

1 AN ACT concerning procurement.

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 adding Section 25-65 as follows:

6 (30 ILCS 500/25-65 new)

7 Sec. 25-65. Contracts performed outside the United States.
8 Prior to contracting or as a requirement of solicitation of any
9 State contracts for services as defined in Section 1-15.90,
10 whichever is appropriate, prospective vendors shall disclose
11 in a statement of work where services will be performed under
12 that contract, including any subcontracts, and whether any
13 services under that contract, including any subcontracts, are
14 anticipated to be performed outside the United States.

15 In awarding the contract or evaluating the bid or offer,
16 the chief procurement officer may consider such disclosure and
17 the economic impact to the State of Illinois and its residents.

18 If the chief procurement officer awards a contract to a
19 vendor based upon disclosure that work will be performed in the
20 United States and during the term of the contract the
21 contractor or a subcontractor proceeds to shift work outside of
22 the United States, the contractor shall be deemed in breach of
23 contract, unless the chief procurement officer shall have first
24 determined in writing that circumstances require the shift of
25 work or that termination of the contract would not be in the
26 State's best interest.

27 Nothing in this Section is intended to contravene any
28 existing treaty, law, agreement, or regulation of the United
29 States.

30 The Department of Central Management Services shall
31 prepare and deliver to the General Assembly, no later than
32 September 1, 2007, a report on the impact of outsourcing

1 services on the State's cost of procurement that identifies
2 those contracts where it was disclosed that services were
3 provided outside of the United States and a description and
4 value of those services.