



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4165**

by Rep. Eva-Dina Delgado

#### SYNOPSIS AS INTRODUCED:

220 ILCS 5/5-117

Amends the Public Utilities Act. Requires all entities that receive renewable energy credits through the Illinois Power Agency for renewable energy credit projects to submit an annual report by April 15 on all procurement goals and actual spending for female-owned, minority-owned, veteran-owned, and small business enterprises in the previous calendar year. Requires the goals to be expressed as a percentage of the total work performed by the entity submitting the report, and the actual spending for all female-owned, minority-owned, veteran-owned, and small business enterprises shall also be expressed as a percentage of the total work performed by the entity submitting the report.

LRB103 34567 LNS 64404 b

1 AN ACT concerning utilities.

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 utilities with at least 100,000 customers under its  
13 authority and all entities that receive renewable energy  
14 credits through the Illinois Power Agency for renewable energy  
15 credit projects to submit an annual report by ~~April 15, 2015~~  
16 ~~and every~~ April 15 ~~thereafter~~, in a searchable Adobe PDF  
17 format, on all procurement goals and actual spending for  
18 female-owned, minority-owned, veteran-owned, and small  
19 business enterprises in the previous calendar year. These  
20 goals shall be expressed as a percentage of the total work  
21 performed by the entity submitting the report, and the actual  
22 spending for all female-owned, minority-owned, veteran-owned,  
23 and small business enterprises shall also be expressed as a

1 percentage of the total work performed by the entity  
2 submitting the report.

3 (c) Each participating company or entity in its annual  
4 report shall include the following information:

5 (1) an explanation of the plan for the next year to  
6 increase participation;

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

8 (3) the areas of procurement each company or entity  
9 shall be actively seeking more participation in the next  
10 year;

11 (3.5) a buying plan for the specific goods and  
12 services the company or entity intends to buy in the next 6  
13 to 18 months, that is either (i) organized by and reported  
14 at the level of each applicable North American Industry  
15 Classification System code, (ii) provided using a method,  
16 system, or description similar to the North American  
17 Industry Classification System, or (iii) provided using  
18 the major categories of goods and related services  
19 utilized in the company's or entity's procurement system,  
20 and including any procurement codes used by the company or  
21 entity, to assist entrepreneurs and diverse companies or  
22 entities to understand upcoming opportunities to work with  
23 the company or entity, however, a utility shall not be  
24 required to include commercially-sensitive data, nonpublic  
25 procurement information, or other information that could  
26 compromise a utility's ability to negotiate the most

1           advantageous price or terms;

2           (4) an outline of the plan to alert and encourage  
3 potential vendors in that area to seek business from the  
4 company or entity;

5           (5) an explanation of the challenges faced in finding  
6 quality vendors and offer any suggestions for what the  
7 Commission could do to be helpful to identify those  
8 vendors;

9           (6) a list of the certifications the company or entity  
10 recognizes;

11           (7) the point of contact for any potential vendor who  
12 wishes to do business with the company or entity and  
13 explain the process for a vendor to enroll with the  
14 company or entity as a minority-owned, women-owned, or  
15 veteran-owned company or entity; and

16           (8) any particular success stories to encourage other  
17 companies or entities to emulate best practices.

18           (d) Each annual report shall include as much  
19 State-specific data as possible. If the submitting entity does  
20 not submit State-specific data, then the company or entity  
21 shall include any national data it does have and explain why it  
22 could not submit State-specific data and how it intends to do  
23 so in future reports, if possible.

24           (e) Each annual report shall include the rules,  
25 regulations, and definitions used for the procurement goals in  
26 the company's or entity's annual report.

1 (f) The Commission and all participating entities shall  
2 hold an annual workshop open to the public in 2015 and every  
3 year thereafter on the state of supplier diversity to  
4 collaboratively seek solutions to structural impediments to  
5 achieving stated goals, including testimony from each  
6 participating entity as well as subject matter experts and  
7 advocates. The Commission shall publish a database on its  
8 website of the point of contact for each participating entity  
9 for supplier diversity, along with a list of certifications  
10 each company or entity recognizes from the information  
11 submitted in each annual report. The Commission shall publish  
12 each annual report on its website and shall maintain each  
13 annual report for at least 5 years.

14 (Source: P.A. 102-558, eff. 8-20-21; 102-662, eff. 9-15-21;  
15 102-673, eff. 11-30-21; 102-1031, eff. 5-27-22.)