

SB3785



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3785

Introduced 2/10/2012, by Sen. Jeffrey M. Schoenberg

SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-10

Amends the Illinois Procurement Code. Makes a technical change in a Section concerning resident bidders.

LRB097 17302 PJG 62503 b

A BILL FOR

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 45-10 as follows:

6 (30 ILCS 500/45-10)

7 Sec. 45-10. Resident bidders.

8 (a) Amount of preference. When a contract is to be awarded
9 to the ~~the~~ lowest responsible bidder, a resident bidder shall
10 be allowed a preference as against a non-resident bidder from
11 any state that gives or requires a preference to bidders from
12 that state. The preference shall be equal to the preference
13 given or required by the state of the non-resident bidder.
14 Further, if only non-resident bidders are bidding, the
15 purchasing agency is within its right to specify that Illinois
16 labor and manufacturing locations be used as a part of the
17 manufacturing process, if applicable. This specification may
18 be negotiated as part of the solicitation process.

19 (b) Residency. A resident bidder is a person authorized to
20 transact business in this State and having a bona fide
21 establishment for transacting business within this State where
22 it was actually transacting business on the date when any bid
23 for a public contract is first advertised or announced. A

1 resident bidder includes a foreign corporation duly authorized
2 to transact business in this State that has a bona fide
3 establishment for transacting business within this State where
4 it was actually transacting business on the date when any bid
5 for a public contract is first advertised or announced.

6 (c) Federal funds. This Section does not apply to any
7 contract for any project as to which federal funds are
8 available for expenditure when its provisions may be in
9 conflict with federal law or federal regulation.

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