



Sen. Antonio Muñoz

**Filed: 2/10/2022**

10200SB3884sam002

LRB102 23337 RJF 35846 a

1 AMENDMENT TO SENATE BILL 3884

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3884 as follows:

3 by replacing line 1 on page 6 through line 1 on page 9 with the  
4 following:

5 "(30 ILCS 500/10-20)

6 Sec. 10-20. Independent chief procurement officers.

7 (a) Appointment. Within 60 calendar days after the  
8 effective date of this amendatory Act of the 96th General  
9 Assembly, the Executive Ethics Commission, with the advice and  
10 consent of the Senate shall appoint or approve 3 4 chief  
11 procurement officers, one for each of the following  
12 categories:

13 (1) for procurements for construction and  
14 construction-related services committed by law to the  
15 jurisdiction or responsibility of the Capital Development  
16 Board;

1           (2) for procurements for all construction,  
2 construction-related services, operation of any facility,  
3 and the provision of any service or activity committed by  
4 law to the jurisdiction or responsibility of the Illinois  
5 Department of Transportation, including the direct or  
6 reimbursable expenditure of all federal funds for which  
7 the Department of Transportation is responsible or  
8 accountable for the use thereof in accordance with federal  
9 law, regulation, or procedure, the chief procurement  
10 officer recommended for approval under this item appointed  
11 by the Secretary of Transportation after consent by the  
12 Executive Ethics Commission;

13           (3) (blank); and ~~for all procurements made by a public~~  
14 ~~institution of higher education; and~~

15           (4) for all other procurement needs of State agencies.

16           Except for the Chief Procurement Officer for Higher  
17 Education, a ~~A~~ chief procurement officer shall be responsible  
18 to the Executive Ethics Commission but must be located within  
19 the agency that the officer provides with procurement  
20 services. ~~The chief procurement officer for higher education~~  
21 ~~shall have an office located within the Board of Higher~~  
22 ~~Education, unless otherwise designated by the Executive Ethics~~  
23 ~~Commission.~~ The chief procurement officer for all other  
24 procurement needs of the State shall have an office located  
25 within the Department of Central Management Services, unless  
26 otherwise designated by the Executive Ethics Commission.

1           (b) Terms and independence. Each chief procurement officer  
2 appointed under this Section shall serve for a term of 5 years  
3 beginning on the date of the officer's appointment. The chief  
4 procurement officer may be removed for cause after a hearing  
5 by the Executive Ethics Commission. The Governor or the  
6 director of a State agency directly responsible to the  
7 Governor may institute a complaint against the officer by  
8 filing such complaint with the Commission. The Commission  
9 shall have a hearing based on the complaint. The officer and  
10 the complainant shall receive reasonable notice of the hearing  
11 and shall be permitted to present their respective arguments  
12 on the complaint. After the hearing, the Commission shall make  
13 a finding on the complaint and may take disciplinary action,  
14 including but not limited to removal of the officer.

15           The salary of a chief procurement officer shall be  
16 established by the Executive Ethics Commission and may not be  
17 diminished during the officer's term. The salary may not  
18 exceed the salary of the director of a State agency for which  
19 the officer serves as chief procurement officer.

20           (c) Qualifications. In addition to any other requirement  
21 or qualification required by State law, each chief procurement  
22 officer must within 12 months of employment be a Certified  
23 Professional Public Buyer or a Certified Public Purchasing  
24 Officer, pursuant to certification by the Universal Public  
25 Purchasing Certification Council, and must reside in Illinois.

26           (d) Fiduciary duty. Each chief procurement officer owes a

1 fiduciary duty to the State.

2 (e) Vacancy. In case of a vacancy in one or more of the  
3 offices of a chief procurement officer under this Section  
4 during the recess of the Senate, the Executive Ethics  
5 Commission shall make a temporary appointment until the next  
6 meeting of the Senate, when the Executive Ethics Commission  
7 shall nominate some person to fill the office, and any person  
8 so nominated who is confirmed by the Senate shall hold office  
9 during the remainder of the term and until his or her successor  
10 is appointed and qualified. If the Senate is not in session at  
11 the time this amendatory Act of the 96th General Assembly  
12 takes effect, the Executive Ethics Commission shall make a  
13 temporary appointment as in the case of a vacancy.

14 (f) (Blank).

15 (g) (Blank).

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