



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/09/04, by Jay C. Hoffman

SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-65	
30 ILCS 500/45-70 new	
30 ILCS 500/45-75 new	
30 ILCS 565/1	from Ch. 48, par. 1801
30 ILCS 565/2	from Ch. 48, par. 1802
30 ILCS 565/3	from Ch. 48, par. 1803
30 ILCS 565/4	from Ch. 48, par. 1804
30 ILCS 565/6	from Ch. 48, par. 1806

Amends the Steel Products Procurement Act. Changes the short title to the "Domestic Products Procurement Act" and expands the scope of the Act to apply to all purchases or leases of commodities or manufactured goods by the State of Illinois from 2005 until 2010. Provides that, with specified exceptions, the State of Illinois shall purchase or lease only materials, commodities, or goods that are manufactured or supplied by companies whose products consist of a specified minimum level of U.S. or Canadian content. Amends the Illinois Procurement Code. Requires all goods purchased under the Code to be Illinois-made goods unless the cost of Illinois-made goods exceeds the cost of other goods by 10% or more. Requires all goods purchased under the Code to be U.S.-made goods unless the cost of the U.S.-made goods exceeds the cost of other goods by 10% or more.

LRB093 16095 JAM 41723 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State procurement.

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

4 Section 5. The Illinois Procurement Code is amended by
5 changing Section 45-65 and adding Sections 45-70 and 45-75 as
6 follows:

7 (30 ILCS 500/45-65)

8 Sec. 45-65. Additional preferences. This Code is subject
9 to applicable provisions of:

- 10 (1) the Public Purchases in Other States Act;
11 (2) the Illinois Mined Coal Act;
12 (3) the Domestic Steel Products Procurement Act;
13 (4) the Veterans Preference Act; and
14 (5) the Business Enterprise for Minorities, Females,
15 and Persons with Disabilities Act.

16 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

17 (30 ILCS 500/45-70 new)

18 Sec. 45-70. Purchase of goods made in Illinois.
19 Notwithstanding any other provision of this Code, all goods
20 purchased under this Code shall be made in Illinois unless the
21 cost of the goods made in Illinois exceeds the cost of
22 equivalent goods made outside of Illinois by 10% or more.

23 (30 ILCS 500/45-75 new)

24 Sec. 45-75. Purchase of goods made in the United States.
25 Notwithstanding any other provision of this Code, all goods
26 purchased under this Code shall be made in the United States
27 unless the cost of the goods made in the United States exceeds
28 the cost of equivalent goods made outside of the United States
29 by 10% or more.

1 Section 10. The Steel Products Procurement Act is amended
2 by changing Sections 1, 2, 3, 4, and 6 as follows:

3 (30 ILCS 565/1) (from Ch. 48, par. 1801)

4 Sec. 1. This Act ~~shall be known and~~ may be cited as the
5 "Domestic Steel Products Procurement Act".

6 (Source: P.A. 83-1030.)

7 (30 ILCS 565/2) (from Ch. 48, par. 1802)

8 Sec. 2. It is hereby found and declared by the Illinois
9 General Assembly that:

10 (1) The production of domestic manufactured commodities
11 and goods, including steel products, provides the jobs and
12 family incomes of hundreds of thousands of people in this State
13 and, in turn, the jobs and family incomes of millions of
14 persons in the United States;

15 (2) The taxes paid to the State and its political
16 subdivisions by employers and employees engaged in the
17 production and sale of domestic steel products, including steel
18 products, are a large source of public revenues in the State;

19 (3) The economy and general welfare of this State and its
20 people, as well as the economy and general welfare of the
21 United States, are inseparably related to the preservation and
22 development of industry in this State, as well as all the other
23 states of this nation.

24 The General Assembly therefore declares it to be the policy
25 of the State of Illinois to ~~that all public officers and~~
26 ~~agencies should aid and~~ promote the economy of the State and
27 the United States by specifying materials, commodities, and
28 goods manufactured or steel products produced in the United
29 States, including steel products, in all State purchases and
30 contracts ~~for construction, reconstruction, repair,~~
31 ~~improvement or maintenance of public works.~~

32 (Source: P.A. 83-1030.)

33 (30 ILCS 565/3) (from Ch. 48, par. 1803)

1 Sec. 3. For the purposes of this Act, the following words
2 have the meanings ascribed to them in this Section unless the
3 context clearly requires otherwise.

4 (a) "Public agency" means the State of Illinois, its
5 departments, agencies, boards, commissions and institutions,
6 and all units of local government, including school districts.

7 (b) "United States" means the United States and any place
8 subject to the jurisdiction thereof.

9 (c) "Steel products" means products rolled, formed,
10 shaped, drawn, extruded, forged, cast, fabricated, or
11 otherwise similarly processed, or processed by a combination of
12 two or more such operations, from steel made in the United
13 States by the open hearth, basic oxygen, electric furnace,
14 Bessemer or other steel making process.

15 (d) "Domestic products" means goods and commodities
16 manufactured or supplied by companies, including subsidiaries
17 or affiliates, whose products consist of at least 50% United
18 States or Canadian content during 2005; 60% United States or
19 Canadian content during 2006; and 70% United States or Canadian
20 content during 2007, 2008, and 2009.

21 (Source: P.A. 83-1030.)

22 (30 ILCS 565/4) (from Ch. 48, par. 1804)

23 Sec. 4. Each contract for the construction,
24 reconstruction, alteration, repair, improvement or maintenance
25 of public works made by a public agency shall contain a
26 provision that steel products used or supplied in the
27 performance of that contract or any subcontract thereto shall
28 be manufactured or produced in the United States.

29 Each contract for the purchase or lease of commodities or
30 manufactured goods, other than steel, by the State of Illinois
31 shall contain a provision that the commodities and goods used
32 or supplied in the performance of that contract or any
33 subcontract thereunder shall be manufactured or supplied by
34 companies, including subsidiaries or affiliates, whose
35 products consist of at least 50% United States or Canadian

1 content during 2005; 60% United States or Canadian content
2 during 2006; and 70% United States or Canadian content during
3 2007, 2008, and 2009.

4 The provisions of this Section shall not apply:

5 (1) Where the contract involves an expenditure of less than
6 \$500.

7 (2) Where the executive head of the public agency certifies
8 in writing that (a) the specified products are not manufactured
9 or produced in the United States in sufficient quantities to
10 meet the agency's requirements or cannot be manufactured or
11 produced in the United States within the necessary time in
12 sufficient quantities to meet the agency's requirements, or (b)
13 obtaining the specified products, manufactured or produced in
14 the United States would increase the cost of the contract by
15 more than 10%.

16 (3) When its application is not in the public interest.

17 (Source: P.A. 83-1030.)

18 (30 ILCS 565/6) (from Ch. 48, par. 1806)

19 Sec. 6. Applicability.

20 (a) With respect to steel products, this Act shall apply
21 only to contracts and subcontracts entered into after the
22 effective date of this Act, and shall not limit the use or
23 supply of steel products purchased or leased prior to the
24 effective date of this Act.

25 (b) With respect to domestic manufactured commodities and
26 goods other than steel products, this Act shall apply only to
27 contracts and subcontracts entered into by the State of
28 Illinois on or after the effective date of this amendatory Act
29 of the 93rd General Assembly and before January 1, 2010, and
30 shall not limit the use or supply of manufactured commodities
31 or goods purchased or leased by the State of Illinois before
32 the effective date of this amendatory Act of the 93rd General
33 Assembly.

34 (Source: P.A. 83-1030.)