



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2303

Introduced 2/14/2023, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

30 ILCS 525/4.05

Amends the Governmental Joint Purchasing Act. Provides that it may be determined that it is impractical to obtain competition because it is in the best interest of the State to award a contract to a qualified not-for-profit agency for persons with significant disabilities. Provides that when the State of Illinois is a party to a joint purchase agreement, the applicable chief procurement officer shall make a determination of whether the contract is eligible to be awarded to a not-for-profit agency for persons with significant disabilities. Provides that when an agency requests to award a contract to a not-for-profit agency for persons with significant disabilities, the chief procurement officer may authorize the award. Provides that all joint purchases made shall follow the same procedures for not-for-profit agencies for persons with significant disabilities under the Illinois Procurement Code when the chief procurement officer determines it is in the best interest of the State.

LRB103 27450 DTM 53822 b

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 Governmental Joint Purchasing Act is
5 amended by changing Section 4.05 as follows:

6 (30 ILCS 525/4.05)

7 Sec. 4.05. Other methods of joint purchases.

8 (a) It may be determined that it is impractical to obtain
9 competition because either (i) there is only one
10 economically-feasible source for the item ~~or~~ (ii) there is a
11 threat to public health or public safety, or when immediate
12 expenditure is necessary to prevent or minimize serious
13 disruption in critical State services that affect health,
14 safety, or collection of substantial State revenues, or to
15 ensure the integrity of State records or (iii) it is in the
16 best interest of the State to award a contract to a qualified
17 not-for-profit agency for persons with significant
18 disabilities under Section 45-35 of the Illinois Procurement
19 Code..

20 (b) When the State of Illinois is a party to the joint
21 purchase agreement, the applicable chief procurement officer
22 shall make a determination whether (i) there is only one
23 economically feasible source for the item ~~or~~ (ii) that there

1 exists a threat to public health or public safety or that
2 immediate expenditure is necessary to prevent or minimize
3 serious disruption in critical State services or (iii) the
4 contract is eligible to be awarded to a not-for-profit agency
5 for persons with significant disabilities under Section 45-35
6 of the Illinois Procurement Code..

7 (c) When there is only one economically feasible source
8 for the item, the chief procurement officer may authorize a
9 sole economically-feasible source contract. When there exists
10 a threat to public health or public safety or when immediate
11 expenditure is necessary to prevent or minimize serious
12 disruption in critical State services, the chief procurement
13 officer may authorize an emergency procurement without
14 competitive sealed bidding or competitive sealed proposals or
15 prior notice. When an agency requests to award a contract to a
16 not-for-profit agency for persons with significant
17 disabilities under to Section 45-35 of the Illinois
18 Procurement Code, the chief procurement officer may authorize
19 the award.

20 (d) All joint purchases made pursuant to this Section
21 shall follow the same procedures for sole source contracts in
22 the Illinois Procurement Code when the chief procurement
23 officer determines there is only one economically-feasible
24 source for the item. All joint purchases made pursuant to this
25 Section shall follow the same procedures for emergency
26 purchases in the Illinois Procurement Code when the chief

1 procurement officer determines immediate expenditure is
2 necessary to prevent or minimize serious disruption in
3 critical State services that affect health, safety, or
4 collection of substantial State revenues, or to ensure the
5 integrity of State records. All joint purchases made under
6 this Section shall follow the same procedures for
7 not-for-profit agencies for persons with significant
8 disabilities under to Section 45-35 of the Illinois
9 Procurement Code when the chief procurement officer determines
10 that it is in the best interest of the State.

11 (e) Each chief procurement officer shall submit to the
12 General Assembly by November 1 of each year a report of
13 procurements made under this Section.

14 (Source: P.A. 100-43, eff. 8-9-17.)