



Rep. Barbara Flynn Currie

Filed: 4/2/2009

09600SB0366ham002

LRB096 06398 RCE 25105 a

1 AMENDMENT TO SENATE BILL 366

2 AMENDMENT NO. _____. Amend Senate Bill 366, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, as follows:

5 on page 1, immediately below line 12, by inserting the
6 following:

7 "Section 5-5. The Department of Transportation Law of the
8 Civil Administrative Code of Illinois is amended by adding
9 Section 2705-585 as follows:

10 (20 ILCS 2705/2705-585 new)

11 Sec. 2705-585. Diversity goals.

12 (a) To the extent permitted by any applicable federal law
13 or regulation, all State construction projects funded from
14 amounts (i) made available under the Governor's Fiscal Year
15 2009 supplemental budget or the American Recovery and

1 Reinvestment Act of 2009 and (ii) that are appropriated to the
2 Illinois Department of Transportation shall comply with the
3 Business Enterprise for Minorities, Females, and Persons with
4 Disabilities Act.

5 (b) The Illinois Department of Transportation shall
6 appoint representatives to professional and artistic services
7 selection committees representative of the State's ethnic,
8 cultural, and geographic diversity, including, but not limited
9 to, at least one person from each of the following: an
10 association representing the interests of African American
11 business owners, an association representing the interests of
12 Latino business owners, and an association representing the
13 interests of women business owners. These committees shall
14 comply with all requirements of the Open Meetings Act."; and

15 on page 3, immediately below line 20, by inserting the
16 following:

17 "Section 5-12. The Business Enterprise for Minorities,
18 Females, and Persons with Disabilities Act is amended by
19 changing Section 4 as follows:

20 (30 ILCS 575/4) (from Ch. 127, par. 132.604)

21 (Section scheduled to be repealed on June 30, 2010)

22 Sec. 4. Award of State contracts.

23 (a) Except as provided in subsection (b), not less than 12%

1 of the total dollar amount of State contracts, as defined by
2 the Secretary of the Council and approved by the Council, shall
3 be established as a goal to be awarded to businesses owned by
4 minorities, females, and persons with disabilities; provided,
5 however, that contracts representing at least five-twelfths of
6 the total amount of all State contracts awarded to businesses
7 owned by minorities, females, and persons with disabilities
8 pursuant to this Section shall be awarded to female owned
9 businesses, and that contracts representing at least one-sixth
10 of the total amount of all State contracts awarded to
11 businesses owned by minorities, females, and persons with
12 disabilities pursuant to this Section shall be awarded to
13 businesses owned by persons with disabilities.

14 The above percentage relates to the total dollar amount of
15 State contracts during each State fiscal year, calculated by
16 examining independently each type of contract for each agency
17 or university which lets such contracts. Only that percentage
18 of arrangements which represents the participation of
19 businesses owned by minorities, females, and persons with
20 disabilities on such contracts shall be included.

21 (b) In the case of State construction contracts, the
22 provisions of subsection (a) requiring a portion of State
23 contracts to be awarded to businesses owned and controlled by
24 persons with disabilities do not apply. Not less than 10% of
25 the total dollar amount of State construction contracts is
26 established as a goal to be awarded to minority and female

1 owned businesses, and contracts representing 50% of the amount
2 of all State construction contracts awarded to minority and
3 female owned businesses shall be awarded to female owned
4 businesses.

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

16 (Source: P.A. 87-701; 88-597, eff. 8-28-94.)".