



Rep. William Davis

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09700HB4466ham002

LRB097 16029 AMC 66371 a

1 AMENDMENT TO HOUSE BILL 4466

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4466 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Horse Racing Act of 1975 is  
5 amended by adding Section 12.2 as follows:

6 (230 ILCS 5/12.2 new)

7 Sec. 12.2. Business enterprise program.

8 (a) For the purposes of this Section, the terms "minority",  
9 "minority owned business", "female", "female owned business",  
10 "person with a disability", and "business owned by a person  
11 with a disability" have the meaning ascribed to them in the  
12 Business Enterprise for Minorities, Females, and Persons with  
13 Disabilities Act.

14 (b) The Board shall, by rule, establish goals for the award  
15 of contracts by each organization licensee, inter-track  
16 wagering licensee, inter-track wagering location licensee, or

1 advance deposit wagering licensee to businesses owned by  
2 minorities, females, and persons with disabilities, expressed  
3 as percentages of an organization licensee's, inter-track  
4 wagering licensee's, inter-track wagering location licensee's,  
5 or advance deposit wagering licensee's total dollar amount of  
6 contracts awarded during each calendar year. Each organization  
7 licensee, inter-track wagering licensee, inter-track wagering  
8 location licensee, or advance deposit wagering licensee must  
9 make every effort to meet the goals established by the Board  
10 pursuant to this Section.

11 (c) Each organization licensee, inter-track wagering  
12 licensee, inter-track wagering location licensee, or advance  
13 deposit wagering licensee shall file with the Board an annual  
14 report of its utilization of minority owned businesses, female  
15 owned businesses, and businesses owned by persons with  
16 disabilities during the preceding calendar year. The reports  
17 shall include a self-evaluation of the efforts of the  
18 organization licensee, inter-track wagering licensee,  
19 inter-track wagering location licensee, or advance deposit  
20 wagering licensee to meet its goals under this Section.

21 (d) The organization licensee, inter-track wagering  
22 licensee, inter-track wagering location licensee, or advance  
23 deposit wagering licensee shall have the right to request a  
24 waiver from the requirements of this Section. The Board shall  
25 grant the waiver where the organization licensee, inter-track  
26 wagering licensee, inter-track wagering location licensee, or

1 advance deposit wagering licensee demonstrates that there has  
2 been made a good faith effort to comply with the goals for  
3 participation by minority owned businesses, female owned  
4 businesses, and businesses owned by persons with disabilities.

5 (e) If the Board determines that its goals and policies are  
6 not being met by any organization licensee, inter-track  
7 wagering licensee, inter-track wagering location licensee, or  
8 advance deposit wagering licensee, then the Board may:

9 (1) adopt remedies for such violations, which may  
10 include revocation of the license; and

11 (2) recommend that the organization licensee,  
12 inter-track wagering licensee, inter-track wagering  
13 location licensee, or advance deposit wagering licensee  
14 provide additional opportunities for participation by  
15 minority owned businesses, female owned businesses, and  
16 businesses owned by persons with disabilities; such  
17 recommendations may include, but shall not be limited to:

18 (A) assurances of stronger and better focused  
19 solicitation efforts to obtain more minority owned  
20 businesses, female owned businesses, and businesses  
21 owned by persons with disabilities as potential  
22 sources of supply;

23 (B) division of job or project requirements, when  
24 economically feasible, into tasks or quantities to  
25 permit participation of minority owned businesses,  
26 female owned businesses, and businesses owned by

1           persons with disabilities;

2           (C) elimination of extended experience or  
3           capitalization requirements, when programmatically  
4           feasible, to permit participation of minority owned  
5           businesses, female owned businesses, and businesses  
6           owned by persons with disabilities;

7           (D) identification of specific proposed contracts  
8           as particularly attractive or appropriate for  
9           participation by minority owned businesses, female  
10           owned businesses, and businesses owned by persons with  
11           disabilities, such identification to result from and  
12           be coupled with the efforts of items (A) through (C);  
13           and

14           (E) implementation of regulations established for  
15           the use of the sheltered market process.

16           (f) The Board shall file, no later than March 1 of each  
17           year, an annual report that shall detail the level of  
18           achievement toward the goals specified in this Section over the  
19           3 most recent fiscal years. The annual report shall include,  
20           but need not be limited to:

21           (1) a summary detailing expenditures subject to the  
22           goals, the actual goals specified, and the goals attained  
23           by each organization licensee, inter-track wagering  
24           licensee, inter-track wagering location licensee, or  
25           advance deposit wagering licensee;

26           (2) a summary of the number of contracts awarded and

1 the average contract amount by each organization licensee,  
2 inter-track wagering licensee, inter-track wagering  
3 location licensee, or advance deposit wagering licensee;

4 (3) an analysis of the level of overall goal  
5 achievement concerning purchases from minority owned  
6 businesses, female owned businesses, and businesses owned  
7 by persons with disabilities;

8 (4) an analysis of the number of minority owned  
9 businesses, female owned businesses, and businesses owned  
10 by persons with disabilities that are certified under the  
11 program as well as the number of those businesses that  
12 received State procurement contracts; and

13 (5) a summary of the number of contracts awarded to  
14 businesses with annual gross sales of less than \$1,000,000;  
15 of \$1,000,000 or more, but less than \$5,000,000; of  
16 \$5,000,000 or more, but less than \$10,000,000; and of  
17 \$10,000,000 or more.

18 Section 10. The Riverboat Gambling Act is amended by adding  
19 Section 7.6 as follows:

20 (230 ILCS 10/7.6 new)

21 Sec. 7.6. Business enterprise program.

22 (a) For the purposes of this Section, the terms "minority",  
23 "minority owned business", "female", "female owned business",  
24 "person with a disability", and "business owned by a person

1 with a disability" have the meaning ascribed to them in the  
2 Business Enterprise for Minorities, Females, and Persons with  
3 Disabilities Act.

4 (b) The Board shall, by rule, establish goals for the award  
5 of contracts by each owners licensee to businesses owned by  
6 minorities, females, and persons with disabilities, expressed  
7 as percentages of an owners licensee's total dollar amount of  
8 contracts awarded during each calendar year. Each owners  
9 licensee must make every effort to meet the goals established  
10 by the Board pursuant to this Section.

11 (c) Each owners licensee shall file with the Board an  
12 annual report of its utilization of minority owned businesses,  
13 female owned businesses, and businesses owned by persons with  
14 disabilities during the preceding calendar year. The reports  
15 shall include a self-evaluation of the efforts of the owners  
16 licensee to meet its goals under this Section.

17 (d) The owners licensee shall have the right to request a  
18 waiver from the requirements of this Section. The Board shall  
19 grant the waiver where the owners licensee demonstrates that  
20 there has been made a good faith effort to comply with the  
21 goals for participation by minority owned businesses, female  
22 owned businesses, and businesses owned by persons with  
23 disabilities.

24 (e) If the Board determines that its goals and policies are  
25 not being met by any owners licensee, then the Board may:

26 (1) adopt remedies for such violations, which may

1 include revocation of the license; and

2 (2) recommend that the owners licensee provide  
3 additional opportunities for participation by minority  
4 owned businesses, female owned businesses, and businesses  
5 owned by persons with disabilities; such recommendations  
6 may include, but shall not be limited to:

7 (A) assurances of stronger and better focused  
8 solicitation efforts to obtain more minority owned  
9 businesses, female owned businesses, and businesses  
10 owned by persons with disabilities as potential  
11 sources of supply;

12 (B) division of job or project requirements, when  
13 economically feasible, into tasks or quantities to  
14 permit participation of minority owned businesses,  
15 female owned businesses, and businesses owned by  
16 persons with disabilities;

17 (C) elimination of extended experience or  
18 capitalization requirements, when programmatically  
19 feasible, to permit participation of minority owned  
20 businesses, female owned businesses, and businesses  
21 owned by persons with disabilities;

22 (D) identification of specific proposed contracts  
23 as particularly attractive or appropriate for  
24 participation by minority owned businesses, female  
25 owned businesses, and businesses owned by persons with  
26 disabilities, such identification to result from and

1 be coupled with the efforts of items (A) through (C);

2 and

3 (E) implementation of regulations established for  
4 the use of the sheltered market process.

5 (f) The Board shall file, no later than March 1 of each  
6 year, an annual report that shall detail the level of  
7 achievement toward the goals specified in this Section over the  
8 3 most recent fiscal years. The annual report shall include,  
9 but need not be limited to:

10 (1) a summary detailing expenditures subject to the  
11 goals, the actual goals specified, and the goals attained  
12 by each owners licensee;

13 (2) a summary of the number of contracts awarded and  
14 the average contract amount by each owners licensee;

15 (3) an analysis of the level of overall goal  
16 achievement concerning purchases from minority owned  
17 businesses, female owned businesses, and businesses owned  
18 by persons with disabilities;

19 (4) an analysis of the number of minority owned  
20 businesses, female owned businesses, and businesses owned  
21 by persons with disabilities that are certified under the  
22 program as well as the number of those businesses that  
23 received State procurement contracts; and

24 (5) a summary of the number of contracts awarded to  
25 businesses with annual gross sales of less than \$1,000,000;  
26 of \$1,000,000 or more, but less than \$5,000,000; of



1           \$5,000,000 or more, but less than \$10,000,000; and of  
2           \$10,000,000 or more.

3           Section 15. The Video Gaming Act is amended by adding  
4           Section 28 as follows:

5           (230 ILCS 40/28 new)

6           Sec. 28. Business enterprise program.

7           (a) For the purposes of this Section, the terms "minority",  
8           "minority owned business", "female", "female owned business",  
9           "person with a disability", and "business owned by a person  
10           with a disability" have the meaning ascribed to them in the  
11           Business Enterprise for Minorities, Females, and Persons with  
12           Disabilities Act.

13           (b) The Board shall, by rule, establish goals for the award  
14           of contracts by each licensed establishment, licensed truck  
15           stop establishment, licensed fraternal establishment, licensed  
16           veterans establishment, or terminal operator to businesses  
17           owned by minorities, females, and persons with disabilities,  
18           expressed as percentages of a licensed establishment's,  
19           licensed truck stop establishment's, licensed fraternal  
20           establishment's, licensed veterans establishment's, or  
21           terminal operator's total dollar amount of contracts awarded  
22           during each calendar year. Each licensed establishment,  
23           licensed truck stop establishment, licensed fraternal  
24           establishment, licensed veterans establishment, or terminal

1 operator must make every effort to meet the goals established  
2 by the Board pursuant to this Section.

3 (c) Each licensed establishment, licensed truck stop  
4 establishment, licensed fraternal establishment, licensed  
5 veterans establishment, or terminal operator shall file with  
6 the Board an annual report of its utilization of minority owned  
7 businesses, female owned businesses, and businesses owned by  
8 persons with disabilities during the preceding calendar year.  
9 The reports shall include a self-evaluation of the efforts of  
10 the licensed establishment, licensed truck stop establishment,  
11 licensed fraternal establishment, licensed veterans  
12 establishment, or terminal operator to meet its goals under  
13 this Section.

14 (d) The licensed establishment, licensed truck stop  
15 establishment, licensed fraternal establishment, licensed  
16 veterans establishment, or terminal operator shall have the  
17 right to request a waiver from the requirements of this  
18 Section. The Board shall grant the waiver where the licensed  
19 establishment, licensed truck stop establishment, licensed  
20 fraternal establishment, licensed veterans establishment, or  
21 terminal operator demonstrates that there has been made a good  
22 faith effort to comply with the goals for participation by  
23 minority owned businesses, female owned businesses, and  
24 businesses owned by persons with disabilities.

25 (e) If the Board determines that its goals and policies are  
26 not being met by any licensed establishment, licensed truck

1 stop establishment, licensed fraternal establishment, licensed  
2 veterans establishment, or terminal operator, then the Board  
3 may:

4 (1) adopt remedies for such violations, which may  
5 include revocation of the license; and

6 (2) recommend that the licensed establishment,  
7 licensed truck stop establishment, licensed fraternal  
8 establishment, licensed veterans establishment, or  
9 terminal operator provide additional opportunities for  
10 participation by minority owned businesses, female owned  
11 businesses, and businesses owned by persons with  
12 disabilities; such recommendations may include, but shall  
13 not be limited to:

14 (A) assurances of stronger and better focused  
15 solicitation efforts to obtain more minority owned  
16 businesses, female owned businesses, and businesses  
17 owned by persons with disabilities as potential  
18 sources of supply;

19 (B) division of job or project requirements, when  
20 economically feasible, into tasks or quantities to  
21 permit participation of minority owned businesses,  
22 female owned businesses, and businesses owned by  
23 persons with disabilities;

24 (C) elimination of extended experience or  
25 capitalization requirements, when programmatically  
26 feasible, to permit participation of minority owned

1 businesses, female owned businesses, and businesses  
2 owned by persons with disabilities;

3 (D) identification of specific proposed contracts  
4 as particularly attractive or appropriate for  
5 participation by minority owned businesses, female  
6 owned businesses, and businesses owned by persons with  
7 disabilities, such identification to result from and  
8 be coupled with the efforts of items (A) through (C);  
9 and

10 (E) implementation of regulations established for  
11 the use of the sheltered market process.

12 (f) The Board shall file, no later than March 1 of each  
13 year, an annual report that shall detail the level of  
14 achievement toward the goals specified in this Section over the  
15 3 most recent fiscal years. The annual report shall include,  
16 but need not be limited to:

17 (1) a summary detailing expenditures subject to the  
18 goals, the actual goals specified, and the goals attained  
19 by each licensed establishment, licensed truck stop  
20 establishment, licensed fraternal establishment, licensed  
21 veterans establishment, or terminal operator;

22 (2) a summary of the number of contracts awarded and  
23 the average contract amount by each licensed  
24 establishment, licensed truck stop establishment, licensed  
25 fraternal establishment, licensed veterans establishment,  
26 or terminal operator;

1           (3) an analysis of the level of overall goal  
2           achievement concerning purchases from minority owned  
3           businesses, female owned businesses, and businesses owned  
4           by persons with disabilities;

5           (4) an analysis of the number of minority owned  
6           businesses, female owned businesses, and businesses owned  
7           by persons with disabilities that are certified under the  
8           program as well as the number of those businesses that  
9           received State procurement contracts; and

10           (5) a summary of the number of contracts awarded to  
11           businesses with annual gross sales of less than \$1,000,000;  
12           of \$1,000,000 or more, but less than \$5,000,000; of  
13           \$5,000,000 or more, but less than \$10,000,000; and of  
14           \$10,000,000 or more.

15           Section 99. Effective date. This Act takes effect upon  
16           becoming law."