



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2937

Introduced 1/31/2024, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

30 ILCS 525/2

from Ch. 85, par. 1602

Amends the Governmental Joint Purchasing Act. Provides that each chief procurement officer may authorize any governmental unit of this State to purchase or lease supplies from a contract which has been procured under the jurisdiction of the Illinois Procurement Code by a governmental unit subject to the jurisdiction of the chief procurement officer. Provides that, prior to making the contract available to the governmental unit of this State, the chief procurement officer shall consult with the governmental unit that is party to the contract and is subject to the jurisdiction of the chief procurement officer. Provides that a governmental unit of the State that uses such a contract shall report each year to the authorizing chief procurement officer the contractor used, supplies purchased, and total value of purchases for each contract. Requires the authorizing chief procurement officer to submit to the General Assembly by November 1 of each year a report of all procurements made.

LRB103 37099 MXP 67218 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 2 as follows:

6 (30 ILCS 525/2) (from Ch. 85, par. 1602)

7 Sec. 2. Joint purchasing authority.

8 (a) Any governmental unit, except a governmental unit
9 subject to the jurisdiction of a chief procurement officer
10 established in Section 10-20 of the Illinois Procurement Code,
11 may purchase personal property, supplies and services jointly
12 with one or more other governmental units. All such joint
13 purchases shall be by competitive solicitation as provided in
14 Section 4, except as otherwise provided in this Act. The
15 provisions of any other acts under which a governmental unit
16 operates which refer to purchases and procedures in connection
17 therewith shall be superseded by the provisions of this Act
18 when the governmental units are exercising the joint powers
19 created by this Act.

20 (a-5) For purchases made by a governmental unit subject to
21 the jurisdiction of a chief procurement officer established in
22 Section 10-20 of the Illinois Procurement Code, the applicable
23 chief procurement officer established in Section 10-20 of the

1 Illinois Procurement Code may authorize the purchase of
2 supplies and services jointly with a governmental unit of this
3 State, governmental entity of another state, or with a
4 consortium of governmental entities of one or more other
5 states, except as otherwise provided in this Act. Subject to
6 provisions of the joint purchasing solicitation, the
7 appropriate chief procurement officer may designate the
8 resulting contract as available to governmental units in
9 Illinois.

10 (a-10) Each chief procurement officer appointed pursuant
11 to Section 10-20 of the Illinois Procurement Code, with joint
12 agreement of the respective agency or institution, may
13 authorize the purchase or lease of supplies and services which
14 have been procured through a competitive process by a federal
15 agency; a consortium of governmental, educational, medical,
16 research, or similar entities; or a group purchasing
17 organization of which the chief procurement officer or State
18 agency is a member or affiliate, including, without
19 limitation, any purchasing entity operating under the federal
20 General Services Administration, the Higher Education
21 Cooperation Act, and the Midwestern Higher Education Compact
22 Act. Each applicable chief procurement officer may authorize
23 purchases and contracts which have been procured through other
24 methods of procurement if each chief procurement officer
25 determines it is in the best interests of the State,
26 considering a recommendation by their respective agencies or

1 institutions. The chief procurement officer may establish
2 detailed rules, policies, and procedures for use of these
3 cooperative contracts. Notice of award shall be published by
4 the chief procurement officer in the Illinois Procurement
5 Bulletin at least prior to use of the contract. Each chief
6 procurement officer shall submit to the General Assembly by
7 November 1 of each year a report of procurements made under
8 this subsection (a-10).

9 (a-15) Each chief procurement officer appointed pursuant
10 to Section 10-20 of the Illinois Procurement Code may
11 authorize any governmental unit of this State to purchase or
12 lease supplies under a contract which has been procured under
13 the jurisdiction of the Illinois Procurement Code by a
14 governmental unit subject to the jurisdiction of the chief
15 procurement officer. Prior to making the contract available to
16 the governmental unit of this State, the chief procurement
17 officer shall consult with the governmental unit that is party
18 to the contract and is subject to the jurisdiction of the chief
19 procurement officer. A governmental unit of this State that
20 uses a contract pursuant to this subsection shall report each
21 year to the authorizing chief procurement officer the
22 contractor used, supplies purchased, and total value of
23 purchases for each contract. The authorizing chief procurement
24 officer shall submit to the General Assembly by November 1 of
25 each year a report of procurements made under this subsection
26 (a-15).

1 (b) Any not-for-profit agency that qualifies under Section
2 45-35 of the Illinois Procurement Code and that either (1)
3 acts pursuant to a board established by or controlled by a unit
4 of local government or (2) receives grant funds from the State
5 or from a unit of local government, shall be eligible to
6 participate in contracts established by the State.

7 (c) For governmental units subject to the jurisdiction of
8 a chief procurement officer established in Section 10-20 of
9 the Illinois Procurement Code, if any contract or amendment to
10 a contract is entered into or purchase or expenditure of funds
11 is made at any time in violation of this Act or any other law,
12 the contract or amendment may be declared void by the chief
13 procurement officer or may be ratified and affirmed, if the
14 chief procurement officer determines that ratification is in
15 the best interests of the governmental unit. If the contract
16 or amendment is ratified and affirmed, it shall be without
17 prejudice to the governmental unit's rights to any appropriate
18 damages.

19 (d) This Section does not apply to construction-related
20 professional services contracts awarded in accordance with the
21 provisions of the Architectural, Engineering, and Land
22 Surveying Qualifications Based Selection Act.

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