

1 AN ACT concerning State government.

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

4 Section 5. The Business Enterprise for Minorities,  
5 Females, and Persons with Disabilities Act is amended by  
6 changing Section 6 as follows:

7 (30 ILCS 575/6) (from Ch. 127, par. 132.606)

8 (Section scheduled to be repealed on June 30, 2012)

9 Sec. 6. Agency compliance plans. Each State agency and  
10 State university under the jurisdiction of this Act shall file  
11 with the Council an annual compliance plan which shall outline  
12 the goals of the State agency or State university for  
13 contracting with businesses owned by minorities, females, and  
14 persons with disabilities for the then current fiscal year, the  
15 manner in which the agency intends to reach these goals and a  
16 timetable for reaching these goals. The Council shall review  
17 and approve the plan of each State agency and State university  
18 and may reject any plan that does not comply with this Act or  
19 any rules or regulations promulgated pursuant to this Act.

20 (a) The compliance plan shall also include, but not be  
21 limited to, (1) a policy statement, signed by the State agency  
22 or State university head, expressing a commitment to encourage  
23 the use of businesses owned by minorities, females, and persons

1 with disabilities, (2) the designation of the liaison officer  
2 provided for in Section 5 of this Act, (3) procedures to  
3 distribute to potential contractors and vendors the list of all  
4 businesses legitimately classified as businesses owned by  
5 minorities, females, and persons with disabilities and so  
6 certified under this Act, (4) procedures to set separate  
7 contract goals on specific prime contracts and purchase orders  
8 with subcontracting possibilities based upon the type of work  
9 or services and subcontractor availability, (5) procedures to  
10 assure that contractors and vendors make good faith efforts to  
11 meet contract goals, (6) procedures for contract goal  
12 exemption, modification and waiver, and (7) the delineation of  
13 separate contract goals for businesses owned by minorities,  
14 females, and persons with disabilities.

15 (b) Approval of the compliance plans shall include such  
16 delegation of responsibilities to the requesting State agency  
17 or State university as the Council deems necessary and  
18 appropriate to fulfill the purpose of this Act. Such  
19 responsibilities may include, but need not be limited to those  
20 outlined in subsections (1), (2) and (3) of Section 7 and  
21 paragraph (a) of Section 8.

22 (c) Each State agency and State university under the  
23 jurisdiction of this Act shall file with the Council an annual  
24 report of its utilization of businesses owned by minorities,  
25 females, and persons with disabilities during the preceding  
26 fiscal year including lapse period spending and a mid-fiscal

1 year report of its utilization to date for the then current  
2 fiscal year. The reports shall include a self-evaluation of the  
3 efforts of the State agency or State university to meet its  
4 goals under the Act.

5 (d) Notwithstanding any provisions to the contrary in this  
6 Act, any State agency or State university which administers a  
7 construction program, for which federal law or regulations  
8 establish standards and procedures for the utilization of  
9 minority, disadvantaged, and female-owned business, may ~~shall~~  
10 implement a disadvantaged business enterprise program to  
11 include minority, disadvantaged and female-owned businesses,  
12 using the federal standards and procedures for the  
13 establishment of goals and utilization procedures for the  
14 State-funded, as well as the federally assisted, portions of  
15 the program. In such cases, these goals shall not exceed those  
16 established pursuant to the relevant federal statutes or  
17 regulations. Notwithstanding the provisions of Section 8b, the  
18 Illinois Department of Transportation is authorized to  
19 establish sheltered markets for the State-funded portions of  
20 the program consistent with federal law and regulations.  
21 Additionally, a compliance plan which is filed by such State  
22 agency or State university pursuant to this Act, which  
23 incorporates equivalent terms and conditions of its  
24 federally-approved compliance plan, shall be deemed approved  
25 under this Act.

26 (Source: P.A. 88-377; 88-597, eff. 8-28-94.)

1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.