



Sen. Jeffrey M. Schoenberg

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LRB094 11403 JAM 44152 a

1 AMENDMENT TO SENATE BILL 1966

2 AMENDMENT NO. _____. Amend Senate Bill 1966 on page 3, in
3 line 15 by inserting after "50-20" the following:

4 "and by adding Section 50-21"; and

5 on page 6, by inserting after line 14 the following:

6 "Section 5. The Illinois Procurement Code is amended by
7 adding Section 50-21 as follows:

8 (30 ILCS 500/50-21 new)

9 Sec. 50-21. Bond issuances.

10 (a) A State agency shall not enter into a contract with
11 respect to the issuance of bonds or other securities by the
12 State or a State agency with any entity that uses an
13 independent consultant.

14 As used in this subsection, "independent consultant" means
15 a person used by the entity to obtain or retain securities
16 business through direct or indirect communication by the person
17 with a State official or employee on behalf of the entity when
18 the communication is undertaken by the person in exchange for
19 or with the understanding of receiving payment from the entity
20 or another person. "Independent consultant" does not include
21 (i) a finance professional employed by the entity or (ii) a
22 person whose sole basis of compensation from the entity is the

1 actual provision of legal, accounting, or engineering advice,
2 services, or assistance in connection with the securities
3 business that the entity seeks to obtain or retain.

4 (b) Each contract entered into by a State agency with
5 respect to the issuance of bonds or other securities by the
6 State or a State agency shall include a certification by any
7 contracting party subject to the Municipal Securities
8 Rulemaking Board's Rule G-38, or a successor rule, that the
9 contracting entity is and shall remain for the duration of the
10 contract in compliance with the Rule's requirements for
11 reporting political contributions. Violation of the
12 certification makes the contract voidable by the State and
13 shall bar the awarding of a State agency contract with respect
14 to the issuance of bonds or other securities to the violator
15 for a period of 10 years after the determination of the
16 violation.

17 (c) Any entity convicted of violating the Municipal
18 Securities Rulemaking Board's Rule G-37 or Rule G-38, or any
19 successor rules, with respect to the prohibitions of those
20 rules against obtaining or retaining municipal securities
21 business and the making of political contributions or payments
22 is permanently barred from participating in any State agency
23 contract with respect to the issuance of bonds or other
24 securities.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law."