

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 Illinois Procurement Code is amended by  
5 changing Section 1-10 as follows:

6 (30 ILCS 500/1-10)

7 Sec. 1-10. Application.

8 (a) This Code applies only to procurements for which  
9 contractors were first solicited on or after July 1, 1998. This  
10 Code shall not be construed to affect or impair any contract,  
11 or any provision of a contract, entered into based on a  
12 solicitation prior to the implementation date of this Code as  
13 described in Article 99, including but not limited to any  
14 covenant entered into with respect to any revenue bonds or  
15 similar instruments. All procurements for which contracts are  
16 solicited between the effective date of Articles 50 and 99 and  
17 July 1, 1998 shall be substantially in accordance with this  
18 Code and its intent.

19 (b) This Code shall apply regardless of the source of the  
20 funds with which the contracts are paid, including federal  
21 assistance moneys. This Code shall not apply to:

22 (1) Contracts between the State and its political  
23 subdivisions or other governments, or between State

1 governmental bodies except as specifically provided in  
2 this Code.

3 (2) Grants, except for the filing requirements of  
4 Section 20-80.

5 (3) Purchase of care.

6 (4) Hiring of an individual as employee and not as an  
7 independent contractor, whether pursuant to an employment  
8 code or policy or by contract directly with that  
9 individual.

10 (5) Collective bargaining contracts.

11 (6) Purchase of real estate, except that notice of this  
12 type of contract must be published in the Procurement  
13 Bulletin within 7 days after contract execution. The notice  
14 shall identify the real estate purchased, the names of all  
15 parties to the contract, the value of the contract, and the  
16 effective date of the contract.

17 (7) Contracts necessary to prepare for anticipated  
18 litigation, enforcement actions, or investigations,  
19 provided that the chief legal counsel to the Governor shall  
20 give his or her prior approval when the procuring agency is  
21 one subject to the jurisdiction of the Governor, and  
22 provided that the chief legal counsel of any other  
23 procuring entity subject to this Code shall give his or her  
24 prior approval when the procuring entity is not one subject  
25 to the jurisdiction of the Governor.

26 (8) Contracts for services to Northern Illinois

1 University by a person, acting as an independent  
2 contractor, who is qualified by education, experience, and  
3 technical ability and is selected by negotiation for the  
4 purpose of providing non-credit educational service  
5 activities or products by means of specialized programs  
6 offered by the university.

7 (9) Procurement expenditures by the Illinois  
8 Conservation Foundation when only private funds are used.

9 (Source: P.A. 91-627, eff. 8-19-99; 91-904, eff. 7-6-00;  
10 92-797, eff. 8-15-02.)

11 Section 99. Effective date. This Act takes effect July 1,  
12 2007.