specific data and how it intends to do so in
16 future reports, if possible.

17 (e) Each annual report shall include the rules,
18 regulations, and definitions used for the procurement goals in
19 the company's annual report.

20 (f) The Commission and all participating entities shall
21 hold an annual workshop open to the public in 2015 and every
22 year thereafter on the state of supplier diversity to
23 collaboratively seek solutions to structural impediments to
24 achieving stated goals, including testimony from each
25 participating entity as well as subject matter experts and
26 advocates. The Commission shall publish a database on its

1 website of the point of contact for each participating entity
2 for supplier diversity, along with a list of certifications
3 each company recognizes from the information submitted in each
4 annual report. The Commission shall publish each annual report
5 on its website and shall maintain each annual report for at
6 least 5 years.

7 (Source: P.A. 102-558, eff. 8-20-21; 102-662, eff. 9-15-21.)