



Sen. James F. Clayborne, Jr.

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1 AMENDMENT TO SENATE BILL 350

2 AMENDMENT NO. _____. Amend Senate Bill 350 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Section 10-15 as follows:

6 (30 ILCS 500/10-15)

7 Sec. 10-15. Procurement compliance monitors.

8 (a) The Procurement Policy Board ~~Executive Ethics~~
9 ~~Commission~~ shall appoint procurement compliance monitors to
10 oversee and review the procurement processes. Each procurement
11 compliance monitor shall serve a term of 5 years beginning on
12 the date of the officer's appointment. The changes made by this
13 amendatory Act of the 97th General Assembly do not affect the
14 terms of the procurement compliance monitors serving on the
15 effective date of this amendatory Act of the 97th General
16 Assembly. Each procurement compliance monitor shall have an

1 office located in the State agency that the monitor serves but
2 shall report to the Procurement Policy Board ~~appropriate chief~~
3 ~~procurement officer~~. The compliance monitor shall have direct
4 communications with the executive officer of a State agency in
5 exercising duties. A procurement compliance monitor may be
6 removed only for cause after a hearing by the Procurement
7 Policy Board ~~Executive Ethics Commission~~. The appropriate
8 chief procurement officer or executive officer of the State
9 agency housing the procurement compliance monitor may
10 institute a complaint against the procurement compliance
11 monitor with the Board ~~Commission~~ and the Board ~~Commission~~
12 shall hold a public hearing based on the complaint. The
13 procurement compliance monitor, State purchasing officer,
14 appropriate chief procurement officer, and executive officer
15 of the State agency shall receive notice of the hearing and
16 shall be permitted to present their respective arguments on the
17 complaint. After the hearing, upon a three-fifths vote, the
18 Board ~~Commission~~ shall determine whether the procurement
19 compliance monitor shall be removed. The salary of a
20 procurement compliance monitor shall be established by the
21 Procurement Policy Board ~~Executive Ethics Commission~~ and may
22 not be diminished during the officer's term.

23 (b) The procurement compliance monitor may: (i) review each
24 contract or contract amendment prior to execution to ensure
25 that applicable procurement and contracting standards were
26 followed; (ii) attend any procurement meetings; (iii) access

1 any records or files related to procurement; (iv) issue reports
2 to the Procurement Policy Board and the chief procurement
3 officer on procurement issues that present issues or that have
4 not been corrected after consultation with appropriate State
5 officials; (v) ensure the State agency is maintaining
6 appropriate records; and (vi) ensure transparency of the
7 procurement process.

8 (c) If the procurement compliance monitor is aware of
9 misconduct, waste, or inefficiency with respect to State
10 procurement, the procurement compliance monitor shall advise
11 the State agency of the issue. If the State agency does not
12 correct the issue, the monitor shall report the problem to the
13 Procurement Policy Board, the chief procurement officer, and
14 Inspector General.

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

17 Section 99. Effective date. This Act takes effect July 1,
18 2012."