

1 AN ACT concerning child labor.

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

4 Section 1. Short title. This Act may be cited as the State
5 Prohibition of Goods from Child Labor Act.

6 Section 5. Policy. The General Assembly hereby finds and
7 declares as follows:

8 (a) The people of Illinois do not support the import of any
9 goods made by child labor, not only because it is a cruel
10 suppression of the human rights of children, but also because
11 it creates an unfair trade advantage for the child labor
12 country.

13 (b) Current trade regulations do not require importers to
14 provide certificates of origin at the time of importation to
15 affirm and guarantee no child labor content.

16 (c) Federal law also does not require the United States
17 Customs Service to have an active, self-initiated foreign
18 surveillance program of detecting child labor-made goods and
19 preventing their entry into the United States.

20 (d) The State of Illinois wholeheartedly condemns the
21 importation of goods made in whole or in part by child labor
22 and shall not knowingly acquire any of those goods.

23 Section 10. Contract certification.

24 (a) Every contract entered into by any State agency for the
25 procurement of equipment, materials, or supplies, other than
26 procurement related to a public works contract, must specify
27 that no foreign-made equipment, materials, or supplies
28 furnished to the State under the contract may be produced in
29 whole or in part by the labor of any child under the age of 12.
30 The contractor must agree to comply with this provision of the
31 contract.

1 (b) Any contractor contracting with the State who knew that
2 the foreign-made equipment, materials, or supplies furnished
3 to the State were produced in whole or part by the labor of any
4 child under the age of 12 when entering into a contract under
5 subsection (a), may, subject to subsection (c), have any or all
6 of the following sanctions imposed:

7 (1) The contract under which the prohibited equipment,
8 materials, or supplies were provided may be voided at the
9 option of the State agency to which the equipment,
10 materials, or supplies were provided.

11 (2) The contractor may be assessed a penalty which must
12 be the greater of \$1,000 or an amount equaling 20% of the
13 value of the equipment, materials, or supplies that the
14 State agency demonstrates were produced in whole or in part
15 by child labor and that were supplied to the State agency
16 under the contract.

17 (3) The contractor may be suspended from bidding on a
18 State contract for a period not to exceed 360 days.

19 Any moneys collected under this subsection shall be
20 deposited into the General Revenue Fund.

21 (c) When imposing the sanctions described in subsection
22 (b), the contracting agency must notify the contractor of the
23 right to a hearing if requested within 15 days after the date
24 of the notice. The hearing must be before an administrative law
25 judge according to the Illinois Administrative Procedure Act.
26 The administrative law judge must consider any measures the
27 contractor has taken to ensure compliance with this Section and
28 may waive any or all of the sanctions if it is determined that
29 the contractor has acted in good faith.

30 The agency must be assessed the cost of the administrative
31 hearing, unless the agency has prevailed in the hearing, in
32 which case the contractor shall be assessed the cost of the
33 hearing.

34 (d) Any State agency that investigates a complaint against
35 a contractor for violation of this Section must limit its
36 investigation to evaluating the information provided by the

1 person or entity submitting the complaint and the information
2 provided by the contractor.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.