



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1806

Introduced 2/25/2005, by Sen. Bill Brady - Richard J. Winkel,
Jr. - Dale E. Risinger

SYNOPSIS AS INTRODUCED:

30 ILCS 330/11	from Ch. 127, par. 661
30 ILCS 425/8	from Ch. 127, par. 2808

Amends the General Obligation Bond Act and Build Illinois Bond Act.
Removes provisions authorizing the sale of bonds by negotiated sale.
Eliminates certain provisions relating to compliance with the competitive
request for proposal process set forth in the Illinois Procurement.
Effective immediately.

LRB094 10727 RSP 41176 b

FISCAL NOTE ACT
MAY APPLY

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 General Obligation Bond Act is amended by
5 changing Section 11 as follows

6 (30 ILCS 330/11) (from Ch. 127, par. 661)

7 Sec. 11. Sale of Bonds. ~~Except as otherwise provided in~~
8 ~~this Section,~~ Bonds shall be sold from time to time pursuant to
9 notice of sale and public bid ~~or by negotiated sale~~ in such
10 amounts and at such times as is directed by the Governor, upon
11 recommendation by the Director of the Governor's Office of
12 Management and Budget. ~~At least 25%, based on total principal~~
13 ~~amount, of all Bonds issued each fiscal year shall be sold~~
14 ~~pursuant to notice of sale and public bid. At all times during~~
15 ~~each fiscal year, no more than 75%, based on total principal~~
16 ~~amount, of the Bonds issued each fiscal year, shall have been~~
17 ~~sold by negotiated sale. Failure to satisfy the requirements in~~
18 ~~the preceding 2 sentences shall not affect the validity of any~~
19 ~~previously issued Bonds.~~

20 ~~If any Bonds, including refunding Bonds, are to be sold by~~
21 ~~negotiated sale, the Director of the Governor's Office of~~
22 ~~Management and Budget shall comply with the competitive request~~
23 ~~for proposal process set forth in the Illinois Procurement Code~~
24 ~~and all other applicable requirements of that Code.~~

25 The ~~If Bonds are to be sold pursuant to notice of sale and~~
26 ~~public bid,~~ the Director of the Governor's Office of Management
27 and Budget shall, from time to time, as Bonds are to be sold,
28 advertise the sale of the Bonds in at least 2 daily newspapers,
29 one of which is published in the City of Springfield and one in
30 the City of Chicago. The sale of the Bonds shall also be
31 advertised in the volume of the Illinois Procurement Bulletin
32 that is published by the Department of Central Management

1 Services. Each of the advertisements for proposals shall be
2 published once at least 10 days prior to the date fixed for the
3 opening of the bids. The Director of the Governor's Office of
4 Management and Budget may reschedule the date of sale upon the
5 giving of such additional notice as the Director deems adequate
6 to inform prospective bidders of such change; provided,
7 however, that all other conditions of the sale shall continue
8 as originally advertised.

9 Executed Bonds shall, upon payment therefor, be delivered
10 to the purchaser, and the proceeds of Bonds shall be paid into
11 the State Treasury as directed by Section 12 of this Act.

12 (Source: P.A. 93-839, eff. 7-30-04.)

13 Section 10. The Build Illinois Bond Act is amended by
14 changing Section 8, as follows:

15 (30 ILCS 425/8) (from Ch. 127, par. 2808)

16 Sec. 8. Sale of Bonds. Bonds, ~~except as otherwise provided~~
17 ~~in this Section,~~ shall be sold from time to time pursuant to
18 notice of sale and public bid ~~or by negotiated sale~~ in such
19 amounts and at such times as are directed by the Governor, upon
20 recommendation by the Director of the Governor's Office of
21 Management and Budget. ~~At least 25%, based on total principal~~
22 ~~amount, of all Bonds issued each fiscal year shall be sold~~
23 ~~pursuant to notice of sale and public bid. At all times during~~
24 ~~each fiscal year, no more than 75%, based on total principal~~
25 ~~amount, of the Bonds issued each fiscal year shall have been~~
26 ~~sold by negotiated sale. Failure to satisfy the requirements in~~
27 ~~the preceding 2 sentences shall not affect the validity of any~~
28 ~~previously issued Bonds.~~

29 ~~If any Bonds are to be sold pursuant to notice of sale and~~
30 ~~public bid, the Director of the Governor's Office of Management~~
31 ~~and Budget shall comply with the competitive request for~~
32 ~~proposal process set forth in the Illinois Procurement Code and~~
33 ~~all other applicable requirements of that Code.~~

34 The ~~If Bonds are to be sold pursuant to notice of sale and~~

1 ~~public bid, the~~ Director of the Governor's Office of Management
2 and Budget shall, from time to time, as Bonds are to be sold,
3 advertise the sale of the Bonds in at least 2 daily newspapers,
4 one of which is published in the City of Springfield and one in
5 the City of Chicago. The sale of the Bonds shall also be
6 advertised in the volume of the Illinois Procurement Bulletin
7 that is published by the Department of Central Management
8 Services. Each of the advertisements for proposals shall be
9 published once at least 10 days prior to the date fixed for the
10 opening of the bids. The Director of the Governor's Office of
11 Management and Budget may reschedule the date of sale upon the
12 giving of such additional notice as the Director deems adequate
13 to inform prospective bidders of the change; provided, however,
14 that all other conditions of the sale shall continue as
15 originally advertised. Executed Bonds shall, upon payment
16 therefor, be delivered to the purchaser, and the proceeds of
17 Bonds shall be paid into the State Treasury as directed by
18 Section 9 of this Act. The Governor or the Director of the
19 Governor's Office of Management and Budget is hereby authorized
20 and directed to execute and deliver contracts of sale with
21 underwriters and to execute and deliver such certificates,
22 indentures, agreements and documents, including any
23 supplements or amendments thereto, and to take such actions and
24 do such things as shall be necessary or desirable to carry out
25 the purposes of this Act. Any action authorized or permitted to
26 be taken by the Director of the Governor's Office of Management
27 and Budget pursuant to this Act is hereby authorized to be
28 taken by any person specifically designated by the Governor to
29 take such action in a certificate signed by the Governor and
30 filed with the Secretary of State.

31 (Source: P.A. 93-839, eff. 7-30-04.)

32 Section 99. Effective date. This Act takes effect upon
33 becoming law.