



Sen. Bill Brady

Filed: 5/13/2005

09400SB0602sam001

LRB094 04341 JAM 46539 a

1 AMENDMENT TO SENATE BILL 602

2 AMENDMENT NO. _____. Amend Senate Bill 602 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1

5 Section 1-1. Short title. This Article may be cited as the
6 Legislators' No Bid, No Contribution Act.

7 Section 1-5. Definitions. For purposes of this Article:

8 "Contract" means any contract or agreement for goods or
9 services executed by a member of the General Assembly with any
10 value, except, regardless of amount, "contract" as used in this
11 Section shall not include the following:

12 (1) contracts with State agencies or officers or other
13 political subdivisions;

14 (2) hiring of an individual as an employee or
15 independent contractor, whether pursuant to an employment
16 code or policy or by contract directly with that
17 individual;

18 (3) collective bargaining contracts;

19 (4) purchase of real estate; or

20 (5) contracts necessary to prepare for anticipated
21 litigation, enforcement actions, or investigations.

22 "Contracting entity" means an entity that may execute a
23 contract with the member of the General Assembly.

1 "Entities and persons related to the contracting entity"
2 includes the following:

3 (1) any entity that is a parent of, or owns a
4 controlling interest in, the contracting entity;

5 (2) any entity that is a subsidiary of, or owns a
6 controlling interest in, the contracting entity;

7 (3) any State, local, or federal political committee
8 that makes or may make political contributions on behalf of
9 or at the direction of the contracting entity; and

10 (4) any persons or the spouse or children of persons
11 who (i) have an ownership or distributive income share in
12 the contracting entity that is in excess of 5%, or an
13 amount greater than 60% of the annual salary of the
14 Governor; (ii) serve as executive officers of the
15 contracting entity; (iii) are employed by the contracting
16 entity who are required to register as lobbyists under the
17 Lobbyist Registration Act; (iv) are individuals or
18 entities with whom the contracting entity is contracting
19 who are required to register as lobbyists under the
20 Lobbyist Registration Act; and (v) are employed by the
21 contracting entity who are special government agents as
22 defined in 5 ILCS 420/4A-101(l).

23 "Competitively bid" means procurement under a process
24 substantially similar to the competitive sealed bidding
25 requirements set forth in Articles 20, 25, and 30 of the
26 Illinois Procurement Code (but does not include procurement
27 under a request-for-proposals process that is substantially
28 similar to Article 35 of the Illinois Procurement Code).

29 Section 1-10. Contracts. A member of the General Assembly
30 shall not enter into any contract that is not competitively bid
31 with a contracting entity if that contracting entity or
32 entities and persons related to the contracting entity have
33 made a political contribution to a political committee

1 organized on behalf of or controlled by the member of the
2 General Assembly signing the contract within the 48 months
3 prior to selection of the contracting entity. No contracting
4 entity or entities and persons related to a contracting entity
5 shall make a political contribution to any political committee
6 organized on behalf of or controlled by a member of the General
7 Assembly if the contracting entity is currently a party to any
8 contract with that member of the General Assembly that was not
9 competitively bid.

10 Section 1-15. Violation. Any contract entered into in
11 violation of this Article may be declared void by the member of
12 the General Assembly who executed the contract or his or her
13 successor or by the Comptroller, with the approval of the
14 Attorney General.

15 ARTICLE 5

16 Section 5-1. Short title. This Article may be cited as the
17 Lieutenant Governor's No Bid, No Contribution Act.

18 Section 5-5. Definitions. For purposes of this Article:

19 "Contract" means any contract or agreement for goods or
20 services executed by the office of the Lieutenant Governor with
21 any value, except, regardless of amount, "contract" as used in
22 this Section shall not include the following:

23 (1) contracts with State agencies or officers or other
24 political subdivisions;

25 (2) hiring of an individual as an employee or
26 independent contractor, whether pursuant to an employment
27 code or policy or by contract directly with that
28 individual;

29 (3) collective bargaining contracts;

30 (4) purchase of real estate; or

1 (5) contracts necessary to prepare for anticipated
2 litigation, enforcement actions, or investigations.

3 "Contracting entity" means an entity that may execute a
4 contract with the Office of the Lieutenant Governor.

5 "Entities and persons related to the contracting entity"
6 includes the following:

7 (1) any entity that is a parent of, or owns a
8 controlling interest in, the contracting entity;

9 (2) any entity that is a subsidiary of, or owns a
10 controlling interest in, the contracting entity;

11 (3) any State, local, or federal political committee
12 that makes or may make political contributions on behalf of
13 or at the direction of the contracting entity;

14 (4) any persons or the spouse or children of persons
15 who (i) have an ownership or distributive income share in
16 the contracting entity that is in excess of 5%, or an
17 amount greater than 60% of the annual salary of the
18 Governor; (ii) serve as executive officers of the
19 contracting entity; (iii) are employed by the contracting
20 entity who are required to register as lobbyists under the
21 Lobbyist Registration Act; (iv) are individuals or
22 entities with whom the contracting entity is contracting
23 who are required to register as lobbyists under the
24 Lobbyist Registration Act; and (v) are employed by the
25 contracting entity who are special government agents as
26 defined in 5 ILCS 420/4A-101(1).

27 "Competitively bid" means procurement under a process
28 substantially similar to the competitive sealed bidding
29 requirements set forth in Articles 20, 25, and 30 of the
30 Illinois Procurement Code (but does not include procurement
31 under a request-for-proposals process that is substantially
32 similar to Article 35 of the Illinois Procurement Code).

33 Section 5-10. Contracts. The Office of the Lieutenant

1 Governor shall not enter into any contract that is not
2 competitively bid with a contracting entity if that contracting
3 entity or entities and persons related to the contracting
4 entity have made a political contribution to a political
5 committee organized on behalf of or controlled by the
6 individual then serving as Lieutenant Governor within the 48
7 months prior to selection of the contracting entity. No
8 contracting entity or entities and persons related to a
9 contracting entity shall make a political contribution to any
10 political committee organized on behalf of or controlled by the
11 individual then serving as Lieutenant Governor if the
12 contracting entity is currently a party to any contract with
13 the Office of the Lieutenant Governor awarded by the current
14 office holder that was not competitively bid.

15 Section 5-15. Violation. Any contract entered into in
16 violation of this Article may be declared void by the officer
17 who executed the contract or his or her successor or by the
18 Comptroller, with the approval of the Attorney General.

19 ARTICLE 90

20 Section 90-2. The Election Code is amended by adding
21 Section 9-7.15 as follows:

22 (10 ILCS 5/9-7.15 new)

23 Sec. 9-7.15. Contractor contributions.

24 (a) As of the effective date of this amendatory Act of the
25 94th General Assembly, a member of the General Assembly, a
26 State executive branch constitutional officer, a candidate for
27 the office of State executive branch constitutional officer or
28 member of the General Assembly, or a political committee
29 organized on behalf of or controlled by the office holder or
30 candidate shall not accept contributions from:

1 (1) A State contractor to whom that office holder or
2 candidate has awarded or signed a contract within the past
3 48 months that was not competitively bid;

4 (2) Entities and persons related to a State contractor
5 to whom that office holder or candidate has awarded or
6 signed a contract within the past 48 months that was not
7 competitively bid, which shall include the following:

8 (A) any entity that is a parent of, or owns a
9 controlling interest in, the contractor,

10 (B) any entity that is a subsidiary of, or owns a
11 controlling interest in, the contractor;

12 (C) any State, local, or federal political
13 committee that makes or may make political
14 contributions on behalf of or at the direction of the
15 contractor;

16 (D) any persons or the spouse or children of
17 persons who (i) have an ownership or distributive
18 income share in the contractor that is in excess of 5%,
19 or an amount greater than 60% of the annual salary of
20 the Governor; (ii) serve as executive officers of the
21 contractor; (iii) are employed by the contractor who
22 are required to register as lobbyists under the
23 Lobbyist Registration Act; (iv) are individuals or
24 entities with whom the contractor is contracting who
25 are required to register as lobbyists under the
26 Lobbyist Registration Act; and (v) are employed by the
27 contractor who are special government agents as
28 defined in 5 ILCS 420/4A-101(1).

29 (b) As used in this Section, "competitively bid" means
30 procurement under a process following or substantially similar
31 to the competitive sealed bidding requirements set forth in
32 Articles 20, 25, and 30 of the Illinois Procurement Code (but
33 does not include procurement under a request-for-proposals
34 process that follows or is substantially similar to Article 35

1 of the Illinois Procurement Code); and "State executive branch
2 constitutional officer" means the Governor, Lieutenant
3 Governor, Attorney General, Secretary of State, State
4 Comptroller, and State Treasurer.

5 Section 90-5. The State Budget Law is amended by adding
6 Section 50-25 as follows:

7 (15 ILCS 20/50-25 new)

8 Sec. 50-25. Governor's No Bid, No Contribution Contracts.

9 (a) For purposes of this Section:

10 "Contract" means any contract or agreement for goods or
11 services executed by the Office of the Governor, with any
12 value, except, regardless of amount, "contract" as used in this
13 Section shall not include the following:

14 (1) contracts with State agencies or officers or other
15 political subdivisions;

16 (2) hiring of an individual as an employee or
17 independent contractor, whether pursuant to an employment
18 code or policy or by contract directly with that
19 individual;

20 (3) collective bargaining contracts;

21 (4) purchase of real estate; or

22 (5) contracts necessary to prepare for anticipated
23 litigation, enforcement actions, or investigations.

24 "Contracting entity" means an entity that may execute a
25 contract with the Office of the Governor.

26 "Entities and persons related to the contracting entity"
27 includes the following:

28 (1) any entity that is a parent of, or owns a
29 controlling interest in, the contracting entity;

30 (2) any entity that is a subsidiary of, or owns a
31 controlling interest in, the contracting entity;

32 (3) any State, local, or federal political committee

1 that makes or may make political contributions on behalf of
2 or at the direction of the contracting entity; and

3 (4) any persons or the spouse or children of persons
4 who (i) have an ownership or distributive income share in
5 the contracting entity that is in excess of 5%, or an
6 amount greater than 60% of the annual salary of the
7 Governor; (ii) serve as executive officers of the
8 contracting entity; (iii) are employed by the contracting
9 entity who are required to register as lobbyists under the
10 Lobbyist Registration Act; (iv) are individuals or
11 entities with whom the contracting entity is contracting
12 who are required to register as lobbyists under the
13 Lobbyist Registration Act; and (v) are employed by the
14 contracting entity who are special government agents as
15 defined in 5 ILCS 420/4A-101(1).

16 "Competitively bid" means procurement under a process
17 substantially similar to the competitive sealed bidding
18 requirements set forth in Articles 20, 25, and 30 of the
19 Illinois Procurement Code (but does not include procurement
20 under a request-for-proposals process that is substantially
21 similar to Article 35 of the Illinois Procurement Code).

22 (b) The Office of the Governor shall not enter into any
23 contract that is not competitively bid with a contracting
24 entity if that contracting entity or entities and persons
25 related to the contracting entity have made a political
26 contribution to a political committee organized on behalf of or
27 controlled by the individual then serving as Governor within
28 the 48 months prior to selection of the contracting entity. No
29 contracting entity or entities and persons related to a
30 contracting entity shall make a political contribution to any
31 political committee organized on behalf of or controlled by the
32 person then serving as Governor if the contracting entity is
33 currently a party to any contract with the Office of the
34 Governor awarded by the current office holder that was not

1 competitively bid.

2 (c) Any contract entered into in violation of this Section
3 may be declared void by the officer who executed the contract
4 or his or her successor or by the Comptroller, with the
5 approval of the Attorney General.

6 Section 90-10. The Attorney General Act is amended by
7 adding Section 6.10 as follows:

8 (15 ILCS 205/6.10 new)

9 Sec. 6.10. Attorney General's No Bid, No Contribution
10 Contracts.

11 (a) For purposes of this Section:

12 "Contract" means any contract or agreement for goods or
13 services executed by the Office of the Attorney General, with
14 any value, except, regardless of amount, "contract" as used in
15 this Section shall not include the following:

16 (1) contracts with State agencies or officers or other
17 political subdivisions;

18 (2) hiring of an individual as an employee or
19 independent contractor, whether pursuant to an employment
20 code or policy or by contract directly with that
21 individual;

22 (3) collective bargaining contracts;

23 (4) purchase of real estate; or

24 (5) contracts necessary to prepare for anticipated
25 litigation, enforcement actions or investigations.

26 "Contracting entity" means an entity that may execute a
27 contract with the Office of the Attorney General.

28 "Entities and persons related to the contracting entity"
29 includes the following:

30 (1) any entity that is a parent of, or owns a
31 controlling interest in, the contracting entity;

32 (2) any entity that is a subsidiary of, or owns a

1 controlling interest in, the contracting entity;

2 (3) any State, local, or federal political committee
3 that makes or may make political contributions on behalf of
4 or at the direction of the contracting entity; and

5 (4) any persons or the spouse or children of persons
6 who (i) have an ownership or distributive income share in
7 the contracting entity that is in excess of 5%, or an
8 amount greater than 60% of the annual salary of the
9 Governor; (ii) serve as executive officers of the
10 contracting entity; (iii) are employed by the contracting
11 entity who are required to register as lobbyists under the
12 Lobbyist Registration Act; (iv) are individuals or
13 entities with whom the contracting entity is contracting
14 who are required to register as lobbyists under the
15 Lobbyist Registration Act; and (v) are employed by the
16 contracting entity who are special government agents as
17 defined in 5 ILCS 420/4A-101(1).

18 "Competitively bid" means procurement under a process
19 substantially similar to the competitive sealed bidding
20 requirements set forth in Articles 20, 25, and 30 of the
21 Illinois Procurement Code (but does not include procurement
22 under a request-for-proposals process that is substantially
23 similar to Article 35 of the Illinois Procurement Code).

24 (b) The Office of the Attorney General shall not enter into
25 any contract that is not competitively bid with a contracting
26 entity if that contracting entity or entities and persons
27 related to the contracting entity have made a political
28 contribution to a political committee organized on behalf of or
29 controlled by the individual then serving as Attorney General
30 within the 48 months prior to selection of the contracting
31 entity. No contracting entity or entities and persons related
32 to a contracting entity shall make a political contribution to
33 any political committee organized on behalf of or controlled by
34 the person then serving as Attorney General if the contracting

1 entity is currently a party to any contract with the Office of
2 the Attorney General awarded by the current office holder that
3 was not competitively bid.

4 (c) Any contract entered into in violation of this Section
5 may be declared void by the officer who executed the contract
6 or his or her successor or by the Comptroller, with the
7 approval of the Treasurer.

8 Section 90-12. The Secretary of State Act is amended by
9 adding Section 30 as follows:

10 (15 ILCS 305/30 new)

11 Sec. 30. Secretary of State's No Bid, No Contribution
12 Contracts.

13 (a) For purposes of this Section:

14 "Contract" means any contract or agreement for goods or
15 services executed by the Office of the Secretary of State, with
16 any value, except, regardless of amount, "contract" as used in
17 this Section shall not include the following:

18 (1) contracts with State agencies or officers or other
19 political subdivisions;

20 (2) hiring of an individual as an employee or
21 independent contractor, whether pursuant to an employment
22 code or policy or by contract directly with that
23 individual;

24 (3) collective bargaining contracts;

25 (4) purchase of real estate; or

26 (5) contracts necessary to prepare for anticipated
27 litigation, enforcement actions, or investigations.

28 "Contracting entity" means an entity that may execute a
29 contract with the Office of the Secretary of State.

30 "Entities and persons related to the contracting entity"
31 includes the following:

32 (1) any entity that is a parent of, or owns a

1 controlling interest in, the contracting entity;

2 (2) any entity that is a subsidiary of, or owns a
3 controlling interest in, the contracting entity;

4 (3) any State, local, or federal political committee
5 that makes or may make political contributions on behalf of
6 or at the direction of the contracting entity;

7 (4) any persons or the spouse or children of persons
8 who (i) have an ownership or distributive income share in
9 the contracting entity that is in excess of 5%, or an
10 amount greater than 60% of the annual salary of the
11 Governor; (ii) serve as executive officers of the
12 contracting entity; (iii) are employed by the contracting
13 entity who are required to register as lobbyists under the
14 Lobbyist Registration Act; (iv) are individuals or
15 entities with whom the contracting entity is contracting
16 who are required to register as lobbyists under the
17 Lobbyist Registration Act; and (v) are employed by the
18 contracting entity who are special government agents as
19 defined in 5 ILCS 420/4A-101(1).

20 "Competitively bid" means procurement under a process
21 substantially similar to the competitive sealed bidding
22 requirements set forth in Articles 20, 25, and 30 of the
23 Illinois Procurement Code (but does not include procurement
24 under a request-for-proposals process that is substantially
25 similar to Article 35 of the Illinois Procurement Code).

26 (b) The Office of the Secretary of State shall not enter
27 into any contract that is not competitively bid with a
28 contracting entity if that contracting entity or entities and
29 persons related to the contracting entity have made a political
30 contribution to a political committee organized on behalf of or
31 controlled by the individual then serving as Secretary of State
32 within the 48 months prior to selection of the contracting
33 entity. No contracting entity or entities and persons related
34 to a contracting entity shall make a political contribution to

1 any political committee organized on behalf of or controlled by
2 the person then serving as Secretary of State if the
3 contracting entity is currently a party to any contract with
4 the Office of the Secretary of State awarded by the current
5 office holder that was not competitively bid.

6 (c) Any contract entered into in violation of this Section
7 may be declared void by the officer who executed the contract
8 or his or her successor or by the Comptroller, with the
9 approval of the Treasurer.

10 Section 90-15. The State Comptroller Act is amended by
11 adding Section 40 as follows:

12 (15 ILCS 405/40 new)

13 Sec. 40. Comptroller's No Bid, No Contribution Contracts.

14 (a) For purposes of this Section:

15 "Contract" means any contract or agreement for goods or
16 services executed by the Office of the Comptroller, with any
17 value, except, regardless of amount, "contract" as used in this
18 Section shall not include the following:

19 (1) contracts with State agencies or officers or other
20 political subdivisions;

21 (2) hiring of an individual as an employee or
22 independent contractor, whether pursuant to an employment
23 code or policy or by contract directly with that
24 individual;

25 (3) collective bargaining contracts;

26 (4) purchase of real estate; or

27 (5) contracts necessary to prepare for anticipated
28 litigation, enforcement actions, or investigations.

29 "Contracting entity" means an entity that may execute a
30 contract with the Office of the Comptroller.

31 "Entities and persons related to the contracting entity"
32 includes the following:

1 (1) any entity that is a parent of, or owns a
2 controlling interest in, the contracting entity;

3 (2) any entity that is a subsidiary of, or owns a
4 controlling interest in, the contracting entity;

5 (3) any State, local, or federal political committee
6 that makes or may make political contributions on behalf of
7 or at the direction of the contracting entity;

8 (4) any persons or the spouse or children of persons
9 who (i) have an ownership or distributive income share in
10 the contracting entity that is in excess of 5%, or an
11 amount greater than 60% of the annual salary of the
12 Governor; (ii) serve as executive officers of the
13 contracting entity; (iii) are employed by the contracting
14 entity who are required to register as lobbyists under the
15 Lobbyist Registration Act; (iv) are individuals or
16 entities with whom the contracting entity is contracting
17 who are required to register as lobbyists under the
18 Lobbyist Registration Act; and (v) are employed by the
19 contracting entity who are special government agents as
20 defined in 5 ILCS 420/4A-101(1).

21 "Competitively bid" means procurement under a process
22 substantially similar to the competitive sealed bidding
23 requirements set forth in Articles 20, 25, and 30 of the
24 Illinois Procurement Code (but does not include procurement
25 under a request-for-proposals process that is substantially
26 similar to Article 35 of the Illinois Procurement Code).

27 (b) The Office of the Comptroller shall not enter into any
28 contract that is not competitively bid with a contracting
29 entity if that contracting entity or entities and persons
30 related to the contracting entity have made a political
31 contribution to a political committee organized on behalf of or
32 controlled by the individual then serving as Comptroller within
33 the 48 months prior to selection of the contracting entity. No
34 contracting entity or entities and persons related to a

1 contracting entity shall make a political contribution to any
2 political committee organized on behalf of or controlled by the
3 person then serving as Comptroller if the contracting entity is
4 currently a party to any contract with the Office of the
5 Comptroller awarded by the current office holder that was not
6 competitively bid.

7 (c) Any contract entered into in violation of this Section
8 may be declared void by the officer who executed the contract
9 or his or her successor or by the Attorney General, with the
10 approval of the Treasurer.

11 Section 90-17. The State Treasurer Act is amended by adding
12 Section 25 as follows:

13 (15 ILCS 505/25 new)

14 Sec. 25. Treasurer's No Bid, No Contribution Contracts.

15 (a) For purposes of this Section:

16 "Contract" means any contract or agreement for goods or
17 services executed by the Office of the Treasurer, with any
18 value, except, regardless of amount, "contract" as used in this
19 Section shall not include the following:

20 (1) contracts with State agencies or officers or other
21 political subdivisions;

22 (2) hiring of an individual as an employee or
23 independent contractor, whether pursuant to an employment code
24 or policy or by contract directly with that individual;

25 (3) collective bargaining contracts;

26 (4) purchase of real estate; or

27 (5) contracts necessary to prepare for anticipated
28 litigation, enforcement actions, or investigations.

29 "Contracting entity" means an entity that may execute a
30 contract with the Office of the Treasurer.

31 "Entities and Persons Related to the Contracting Entity"
32 includes the following:

1 (1) any entity that is a parent of, or owns a
2 controlling interest in, the contracting entity;

3 (2) any entity that is a subsidiary of, or owns a
4 controlling interest in, the contracting entity;

5 (3) any State, local, or federal political committee
6 that makes or may make political contributions on behalf of
7 or at the direction of the contracting entity; and

8 (4) any persons or the spouse or children of persons
9 who (i) have an ownership or distributive income share in
10 the contracting entity that is in excess of 5%, or an
11 amount greater than 60% of the annual salary of the
12 Governor; (ii) serve as executive officers of the
13 contracting entity; (iii) are employed by the contracting
14 entity who are required to register as lobbyists under the
15 Lobbyist Registration Act; (iv) are individuals or
16 entities with whom the contracting entity is contracting
17 who are required to register as lobbyists under the
18 Lobbyist Registration Act; and (v) are employed by the
19 contracting entity who are special government agents as
20 defined in 5 ILCS 420/4A-101(1).

21 "Competitively bid" means procurement under a process
22 substantially similar to the competitive sealed bidding
23 requirements set forth in Articles 20, 25, and 30 of the
24 Illinois Procurement Code (but does not include procurement
25 under a request-for-proposals process that is substantially
26 similar to Article 35 of the Illinois Procurement Code).

27 (b) The Office of the Treasurer shall not enter into any
28 contract that is not competitively bid with a contracting
29 entity if that contracting entity or entities and persons
30 related to the contracting entity have made a political
31 contribution to a political committee organized on behalf of or
32 controlled by the individual then serving as Treasurer within
33 the 48 months prior to selection of the contracting entity. No
34 contracting entity or entities and persons related to a

1 contracting entity shall make a political contribution to any
2 political committee organized on behalf of or controlled by the
3 person then serving as Treasurer if the contracting entity is
4 currently a party to any contract with the Office of the
5 Treasurer awarded by the current office holder that was not
6 competitively bid.

7 (c) Any contract entered into in violation of this Section
8 may be declared void by the officer who executed the contract
9 or his or her successor or by the Comptroller, with the
10 approval of the Attorney General.

11 Section 90-25. The Illinois Procurement Code is amended by
12 adding Section 50-37 as follows:

13 (30 ILCS 500/50-37 new)

14 Sec. 50-37. No Bid, No Contribution Contracts.

15 (a) For purposes of this Section:

16 "Contract" means any contract or agreement for goods or
17 services executed by a State agency, with any value, except,
18 regardless of amount, "contract" as used in this Section shall
19 not include the following:

20 (1) contracts with State agencies or officers or other
21 political subdivisions;

22 (2) hiring of an individual as an employee or
23 independent contractor, whether pursuant to an employment
24 code or policy or by contract directly with that
25 individual;

26 (3) collective bargaining contracts;

27 (4) purchase of real estate; or

28 (5) contracts necessary to prepare for anticipated
29 litigation, enforcement actions or investigations.

30 "Contracting entity" means an entity that may execute a
31 contract with the State agency.

32 "Entities and persons related to the contracting entity"

1 includes the following:

2 (1) any entity that is a parent of, or owns a
3 controlling interest in, the contracting entity;

4 (2) any entity that is a subsidiary of, or owns a
5 controlling interest in, the contracting entity;

6 (3) any State, local, or federal political committee
7 that makes or may make political contributions on behalf of
8 or at the direction of the contracting entity;

9 (4) any persons or the spouse or children of persons
10 who (i) have an ownership or distributive income share in
11 the contracting entity that is in excess of 5%, or an
12 amount greater than 60% of the annual salary of the
13 Governor; (ii) serve as executive officers of the
14 contracting entity; (iii) are employed by the contracting
15 entity who are required to register as lobbyists under the
16 Lobbyist Registration Act; (iv) are individuals or
17 entities with whom the contracting entity is contracting
18 who are required to register as lobbyists under the
19 Lobbyist Registration Act; and (v) are employed by the
20 contracting entity who are special government agents as
21 defined in 5 ILCS 420/4A-101(1).

22 "Competitively bid" means procurement under the
23 competitive sealed bidding requirements set forth in Articles
24 20, 25, and 30 of the Illinois Procurement Code (but does not
25 include procurement under Article 35 of the Illinois
26 Procurement Code).

27 (b) A State agency shall not enter into any contract that
28 is not competitively bid with a contracting entity if that
29 contracting entity or entities and persons related to the
30 contracting entity have made a political contribution to a
31 political committee organized on behalf of or controlled by the
32 individual then serving as Governor within the 48 months prior
33 to selection of the contracting entity. No contracting entity
34 or entities and persons related to a contracting entity shall

1 make a political contribution to any political committee
2 organized on behalf of or controlled by the individual then
3 serving as Governor if the contracting entity is currently a
4 party to any contract with a State agency awarded by a State
5 agency during the term of office of the individual then serving
6 as Governor that was not competitively bid.

7 (c) Any contract entered into in violation of this Section
8 may be declared void by the officer who executed the contract
9 or his or her successor or by the Comptroller, with the
10 approval of the Attorney General.

11 ARTICLE 99

12 Section 99-5. Effective date. This Act takes effect upon
13 becoming law.".