

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 Sections 1-15.15, 10-20, 20-25, 20-60, 20-120, 35-15,  
6 35-20, 35-25, 35-30, 35-35, 35-40, 40-15, 50-10.5, 50-35,  
7 50-38, and 50-39 and by adding Sections 1-11 and 1-15.108 as  
8 follows:

9 (30 ILCS 500/1-11 new)

10 Sec. 1-11. Applicability of certain Public Acts. The  
11 changes made to this Code by Public Act 96-793, Public Act  
12 96-795, and this amendatory Act of the 96th General Assembly  
13 apply to those procurements for which contractors were first  
14 solicited on or after July 1, 2010.

15 (30 ILCS 500/1-15.15)

16 (Text of Section before amendment by P.A. 96-795)

17 Sec. 1-15.15. Chief Procurement Officer. "Chief  
18 Procurement Officer" means:

19 (1) for procurements for construction and  
20 construction-related services committed by law to the  
21 jurisdiction or responsibility of the Capital Development  
22 Board, the executive director of the Capital Development

1 Board.

2 (2) for procurements for all construction,  
3 construction-related services, operation of any facility,  
4 and the provision of any service or activity committed by  
5 law to the jurisdiction or responsibility of the Illinois  
6 Department of Transportation, including the direct or  
7 reimbursable expenditure of all federal funds for which the  
8 Department of Transportation is responsible or accountable  
9 for the use thereof in accordance with federal law,  
10 regulation, or procedure, the Secretary of Transportation.

11 (3) for all procurements made by a public institution  
12 of higher education, a representative designated by the  
13 Governor.

14 (4) for all procurements made by the Illinois Power  
15 Agency, the Director of the Illinois Power Agency.

16 (5) for all other procurements, the Director of the  
17 Department of Central Management Services.

18 (Source: P.A. 95-481, eff. 8-28-07.)

19 (Text of Section after amendment by P.A. 96-795)

20 Sec. 1-15.15. Chief Procurement Officer. "Chief  
21 Procurement Officer" means any of the 4 persons appointed or  
22 approved by a majority of the members of the Executive Ethics  
23 Commission ~~for~~:

24 (1) for procurements for construction and  
25 construction-related services committed by law to the

1 jurisdiction or responsibility of the Capital Development  
2 Board, the independent chief procurement officer appointed  
3 by a majority of the members of the Executive Ethics  
4 Commission.

5 (2) for procurements for all construction,  
6 construction-related services, operation of any facility,  
7 and the provision of any construction or  
8 construction-related service or activity committed by law  
9 to the jurisdiction or responsibility of the Illinois  
10 Department of Transportation, including the direct or  
11 reimbursable expenditure of all federal funds for which the  
12 Department of Transportation is responsible or accountable  
13 for the use thereof in accordance with federal law,  
14 regulation, or procedure, the independent chief  
15 procurement officer appointed by the Secretary of  
16 Transportation with the consent of the majority of the  
17 members of the Executive Ethics Commission.

18 (3) for all procurements made by a public institution  
19 of higher education, the independent chief procurement  
20 officer appointed by a majority of the members of the  
21 Executive Ethics Commission.

22 (4) (Blank).

23 (5) for all other procurements, the independent chief  
24 procurement officer appointed by a majority of the members  
25 of the Executive Ethics Commission.

26 (Source: P.A. 95-481, eff. 8-28-07; 96-795, eff. 7-1-10 (see

1 Section 5 of P.A. 96-793 for the effective date of changes made  
2 by P.A. 96-795.)

3 (30 ILCS 500/1-15.108 new)

4 Sec. 1-15.108. Subcontractor. "Subcontractor" means a  
5 person or entity that enters into a contractual agreement with  
6 a total value of \$25,000 or more with a person or entity who  
7 has or is seeking a contract subject to this Code pursuant to  
8 which the person or entity provides some or all of the goods,  
9 services, property, remuneration, or other forms of  
10 consideration that are the subject of the primary State  
11 contract, including subleases from a lessee of a State  
12 contract.

13 (30 ILCS 500/10-20)

14 (This Section may contain text from a Public Act with a  
15 delayed effective date)

16 Sec. 10-20. Independent chief procurement officers.

17 (a) Appointment. Within 60 days after the effective date of  
18 this amendatory Act of the 96th General Assembly, the Executive  
19 Ethics Commission, with the advice and consent of the Senate  
20 shall appoint or approve 4 chief procurement officers, one for  
21 each of the following categories:

22 (1) for procurements for construction and  
23 construction-related services committed by law to the  
24 jurisdiction or responsibility of the Capital Development

1 Board;

2 (2) for procurements for all construction,  
3 construction-related services, operation of any facility,  
4 and the provision of any service or activity committed by  
5 law to the jurisdiction or responsibility of the Illinois  
6 Department of Transportation, including the direct or  
7 reimbursable expenditure of all federal funds for which the  
8 Department of Transportation is responsible or accountable  
9 for the use thereof in accordance with federal law,  
10 regulation, or procedure, the chief procurement officer  
11 recommended for approval under this item appointed by the  
12 Secretary of Transportation after consent by the Executive  
13 Ethics Commission;

14 (3) for all procurements made by a public institution  
15 of higher education; and

16 (4) for all other procurement needs of State agencies.

17 A chief procurement officer shall be responsible to the  
18 Executive Ethics Commission but must be located within the  
19 agency that the officer provides with procurement services. The  
20 chief procurement officer for higher education shall have an  
21 office located within the Board of Higher Education, unless  
22 otherwise designated by the Executive Ethics Commission. The  
23 chief procurement officer for all other procurement needs of  
24 the State shall have an office located within the Department of  
25 Central Management Services, unless otherwise designated by  
26 the Executive Ethics Commission.

1           (b) Terms and independence. Each chief procurement officer  
2 appointed under this Section shall serve for a term of 5 years  
3 beginning on the date of the officer's appointment. The chief  
4 procurement officer may be removed for cause after a hearing by  
5 the Executive Ethics Commission. The Governor or the director  
6 of a State agency directly responsible to the Governor may  
7 institute a complaint against the officer by filing such  
8 complaint with the Commission. The Commission shall have a  
9 hearing based on the complaint. The officer and the complainant  
10 shall receive reasonable notice of the hearing and shall be  
11 permitted to present their respective arguments on the  
12 complaint. After the hearing, the Commission shall make a  
13 finding on the complaint and may take disciplinary action,  
14 including but not limited to removal of the officer.

15           The salary of a chief procurement officer shall be  
16 established by the Executive Ethics Commission and may not be  
17 diminished during the officer's term. The salary may not exceed  
18 the salary of the director of a State agency for which the  
19 officer serves as chief procurement officer.

20           (c) Qualifications. In addition to any other requirement or  
21 qualification required by State law, each chief procurement  
22 officer must within 12 months of employment be a Certified  
23 Professional Public Buyer or a Certified Public Purchasing  
24 Officer, pursuant to certification by the Universal Public  
25 Purchasing Certification Council, and must reside in Illinois.

26           (d) Fiduciary duty. Each chief procurement officer owes a

1 fiduciary duty to the State.

2 (e) Vacancy. In case of a vacancy in one or more of the  
3 offices of a chief procurement officer under this Section  
4 during the recess of the Senate, the Executive Ethics  
5 Commission shall make a temporary appointment until the next  
6 meeting of the Senate, when the Executive Ethics Commission  
7 shall nominate some person to fill the office, and any person  
8 so nominated who is confirmed by the Senate shall hold office  
9 during the remainder of the term and until his or her successor  
10 is appointed and qualified. If the Senate is not in session at  
11 the time this amendatory Act of the 96th General Assembly takes  
12 effect, the Executive Ethics Commission shall make a temporary  
13 appointment as in the case of a vacancy.

14 (f) Acting chief procurement officers. Prior to August 31,  
15 2010, the Executive Ethics Commission may, until an initial  
16 chief procurement officer is appointed and qualified,  
17 designate some person as an acting chief procurement officer to  
18 execute the powers and discharge the duties vested by law in  
19 that chief procurement officer. An acting chief procurement  
20 officer shall serve no later than the appointment of the  
21 initial chief procurement officer pursuant to subsection (a) of  
22 this Section. Nothing in this subsection shall prohibit the  
23 Executive Ethics Commission from appointing an acting chief  
24 procurement officer as a chief procurement officer.

25 (g) Transition schedule. Notwithstanding any other  
26 provision of this Act or this amendatory Act of the 96th

1 General Assembly, the chief procurement officers on the  
2 effective date of Public Act 96-793 shall continue to serve as  
3 chief procurement officers until August 31, 2010 and shall  
4 retain their powers and duties pertaining to procurements,  
5 provided the chief procurement officer appointed or approved by  
6 the Executive Ethics Commission shall approve any rules  
7 promulgated to implement this Code or the provisions of this  
8 amendatory Act of the 96th General Assembly. The chief  
9 procurement officers appointed or approved by the Executive  
10 Ethics Commission shall assume the position of chief  
11 procurement officer upon appointment and work in collaboration  
12 with the current chief procurement officer and staff. On  
13 September 1, 2010, the chief procurement officers appointed by  
14 the Executive Ethics Commission shall assume the powers and  
15 duties of the chief procurement officers.

16 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
17 for the effective date of P.A. 96-795).)

18 (30 ILCS 500/20-25)

19 (Text of Section before amendment by P.A. 96-795)

20 Sec. 20-25. Sole source procurements. In accordance with  
21 standards set by rule, contracts may be awarded without use of  
22 the specified method of source selection when there is only one  
23 economically feasible source for the item. At least 2 weeks  
24 before entering into a sole source contract, the purchasing  
25 agency shall publish in the Illinois Procurement Bulletin a



1 notice of intent to do so along with a description of the item  
2 to be procured and the intended sole source contractor.

3 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

4 (Text of Section after amendment by P.A. 96-795)

5 Sec. 20-25. Sole source procurements.

6 (a) In accordance with standards set by rule, contracts may  
7 be awarded without use of the specified method of source  
8 selection when there is only one economically feasible source  
9 for the item. A State contract may not be awarded as a sole  
10 source procurement unless approved by the chief procurement  
11 officer following a public hearing at which the chief  
12 procurement officer and purchasing agency present written  
13 justification for the procurement method. The Procurement  
14 Policy Board and the public may present testimony.

15 (b) This Section may not be used as a basis for amending a  
16 contract for professional or artistic services if the amendment  
17 would result in an increase in the amount paid under the  
18 contract of more than 5% of the initial award, or would extend  
19 the contract term beyond the time reasonably needed for a  
20 competitive procurement, not to exceed 2 months.

21 (c) Notice of intent to enter into a sole source contract  
22 shall be provided to the Procurement Policy Board and published  
23 in the online electronic Bulletin at least 14 days before the  
24 public hearing required in subsection (a). The notice shall  
25 include the sole source procurement justification form

1 prescribed by the Board, a description of the item to be  
2 procured, the intended sole source contractor, and the date,  
3 time, and location of the public hearing. A copy of the notice  
4 and all documents provided at the hearing shall be included in  
5 the subsequent Procurement Bulletin.

6 (d) By August 1 each year, each chief procurement officer  
7 shall file a report with the General Assembly identifying each  
8 contract the officer sought under the sole source procurement  
9 method and providing the justification given for seeking sole  
10 source as the procurement method for each of those contracts.

11 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
12 for the effective date of changes made by P.A. 96-795).)

13 (30 ILCS 500/20-60)

14 Sec. 20-60. Duration of contracts.

15 (a) Maximum duration. A contract, other than a contract  
16 entered into pursuant to the State University Certificates of  
17 Participation Act, may be entered into for any period of time  
18 deemed to be in the best interests of the State but not  
19 exceeding 10 years inclusive, beginning January 1, 2010, of  
20 proposed contract renewals. The length of a lease for real  
21 property or capital improvements shall be in accordance with  
22 the provisions of Section 40-25. A contract for bond or  
23 mortgage insurance awarded by the Illinois Housing Development  
24 Authority, however, may be entered into for any period of time  
25 less than or equal to the maximum period of time that the

1 subject bond or mortgage may remain outstanding.

2 (b) Subject to appropriation. All contracts made or entered  
3 into shall recite that they are subject to termination and  
4 cancellation in any year for which the General Assembly fails  
5 to make an appropriation to make payments under the terms of  
6 the contract.

7 (c) The chief procurement officer shall file a proposed  
8 extension or renewal of a contract with the Procurement Policy  
9 Board prior to entering into any extension or renewal if the  
10 cost associated with the extension or renewal exceeds \$249,999.  
11 The Procurement Policy Board may object to the proposed  
12 extension or renewal within 30 calendar days and require a  
13 hearing before the Board prior to entering into the extension  
14 or renewal. If the Procurement Policy Board does not object  
15 within 30 calendar days or takes affirmative action to  
16 recommend the extension or renewal, the chief procurement  
17 officer may enter into the extension or renewal of a contract.  
18 This subsection does not apply to any emergency procurement,  
19 any procurement under Article 40, or any procurement exempted  
20 by Section 1-10(b) of this Code. If any State agency contract  
21 is paid for in whole or in part with federal-aid funds, grants,  
22 or loans and the provisions of this subsection would result in  
23 the loss of those federal-aid funds, grants, or loans, then the  
24 contract is exempt from the provisions of this subsection in  
25 order to remain eligible for those federal-aid funds, grants,  
26 or loans, and the State agency shall file notice of this

1 exemption with the Procurement Policy Board prior to entering  
2 into the proposed extension or renewal. Nothing in this  
3 subsection permits a chief procurement officer to enter into an  
4 extension or renewal in violation of subsection (a). By August  
5 1 each year, the Procurement Policy Board shall file a report  
6 with the General Assembly identifying for the previous fiscal  
7 year (i) the proposed extensions or renewals that were filed  
8 with the Board and whether the Board objected and (ii) the  
9 contracts exempt from this subsection.

10 (Source: P.A. 95-344, eff. 8-21-07; 96-15, eff. 6-22-09;  
11 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the  
12 effective date of changes made by P.A. 96-795).)

13 (30 ILCS 500/20-120)

14 (This Section may contain text from a Public Act with a  
15 delayed effective date)

16 Sec. 20-120. Subcontractors.

17 (a) Any contract granted under this Code shall state  
18 whether the services of a subcontractor will or may be used.  
19 ~~The To the extent that the information is known, the contract~~  
20 shall include the names and addresses of all known  
21 subcontractors with subcontracts with an annual value of more  
22 than \$25,000 and the expected amount of money each will receive  
23 under the contract. For procurements subject to the authority  
24 of the chief procurement officer appointed pursuant to  
25 subsection (a) (2) of Section 10-20, the contract shall include

1 only the names and addresses of all known subcontractors of the  
2 primary contractor with subcontracts with an annual value of  
3 more than \$25,000. The contractor shall provide the chief  
4 procurement officer or State purchasing officer a copy of any  
5 subcontract with an annual value of more than \$25,000 so  
6 identified within 20 days after the execution of the State  
7 contract or after execution of the subcontract, whichever is  
8 later. A subcontractor, or contractor on behalf of a  
9 subcontractor, may identify information that is deemed  
10 proprietary or confidential. If the chief procurement officer  
11 determines the information is not relevant to the primary  
12 contract, the chief procurement officer may excuse the  
13 inclusion of the information. If the chief procurement officer  
14 determines the information is proprietary or could harm the  
15 business interest of the subcontractor, the chief procurement  
16 officer may, in his or her discretion, redact the information.  
17 Redacted information shall not become part of the public  
18 record.

19 (b) If at any time during the term of a contract, a  
20 contractor adds or changes any subcontractors, he or she shall  
21 promptly notify, in writing, the chief procurement officer,  
22 State purchasing officer, or their designee of the names and  
23 addresses and the expected amount of money each new or replaced  
24 subcontractor will receive. The contractor shall provide to the  
25 responsible chief procurement officer a copy of the subcontract  
26 within 20 days after the execution of the subcontract.

1 (c) In addition to any other requirements of this Code, a  
2 subcontract subject to this Section must include all of the  
3 subcontractor's certifications required by Article 50 of the  
4 Code.

5 (d) This Section applies to procurements solicited  
6 ~~executed~~ on or after the effective date of this amendatory Act  
7 of the 96th General Assembly.

8 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
9 for the effective date of P.A. 96-795).)

10 (30 ILCS 500/35-15)

11 Sec. 35-15. Prequalification.

12 (a) The chief procurement officer for matters other than  
13 construction ~~Director of Central Management Services, the~~  
14 ~~Illinois Power Agency,~~ and the higher education chief  
15 procurement officer shall each develop appropriate and  
16 reasonable prequalification standards and categories of  
17 professional and artistic services.

18 (b) The prequalifications and categorizations shall be  
19 submitted to the Procurement Policy Board and published for  
20 public comment prior to their submission to the Joint Committee  
21 on Administrative Rules for approval.

22 (c) The chief procurement officer for matters other than  
23 construction ~~Director of Central Management Services, the~~  
24 ~~Illinois Power Agency,~~ and the higher education chief  
25 procurement officer shall each also assemble and maintain a

1 comprehensive list of prequalified and categorized businesses  
2 and persons.

3 (d) Prequalification shall not be used to bar or prevent  
4 any qualified business or person for bidding or responding to  
5 invitations for bid or proposal.

6 (Source: P.A. 95-481, eff. 8-28-07.)

7 (30 ILCS 500/35-20)

8 Sec. 35-20. Uniformity in procurement.

9 (a) The chief procurement officer for matters other than  
10 construction ~~Director of Central Management Services, the~~  
11 ~~Illinois Power Agency,~~ and the higher education chief  
12 procurement officer shall each develop, cause to be printed,  
13 and distribute uniform documents for the solicitation, review,  
14 and acceptance of all professional and artistic services.

15 (b) All chief procurement officers, State purchasing  
16 officers, and their designees shall use the appropriate uniform  
17 procedures and forms specified in this Code for all  
18 professional and artistic services.

19 (c) These forms shall include in detail, in writing, at  
20 least:

- 21 (1) a description of the goal to be achieved;  
22 (2) the services to be performed;  
23 (3) the need for the service;  
24 (4) the qualifications that are necessary; and  
25 (5) a plan for post-performance review.

1 (Source: P.A. 95-481, eff. 8-28-07.)

2 (30 ILCS 500/35-25)

3 Sec. 35-25. Uniformity in contract.

4 (a) The chief procurement officer for matters other than  
5 construction ~~Director of Central Management Services, the~~  
6 ~~Illinois Power Agency,~~ and the higher education chief  
7 procurement officer shall each develop, cause to be printed,  
8 and distribute uniform documents for the contracting of  
9 professional and artistic services.

10 (b) All chief procurement officers, State purchasing  
11 officers, and their designees shall use the appropriate uniform  
12 contracts and forms in contracting for all professional and  
13 artistic services.

14 (c) These contracts and forms shall include in detail, in  
15 writing, at least:

16 (1) the detail listed in subsection (c) of Section  
17 35-20;

18 (2) the duration of the contract, with a schedule of  
19 delivery, when applicable;

20 (3) the method for charging and measuring cost (hourly,  
21 per day, etc.);

22 (4) the rate of remuneration; and

23 (5) the maximum price.

24 (Source: P.A. 95-481, eff. 8-28-07.)



1 (30 ILCS 500/35-30)

2 Sec. 35-30. Awards.

3 (a) All State contracts for professional and artistic  
4 services, except as provided in this Section, shall be awarded  
5 using the competitive request for proposal process outlined in  
6 this Section.

7 (b) For each contract offered, the chief procurement  
8 officer, State purchasing officer, or his or her designee shall  
9 use the appropriate standard solicitation forms available from  
10 the chief procurement officer for matters other than  
11 construction ~~Department of Central Management Services, the~~  
12 ~~Illinois Power Agency,~~ or the higher education chief  
13 procurement officer.

14 (c) Prepared forms shall be submitted to the chief  
15 procurement officer for matters other than construction  
16 ~~Department of Central Management Services, the Illinois Power~~  
17 ~~Agency,~~ or the higher education chief procurement officer,  
18 whichever is appropriate, for publication in its Illinois  
19 Procurement Bulletin and circulation to the chief procurement  
20 officer for matters other than construction ~~Department of~~  
21 ~~Central Management Services~~ or the higher education chief  
22 procurement officer's list of prequalified vendors. Notice of  
23 the offer or request for proposal shall appear at least 14 days  
24 before the response to the offer is due.

25 (d) All interested respondents shall return their  
26 responses to the chief procurement officer for matters other

1 ~~than construction Department of Central Management Services,~~  
2 ~~the Illinois Power Agency,~~ or the higher education chief  
3 procurement officer, whichever is appropriate, which shall  
4 open and record them. The chief procurement officer for matters  
5 other than construction Department or higher education chief  
6 procurement officer then shall forward the responses, together  
7 with any information it has available about the qualifications  
8 and other State work of the respondents.

9 (e) After evaluation, ranking, and selection, the  
10 responsible chief procurement officer, State purchasing  
11 officer, or his or her designee shall notify the chief  
12 procurement officer for matters other than construction  
13 ~~Department of Central Management Services, the Illinois Power~~  
14 ~~Agency,~~ or the higher education chief procurement officer,  
15 whichever is appropriate, of the successful respondent and  
16 shall forward a copy of the signed contract for the chief  
17 procurement officer for matters other than construction  
18 ~~Department's, Agency's,~~ or higher education chief procurement  
19 officer's file. The chief procurement officer for matters other  
20 than construction Department, Agency, or higher education  
21 chief procurement officer shall publish the names of the  
22 responsible procurement decision-maker, the agency letting the  
23 contract, the successful respondent, a contract reference, and  
24 value of the let contract in the next appropriate volume of the  
25 Illinois Procurement Bulletin.

26 (f) For all professional and artistic contracts with

1 annualized value that exceeds \$25,000, evaluation and ranking  
2 by price are required. Any chief procurement officer or State  
3 purchasing officer, but not their designees, may select an  
4 offeror other than the lowest bidder by price. In any case,  
5 when the contract exceeds the \$25,000 threshold and the lowest  
6 bidder is not selected, the chief procurement officer or the  
7 State purchasing officer shall forward together with the  
8 contract notice of who the low bidder was and a written  
9 decision as to why another was selected to the chief  
10 procurement officer for matters other than construction  
11 ~~Department of Central Management Services, the Illinois Power~~  
12 ~~Agency,~~ or the higher education chief procurement officer,  
13 whichever is appropriate. The chief procurement officer for  
14 matters other than construction ~~Department, Agency,~~ or higher  
15 education chief procurement officer shall publish as provided  
16 in subsection (e) of Section 35-30, but shall include notice of  
17 the chief procurement officer's or State purchasing officer's  
18 written decision.

19 (g) The chief procurement officer for matters other than  
20 construction ~~Department of Central Management Services, the~~  
21 ~~Illinois Power Agency,~~ and higher education chief procurement  
22 officer may each refine, but not contradict, this Section by  
23 promulgating rules for submission to the Procurement Policy  
24 Board and then to the Joint Committee on Administrative Rules.  
25 Any refinement shall be based on the principles and procedures  
26 of the federal Architect-Engineer Selection Law, Public Law

1 92-582 Brooks Act, and the Architectural, Engineering, and Land  
2 Surveying Qualifications Based Selection Act; except that  
3 pricing shall be an integral part of the selection process.

4 (Source: P.A. 95-331, eff. 8-21-07; 95-481, eff. 8-28-07.)

5 (30 ILCS 500/35-35)

6 Sec. 35-35. Exceptions.

7 (a) Exceptions to Section 35-30 are allowed for sole source  
8 procurements, emergency procurements, and at the discretion of  
9 the chief procurement officer or the State purchasing officer,  
10 but not their designees, for professional and artistic  
11 contracts that are nonrenewable, one year or less in duration,  
12 and have a value of less than \$20,000.

13 (b) All exceptions granted under this Article must still be  
14 submitted to the chief procurement officer for matters other  
15 than construction ~~Department of Central Management Services,~~  
16 ~~the Illinois Power Agency,~~ or the higher education chief  
17 procurement officer, whichever is appropriate, and published  
18 as provided for in subsection (f) of Section 35-30, shall name  
19 the authorizing chief procurement officer or State purchasing  
20 officer, and shall include a brief explanation of the reason  
21 for the exception.

22 (Source: P.A. 95-481, eff. 8-28-07.)

23 (30 ILCS 500/35-40)

24 Sec. 35-40. Subcontractors.

1 (a) Any contract granted under this Article shall state  
2 whether the services of a subcontractor will be used. The  
3 contract shall include the names and addresses of all  
4 subcontractors and the expected amount of money each will  
5 receive under the contract.

6 (b) If at any time during the term of a contract, a  
7 contractor adds or changes any subcontractors, he or she shall  
8 promptly notify, in writing, the chief procurement officer for  
9 matters other than construction ~~Department of Central~~  
10 ~~Management Services, the Illinois Power Agency,~~ or the higher  
11 education chief procurement officer, whichever is appropriate,  
12 and the responsible ~~chief procurement officer,~~ State  
13 purchasing officer, or their designee of the names and  
14 addresses and the expected amount of money each new or replaced  
15 subcontractor will receive.

16 (Source: P.A. 95-481, eff. 8-28-07.)

17 (30 ILCS 500/40-15)

18 Sec. 40-15. Method of source selection.

19 (a) Request for information. Except as provided in  
20 subsections (b) and (c), all State contracts for leases of real  
21 property or capital improvements shall be awarded by a request  
22 for information process in accordance with Section 40-20.

23 (b) Other methods. A request for information process need  
24 not be used in procuring any of the following leases:

25 (1) Property of less than 10,000 square feet with rent

1 of less than \$100,000 per year.

2 (2) (Blank) ~~Rent of less than \$100,000 per year.~~

3 (3) Duration of less than one year that cannot be  
4 renewed.

5 (4) Specialized space available at only one location.

6 (5) Renewal or extension of a lease; provided that: (i)  
7 the chief procurement officer determines in writing that  
8 the renewal or extension is in the best interest of the  
9 State; (ii) the chief procurement officer submits his or  
10 her written determination and the renewal or extension to  
11 the Board; (iii) the Board does not object in writing to  
12 the renewal or extension within 30 days after its  
13 submission; and (iv) the chief procurement officer  
14 publishes the renewal or extension in the appropriate  
15 volume of the Procurement Bulletin.

16 (c) Leases with governmental units. Leases with other  
17 governmental units may be negotiated without using the request  
18 for information process when deemed by the chief procurement  
19 officer to be in the best interest of the State.

20 (Source: P.A. 95-647, eff. 10-11-07.)

21 (30 ILCS 500/50-10.5)

22 (Text of Section before amendment by P.A. 96-795)

23 Sec. 50-10.5. Prohibited bidders and contractors.

24 (a) Unless otherwise provided, no business shall bid or  
25 enter into a contract with the State of Illinois or any State

1 agency if the business or any officer, director, partner, or  
2 other managerial agent of the business has been convicted of a  
3 felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or  
4 Class 2 felony under the Illinois Securities Law of 1953 for a  
5 period of 5 years from the date of conviction.

6 (b) Every bid submitted to and contract executed by the  
7 State shall contain a certification by the bidder or contractor  
8 that the contractor is not barred from being awarded a contract  
9 under this Section and that the contractor acknowledges that  
10 the contracting State agency shall declare the contract void if  
11 the certification completed pursuant to this subsection (b) is  
12 false.

13 (c) If a business is not a natural person, the prohibition  
14 in subsection (a) applies only if:

15 (1) the business itself is convicted of a felony  
16 referenced in subsection (a); or

17 (2) the business is ordered to pay punitive damages  
18 based on the conduct of any officer, director, partner, or  
19 other managerial agent who has been convicted of a felony  
20 referenced in subsection (a).

21 (d) A natural person who is convicted of a felony  
22 referenced in subsection (a) remains subject to Section 50-10.

23 (Source: P.A. 93-600, eff. 1-1-04.)

24 (Text of Section after amendment by P.A. 96-795)

25 Sec. 50-10.5. Prohibited bidders and contractors.

1 (a) Unless otherwise provided, no business shall bid or  
2 enter into a contract or subcontract under this Code if the  
3 business or any officer, director, partner, or other managerial  
4 agent of the business has been convicted of a felony under the  
5 Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under  
6 the Illinois Securities Law of 1953 for a period of 5 years  
7 from the date of conviction.

8 (b) Every bid submitted to and contract executed by the  
9 State and every subcontract subject to Section 20-120 of this  
10 Code shall contain a certification by the bidder, contractor,  
11 or subcontractor, respectively, that the bidder, contractor,  
12 or subcontractor is not barred from being awarded a contract or  
13 subcontract under this Section and acknowledges that the chief  
14 procurement officer shall declare the related contract void if  
15 any of the certifications completed pursuant to this subsection  
16 (b) are false.

17 (c) If a business is not a natural person, the prohibition  
18 in subsection (a) applies only if:

19 (1) the business itself is convicted of a felony  
20 referenced in subsection (a); or

21 (2) the business is ordered to pay punitive damages  
22 based on the conduct of any officer, director, partner, or  
23 other managerial agent who has been convicted of a felony  
24 referenced in subsection (a).

25 (d) A natural person who is convicted of a felony  
26 referenced in subsection (a) remains subject to Section 50-10.



1 (e) No person or business shall bid or enter into a  
2 contract under this Code if the person or business:

3 (1) assisted the State of Illinois or a State agency in  
4 determining whether there is a need for a contract except  
5 as part of a response to a publicly issued request for  
6 information; or

7 (2) assisted the State of Illinois or a State agency by  
8 reviewing, drafting, or preparing any invitation for bids,  
9 a request for proposal, ~~proposals~~ or request for  
10 information or provided similar assistance except as part  
11 of a publicly issued opportunity to review drafts of all or  
12 part of these documents.

13 This subsection does not prohibit a person or business from  
14 submitting a bid or proposal or entering into a contract if the  
15 person or business: (i) initiates a communication to provide  
16 general information about products, services, or industry best  
17 practices and, if applicable, that communication is documented  
18 in accordance with Section 50-39 or (ii) responds to a  
19 communication initiated by an employee of the State for the  
20 purposes of providing information to evaluate new products,  
21 trends, services, or technologies.

22 For purposes of this subsection (e), "business" includes  
23 all individuals with whom a business is affiliated, including,  
24 but not limited to, any officer, agent, employee, consultant,  
25 independent contractor, director, partner, manager, or  
26 shareholder of a business.

1 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
2 for the effective date of changes made by P.A. 96-795).)

3 (30 ILCS 500/50-35)

4 (Text of Section before amendment by P.A. 96-795)

5 Sec. 50-35. Disclosure and potential conflicts of  
6 interest.

7 (a) All offers from responsive bidders or offerors with an  
8 annual value of more than \$10,000 shall be accompanied by  
9 disclosure of the financial interests of the contractor,  
10 bidder, or proposer. The financial disclosure of each  
11 successful bidder or offeror shall become part of the publicly  
12 available contract or procurement file maintained by the  
13 appropriate chief procurement officer.

14 (b) Disclosure by the responsive bidders or offerors shall  
15 include any ownership or distributive income share that is in  
16 excess of 5%, or an amount greater than 60% of the annual  
17 salary of the Governor, of the bidding entity or its parent  
18 entity, whichever is less, unless the contractor or bidder (i)  
19 is a publicly traded entity subject to Federal 10K reporting,  
20 in which case it may submit its 10K disclosure in place of the  
21 prescribed disclosure, or (ii) is a privately held entity that  
22 is exempt from Federal 10k reporting but has more than 400  
23 shareholders, in which case it may submit the information that  
24 Federal 10k reporting companies are required to report under 17  
25 CFR 229.401 and list the names of any person or entity holding

1 any ownership share that is in excess of 5% in place of the  
2 prescribed disclosure. The form of disclosure shall be  
3 prescribed by the applicable chief procurement officer and must  
4 include at least the names, addresses, and dollar or  
5 proportionate share of ownership of each person identified in  
6 this Section, their instrument of ownership or beneficial  
7 relationship, and notice of any potential conflict of interest  
8 resulting from the current ownership or beneficial  
9 relationship of each person identified in this Section having  
10 in addition any of the following relationships:

11 (1) State employment, currently or in the previous 3  
12 years, including contractual employment of services.

13 (2) State employment of spouse, father, mother, son, or  
14 daughter, including contractual employment for services in  
15 the previous 2 years.

16 (3) Elective status; the holding of elective office of  
17 the State of Illinois, the government of the United States,  
18 any unit of local government authorized by the Constitution  
19 of the State of Illinois or the statutes of the State of  
20 Illinois currently or in the previous 3 years.

21 (4) Relationship to anyone holding elective office  
22 currently or in the previous 2 years; spouse, father,  
23 mother, son, or daughter.

24 (5) Appointive office; the holding of any appointive  
25 government office of the State of Illinois, the United  
26 States of America, or any unit of local government

1 authorized by the Constitution of the State of Illinois or  
2 the statutes of the State of Illinois, which office  
3 entitles the holder to compensation in excess of expenses  
4 incurred in the discharge of that office currently or in  
5 the previous 3 years.

6 (6) Relationship to anyone holding appointive office  
7 currently or in the previous 2 years; spouse, father,  
8 mother, son, or daughter.

9 (7) Employment, currently or in the previous 3 years,  
10 as or by any registered lobbyist of the State government.

11 (8) Relationship to anyone who is or was a registered  
12 lobbyist in the previous 2 years; spouse, father, mother,  
13 son, or daughter.

14 (9) Compensated employment, currently or in the  
15 previous 3 years, by any registered election or re-election  
16 committee registered with the Secretary of State or any  
17 county clerk in the State of Illinois, or any political  
18 action committee registered with either the Secretary of  
19 State or the Federal Board of Elections.

20 (10) Relationship to anyone; spouse, father, mother,  
21 son, or daughter; who is or was a compensated employee in  
22 the last 2 years of any registered election or re-election  
23 committee registered with the Secretary of State or any  
24 county clerk in the State of Illinois, or any political  
25 action committee registered with either the Secretary of  
26 State or the Federal Board of Elections.

1           (c) The disclosure in subsection (b) is not intended to  
2 prohibit or prevent any contract. The disclosure is meant to  
3 fully and publicly disclose any potential conflict to the chief  
4 procurement officers, State purchasing officers, their  
5 designees, and executive officers so they may adequately  
6 discharge their duty to protect the State.

7           (d) In the case of any contract for personal services in  
8 excess of \$50,000; any contract competitively bid in excess of  
9 \$250,000; any other contract in excess of \$50,000; when a  
10 potential for a conflict of interest is identified, discovered,  
11 or reasonably suspected it shall be reviewed and commented on  
12 in writing by the Governor of the State of Illinois, or by an  
13 executive ethics board or commission he or she might designate.  
14 The comment shall be returned to the responsible chief  
15 procurement officer who must rule in writing whether to void or  
16 allow the contract, bid, offer, or proposal weighing the best  
17 interest of the State of Illinois. The comment and  
18 determination shall become a publicly available part of the  
19 contract, bid, or proposal file.

20           (e) These thresholds and disclosure do not relieve the  
21 chief procurement officer, the State purchasing officer, or  
22 their designees from reasonable care and diligence for any  
23 contract, bid, offer, or proposal. The chief procurement  
24 officer, the State purchasing officer, or their designees shall  
25 be responsible for using any reasonably known and publicly  
26 available information to discover any undisclosed potential

1 conflict of interest and act to protect the best interest of  
2 the State of Illinois.

3 (f) Inadvertent or accidental failure to fully disclose  
4 shall render the contract, bid, proposal, or relationship  
5 voidable by the chief procurement officer if he or she deems it  
6 in the best interest of the State of Illinois and, at his or  
7 her discretion, may be cause for barring from future contracts,  
8 bids, proposals, or relationships with the State for a period  
9 of up to 2 years.

10 (g) Intentional, willful, or material failure to disclose  
11 shall render the contract, bid, proposal, or relationship  
12 voidable by the chief procurement officer if he or she deems it  
13 in the best interest of the State of Illinois and shall result  
14 in debarment from future contracts, bids, proposals, or  
15 relationships for a period of not less than 2 years and not  
16 more than 10 years. Reinstatement after 2 years and before 10  
17 years must be reviewed and commented on in writing by the  
18 Governor of the State of Illinois, or by an executive ethics  
19 board or commission he or she might designate. The comment  
20 shall be returned to the responsible chief procurement officer  
21 who must rule in writing whether and when to reinstate.

22 (h) In addition, all disclosures shall note any other  
23 current or pending contracts, proposals, leases, or other  
24 ongoing procurement relationships the bidding, proposing, or  
25 offering entity has with any other unit of State government and  
26 shall clearly identify the unit and the contract, proposal,

1 lease, or other relationship.

2 (Source: P.A. 95-331, eff. 8-21-07.)

3 (Text of Section after amendment by P.A. 96-795)

4 Sec. 50-35. Financial disclosure and potential conflicts  
5 of interest.

6 (a) All offers from responsive bidders or offerors with an  
7 annual value of more than \$25,000 ~~\$10,000~~, and all subcontracts  
8 identified as, ~~copies of which must be~~ provided by Section  
9 20-120 of this Code, shall be accompanied by disclosure of the  
10 financial interests of the contractor, bidder, or proposer and  
11 each subcontractor to be used. The financial disclosure of each  
12 successful bidder or offeror and its subcontractors shall be  
13 incorporated as a material term of the contract and shall  
14 become part of the publicly available contract or procurement  
15 file maintained by the appropriate chief procurement officer.  
16 Each disclosure under this Section and Section 50-34 shall be  
17 signed and made under penalty of perjury by an authorized  
18 officer or employee on behalf of the bidder or offeror, and  
19 must be filed with the Procurement Policy Board.

20 (b) Disclosure shall include any ownership or distributive  
21 income share that is in excess of 5%, or an amount greater than  
22 60% of the annual salary of the Governor, of the disclosing  
23 entity or its parent entity, whichever is less, unless the  
24 contractor, bidder, or subcontractor (i) is a publicly traded  
25 entity subject to Federal 10K reporting, in which case it may

1 submit its 10K disclosure in place of the prescribed  
2 disclosure, or (ii) is a privately held entity that is exempt  
3 from Federal 10k reporting but has more than 400 shareholders,  
4 in which case it may submit the information that Federal 10k  
5 reporting companies are required to report under 17 CFR 229.401  
6 and list the names of any person or entity holding any  
7 ownership share that is in excess of 5% in place of the  
8 prescribed disclosure. The form of disclosure shall be  
9 prescribed by the applicable chief procurement officer and must  
10 include at least the names, addresses, and dollar or  
11 proportionate share of ownership of each person identified in  
12 this Section, their instrument of ownership or beneficial  
13 relationship, and notice of any potential conflict of interest  
14 resulting from the current ownership or beneficial  
15 relationship of each person identified in this Section having  
16 in addition any of the following relationships:

17 (1) State employment, currently or in the previous 3  
18 years, including contractual employment of services.

19 (2) State employment of spouse, father, mother, son, or  
20 daughter, including contractual employment for services in  
21 the previous 2 years.

22 (3) Elective status; the holding of elective office of  
23 the State of Illinois, the government of the United States,  
24 any unit of local government authorized by the Constitution  
25 of the State of Illinois or the statutes of the State of  
26 Illinois currently or in the previous 3 years.



1           (4) Relationship to anyone holding elective office  
2           currently or in the previous 2 years; spouse, father,  
3           mother, son, or daughter.

4           (5) Appointive office; the holding of any appointive  
5           government office of the State of Illinois, the United  
6           States of America, or any unit of local government  
7           authorized by the Constitution of the State of Illinois or  
8           the statutes of the State of Illinois, which office  
9           entitles the holder to compensation in excess of expenses  
10          incurred in the discharge of that office currently or in  
11          the previous 3 years.

12          (6) Relationship to anyone holding appointive office  
13          currently or in the previous 2 years; spouse, father,  
14          mother, son, or daughter.

15          (7) Employment, currently or in the previous 3 years,  
16          as or by any registered lobbyist of the State government.

17          (8) Relationship to anyone who is or was a registered  
18          lobbyist in the previous 2 years; spouse, father, mother,  
19          son, or daughter.

20          (9) Compensated employment, currently or in the  
21          previous 3 years, by any registered election or re-election  
22          committee registered with the Secretary of State or any  
23          county clerk in the State of Illinois, or any political  
24          action committee registered with either the Secretary of  
25          State or the Federal Board of Elections.

26          (10) Relationship to anyone; spouse, father, mother,

1 son, or daughter; who is or was a compensated employee in  
2 the last 2 years of any registered election or re-election  
3 committee registered with the Secretary of State or any  
4 county clerk in the State of Illinois, or any political  
5 action committee registered with either the Secretary of  
6 State or the Federal Board of Elections.

7 (b-1) The disclosure required under this Section must also  
8 include the name and address of each lobbyist required to  
9 register under the Lobbyist Registration Act and other agent of  
10 the bidder or offeror who is not identified under subsections  
11 (a) and (b) and who has communicated, is communicating, or may  
12 communicate with any State officer or employee concerning the  
13 bid or offer. The disclosure under this subsection is a  
14 continuing obligation and must be promptly supplemented for  
15 accuracy throughout the process and throughout the term of the  
16 contract if the bid or offer is successful.

17 (b-2) The disclosure required under this Section must also  
18 include, for each of the persons identified in subsection (b)  
19 or (b-1), each of the following that occurred within the  
20 previous 10 years: debarment from contracting with any  
21 governmental entity; professional licensure discipline;  
22 bankruptcies; adverse civil judgments and administrative  
23 findings; and criminal felony convictions. The disclosure  
24 under this subsection is a continuing obligation and must be  
25 promptly supplemented for accuracy throughout the process and  
26 throughout the term of the contract if the bid or offer is

1 successful.

2 (c) The disclosure in subsection (b) is not intended to  
3 prohibit or prevent any contract. The disclosure is meant to  
4 fully and publicly disclose any potential conflict to the chief  
5 procurement officers, State purchasing officers, their  
6 designees, and executive officers so they may adequately  
7 discharge their duty to protect the State.

8 (d) When a potential for a conflict of interest is  
9 identified, discovered, or reasonably suspected, the chief  
10 procurement officer or State procurement officer shall send the  
11 contract to the Procurement Policy Board. The Board shall  
12 recommend, in writing, whether to allow or void the contract,  
13 bid, offer, or subcontract weighing the best interest of the  
14 State of Illinois. All recommendations shall be submitted to  
15 the chief procurement officer. The chief procurement officer  
16 must hold a public hearing if the Procurement Policy Board  
17 makes a recommendation to (i) void a contract or (ii) void a  
18 bid or offer and the chief procurement officer selected or  
19 intends to award the contract to the bidder or offeror. A chief  
20 procurement officer is prohibited from awarding a contract  
21 before a hearing if the Board recommendation does not support a  
22 bid or offer. The recommendation and proceedings of any  
23 hearing, if applicable, shall become part of the contract, bid,  
24 or proposal file and shall be available to the public.

25 (e) These thresholds and disclosure do not relieve the  
26 chief procurement officer, the State purchasing officer, or

1 their designees from reasonable care and diligence for any  
2 contract, bid, offer, or proposal. The chief procurement  
3 officer, the State purchasing officer, or their designees shall  
4 be responsible for using any reasonably known and publicly  
5 available information to discover any undisclosed potential  
6 conflict of interest and act to protect the best interest of  
7 the State of Illinois.

8 (f) Inadvertent or accidental failure to fully disclose  
9 shall render the contract, bid, proposal, subcontract, or  
10 relationship voidable by the chief procurement officer if he or  
11 she deems it in the best interest of the State of Illinois and,  
12 at his or her discretion, may be cause for barring from future  
13 contracts, bids, proposals, subcontracts, or relationships  
14 with the State for a period of up to 2 years.

15 (g) Intentional, willful, or material failure to disclose  
16 shall render the contract, bid, proposal, subcontract, or  
17 relationship voidable by the chief procurement officer if he or  
18 she deems it in the best interest of the State of Illinois and  
19 shall result in debarment from future contracts, bids,  
20 proposals, subcontracts, or relationships for a period of not  
21 less than 2 years and not more than 10 years. Reinstatement  
22 after 2 years and before 10 years must be reviewed and  
23 commented on in writing by the Governor of the State of  
24 Illinois, or by an executive ethics board or commission he or  
25 she might designate. The comment shall be returned to the  
26 responsible chief procurement officer who must rule in writing

1 whether and when to reinstate.

2 (h) In addition, all disclosures shall note any other  
3 current or pending contracts, proposals, subcontracts, leases,  
4 or other ongoing procurement relationships the bidding,  
5 proposing, offering, or subcontracting entity has with any  
6 other unit of State government and shall clearly identify the  
7 unit and the contract, proposal, lease, or other relationship.

8 (i) The contractor or bidder has a continuing obligation to  
9 supplement the disclosure required by this Section throughout  
10 the bidding process or during the term of any contract.

11 (Source: P.A. 95-331, eff. 8-21-07; 96-795, eff. 7-1-10 (see  
12 Section 5 of P.A. 96-793 for the effective date of changes made  
13 by P.A. 96-795).)

14 (30 ILCS 500/50-38)

15 (This Section may contain text from a Public Act with a  
16 delayed effective date)

17 Sec. 50-38. Lobbying restrictions.

18 (a) A person or business that is let or awarded a contract  
19 is not entitled to receive any payment, compensation, or other  
20 remuneration from the State to compensate the person or  
21 business for any expenses related to travel, lodging, or meals  
22 that are paid by the person or business to any officer, agent,  
23 employee, consultant, independent contractor, director,  
24 partner, manager, or shareholder.

25 (b) Any bidder or offeror on a State contract that hires a

1 person required to register under the Lobbyist Registration Act  
2 to assist in obtaining a contract shall (i) disclose all costs,  
3 fees, compensation, reimbursements, and other remunerations  
4 paid or to be paid to the lobbyist related to the contract,  
5 (ii) not bill or otherwise cause the State of Illinois to pay  
6 for any of the lobbyist's costs, fees, compensation,  
7 reimbursements, or other remuneration, and (iii) sign a  
8 verification certifying that none of the lobbyist's costs,  
9 fees, compensation, reimbursements, or other remuneration were  
10 billed to the State. This information, along with all  
11 supporting documents, shall be filed with the agency awarding  
12 the contract and with the Secretary of State. The chief  
13 procurement officer shall post this information, together with  
14 the contract award notice, in the online Procurement Bulletin.

15 (c) Ban on contingency fee. No person or entity shall  
16 retain a person or entity required to register under the  
17 Lobbyist Registration Act to attempt to influence the outcome  
18 of a procurement decision made under this Code for compensation  
19 contingent in whole or in part upon the decision or  
20 procurement. Any person who violates this subsection is guilty  
21 of a business offense and shall be fined not more than \$10,000.

22 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
23 for the effective date of P.A. 96-795).)

24 (30 ILCS 500/50-39)

25 (This Section may contain text from a Public Act with a

1 delayed effective date)

2 Sec. 50-39. Procurement communications reporting  
3 requirement.

4 (a) Any written or oral communication received by a State  
5 employee that imparts or requests material information or makes  
6 a material argument regarding potential action concerning a  
7 procurement matter, including, but not limited to, an  
8 application, a contract, or a project, shall be reported to the  
9 Procurement Policy Board. These communications do not include  
10 the following: (i) statements by a person publicly made in a  
11 public forum; (ii) statements regarding matters of procedure  
12 and practice, such as format, the number of copies required,  
13 the manner of filing, and the status of a matter; and (iii)  
14 statements made by a State employee of the agency to the agency  
15 head or other employees of that agency or to the employees of  
16 the Executive Ethics Commission. The provisions of this Section  
17 shall not apply to communications regarding the administration  
18 and implementation of an existing contract, except  
19 communications regarding change orders or the renewal or  
20 extension of a contract.

21 (b) The report required by subsection (a) shall be  
22 submitted monthly and include at least the following: (i) the  
23 date and time of each communication; (ii) the identity of each  
24 person from whom the written or oral communication was  
25 received, the individual or entity represented by that person,  
26 and any action the person requested or recommended; (iii) the

1 identity and job title of the person to whom each communication  
2 was made; (iv) if a response is made, the identity and job  
3 title of the person making each response; (v) a detailed  
4 summary of the points made by each person involved in the  
5 communication; (vi) the duration of the communication; (vii)  
6 the location or locations of all persons involved in the  
7 communication and, if the communication occurred by telephone,  
8 the telephone numbers for the callers and recipients of the  
9 communication; and (viii) any other pertinent information.

10 (c) Additionally, when an oral communication made by a  
11 person required to register under the Lobbyist Registration Act  
12 is received by a State employee that is covered under this  
13 Section, all individuals who initiate or participate in the  
14 oral communication shall submit a written report to that State  
15 employee that memorializes the communication and includes, but  
16 is not limited to, the items listed in subsection (b).

17 (d) The Procurement Policy Board shall make each report  
18 submitted pursuant to this Section available on its website  
19 within 7 days after its receipt of the report. The Procurement  
20 Policy Board may promulgate rules to ensure compliance with  
21 this Section.

22 (e) The reporting requirements shall also be conveyed  
23 through ethics training under the State Employees and Officials  
24 Ethics Act. An employee who knowingly and intentionally  
25 violates this Section shall be subject to suspension or  
26 discharge. The Executive Ethics Commission shall promulgate



1 rules, including emergency rules, to implement this Section.

2 (f) This Section becomes operative on January 1, 2011.

3 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
4 for the effective date of changes made by P.A. 96-795).)

5 Section 95. No acceleration or delay. Where this Act makes  
6 changes in a statute that is represented in this Act by text  
7 that is not yet or no longer in effect (for example, a Section  
8 represented by multiple versions), the use of that text does  
9 not accelerate or delay the taking effect of (i) the changes  
10 made by this Act or (ii) provisions derived from any other  
11 Public Act.

12 Section 99. Effective date. This Act takes effect July 1,  
13 2010.