

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 Sections 4 and 9 as follows:

7 (30 ILCS 575/4) (from Ch. 127, par. 132.604)

8 (Section scheduled to be repealed on June 30, 2016)

9 Sec. 4. Award of State contracts.

10 (a) Except as provided in subsections (b) and (c), not less  
11 than 20% of the total dollar amount of State contracts, as  
12 defined by the Secretary of the Council and approved by the  
13 Council, shall be established as an aspirational goal to be  
14 awarded to businesses owned by minorities, females, and persons  
15 with disabilities; provided, however, that of the total amount  
16 of all State contracts awarded to businesses owned by  
17 minorities, females, and persons with disabilities pursuant to  
18 this Section, contracts representing at least 11% shall be  
19 awarded to businesses owned by minorities, contracts  
20 representing at least 7% shall be awarded to female-owned  
21 businesses, and contracts representing at least 2% shall be  
22 awarded to businesses owned by persons with disabilities.

23 The above percentage relates to the total dollar amount of

1 State contracts during each State fiscal year, calculated by  
2 examining independently each type of contract for each agency  
3 or public institutions of higher education which lets such  
4 contracts. Only that percentage of arrangements which  
5 represents the participation of businesses owned by  
6 minorities, females, and persons with disabilities on such  
7 contracts shall be included.

8 (b) In the case of State construction contracts, the  
9 provisions of subsection (a) requiring a portion of State  
10 contracts to be awarded to businesses owned and controlled by  
11 persons with disabilities do not apply. The following  
12 aspirational goals are established for State construction  
13 contracts: not less than 20% of the total dollar amount of  
14 State construction contracts is established as a goal to be  
15 awarded to minority and female owned businesses, and contracts  
16 representing 50% of the amount of all State construction  
17 contracts awarded to minority and female owned businesses shall  
18 be awarded to female owned businesses.

19 (c) In the case of all work undertaken by the University of  
20 Illinois related to the planning, organization, and staging of  
21 the games, the University of Illinois shall establish a goal of  
22 awarding not less than 25% of the annual dollar value of all  
23 contracts, purchase orders, and other agreements (collectively  
24 referred to as "the contracts") to minority-owned businesses or  
25 businesses owned by a person with a disability and 5% of the  
26 annual dollar value the contracts to female-owned businesses.

1 For purposes of this subsection, the term "games" has the  
2 meaning set forth in the Olympic Games and Paralympic Games  
3 (2016) Law.

4 (d) Within one year after April 28, 2009 (the effective  
5 date of Public Act 96-8), the Department of Central Management  
6 Services shall conduct a social scientific study that measures  
7 the impact of discrimination on minority and female business  
8 development in Illinois. Within 18 months after April 28, 2009  
9 (the effective date of Public Act 96-8), the Department shall  
10 issue a report of its findings and any recommendations on  
11 whether to adjust the goals for minority and female  
12 participation established in this Act. Copies of this report  
13 and the social scientific study shall be filed with the  
14 Governor and the General Assembly.

15 (e) Except as permitted under this Act or ~~Notwithstanding~~  
16 ~~any provision of law to the contrary and except~~ as otherwise  
17 mandated by federal law or regulation, those who submit bids or  
18 proposals for State construction contracts subject to the  
19 provisions of this Act, whose bids or proposals are successful  
20 but that fail to meet the goals set forth in subsection (b) of  
21 this Section, shall be notified of that deficiency and shall be  
22 afforded a period not to exceed 10 days to cure that deficiency  
23 in the bid or proposal. The deficiency in the bid or proposal  
24 may only be cured by contracting with additional subcontractors  
25 who are owned by minorities or females, but in no case shall an  
26 identified subcontractor with a certification made pursuant to

1 this Act be terminated from the contract without the written  
2 consent of the State agency or public institution of higher  
3 education entering into the contract.

4 (Source: P.A. 99-462, eff. 8-25-15.)

5 (30 ILCS 575/9) (from Ch. 127, par. 132.609)

6 (Section scheduled to be repealed on June 30, 2016)

7 Sec. 9. This Act is repealed June 30, 2020 ~~2016~~.

8 (Source: P.A. 96-949, eff. 6-25-10; 96-1444, eff. 8-20-10;  
9 97-712, eff. 6-27-12.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.