

# HB5547



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5547

by Rep. Joseph M. Lyons

#### SYNOPSIS AS INTRODUCED:

30 ILCS 565/3  
30 ILCS 565/4

from Ch. 48, par. 1803  
from Ch. 48, par. 1804

Amends the Steel Products Procurement Act. Makes changes to the definition of "steel products" and defines the term "manufactured". Adds additional exceptions to the requirement that steel products used under certain contracts must be manufactured in the United States. Effective immediately.

LRB095 16252 HLH 42271 b

FISCAL NOTE ACT  
MAY APPLY

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 Steel Products Procurement Act is amended by  
5 changing Sections 3 and 4 as follows:

6 (30 ILCS 565/3) (from Ch. 48, par. 1803)

7 Sec. 3. For the purposes of this Act, the following words  
8 have the meanings ascribed to them in this Section unless the  
9 context clearly requires otherwise.

10 (a) "Public agency" means the State of Illinois, its  
11 departments, agencies, boards, commissions and institutions,  
12 and all units of local government, including school districts.

13 (b) "United States" means the United States and any place  
14 subject to the jurisdiction thereof.

15 (c) "Steel products" means final, usable building  
16 materials manufactured of steel, including, but not limited to,  
17 structural steel, structural shapes, pipe, reinforcing bars,  
18 duct work, sheet metal, and building panels. "Steel products"  
19 also includes machinery and equipment containing steel  
20 components, where such steel components make up 75% or more of  
21 the final product by weight ~~products rolled, formed, shaped,~~  
22 ~~drawn, extruded, forged, cast, fabricated, or otherwise~~  
23 ~~similarly processed, or processed by a combination of two or~~

1 ~~more such operations, from steel made in the United States by~~  
2 ~~the open hearth, basic oxygen, electric furnace, Bessemer or~~  
3 ~~other steel making process.~~

4 (d) "Manufactured" means rolled, formed, shaped, drawn,  
5 extruded, forged, cast, or otherwise similarly processed, or  
6 processed by a combination of two or more such operations, from  
7 steel made by the open hearth, basic oxygen, electric furnace,  
8 Bessemer or other steel making process.

9 (Source: P.A. 83-1030.)

10 (30 ILCS 565/4) (from Ch. 48, par. 1804)

11 Sec. 4. Each contract for the construction,  
12 reconstruction, alteration, repair, improvement or maintenance  
13 of public works made by a public agency shall contain a  
14 provision that steel products ~~used or~~ supplied and left in  
15 place in the performance of that contract or any subcontract  
16 thereto shall be manufactured ~~or produced~~ in the United States.

17 The provisions of this Section shall not apply:

18 (1) Where the contract involves an expenditure of less than  
19 \$5,000 ~~\$500~~.

20 (2) Where the executive head of the public agency certifies  
21 in writing that (a) the specified products are not manufactured  
22 or produced in the United States in sufficient quantities to  
23 meet the agency's requirements or cannot be manufactured or  
24 produced in the United States within the necessary time in  
25 sufficient quantities to meet the agency's requirements, or (b)

1 obtaining the specified products, manufactured or produced in  
2 the United States would increase the cost of the contract by  
3 more than 10%.

4 (3) When its application is not in the public interest.

5 (4) When the specified products are manufactured by 2 or  
6 fewer producers in the United States, unless referring to  
7 structural steel.

8 (5) To the aggregate cost of domestically available, but  
9 foreign produced steel products of up to 0.5% of the total  
10 contract value, to a maximum of \$50,000 on any single contract.

11 (6) To finishing and assembly operations.

12 (7) To 10%, by weight of steel, of machinery and equipment  
13 containing steel components as defined by subsection (c) of  
14 Section 3 of this Act.

15 (Source: P.A. 83-1030.)

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