



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5361

Introduced 2/15/2012, by Rep. Barbara Flynn Currie

SYNOPSIS AS INTRODUCED:

30 ILCS 500/10-15

Amends the Illinois Procurement Code. Provides that the Procurement Policy Board (now, the Executive Ethics Commission) shall appoint procurement compliance monitors to oversee and review the procurement processes. Provides that, after a hearing, the Board (now, the Commission) shall determine whether a procurement compliance monitor shall be removed. Provides that the determination shall be made upon a three-fifths vote of the Board. Effective July 1, 2012.

LRB097 19647 PJG 64901 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 Illinois Procurement Code is amended by
5 changing Section 10-15 as follows:

6 (30 ILCS 500/10-15)

7 Sec. 10-15. Procurement compliance monitors.

8 (a) The Procurement Policy Board ~~Executive Ethics~~
9 ~~Commission~~ shall appoint procurement compliance monitors to
10 oversee and review the procurement processes. Each procurement
11 compliance monitor shall serve a term of 5 years beginning on
12 the date of the officer's appointment. The changes made by this
13 amendatory Act of the 97th General Assembly do not affect the
14 terms of the procurement compliance monitors serving on the
15 effective date of this amendatory Act of the 97th General
16 Assembly. Each procurement compliance monitor shall have an
17 office located in the State agency that the monitor serves but
18 shall report to the Procurement Policy Board ~~appropriate chief~~
19 ~~procurement officer~~. The compliance monitor shall have direct
20 communications with the executive officer of a State agency in
21 exercising duties. A procurement compliance monitor may be
22 removed only for cause after a hearing by the Procurement
23 Policy Board ~~Executive Ethics Commission~~. The appropriate

1 chief procurement officer or executive officer of the State
2 agency housing the procurement compliance monitor may
3 institute a complaint against the procurement compliance
4 monitor with the Board ~~Commission~~ and the Board ~~Commission~~
5 shall hold a public hearing based on the complaint. The
6 procurement compliance monitor, State purchasing officer,
7 appropriate chief procurement officer, and executive officer
8 of the State agency shall receive notice of the hearing and
9 shall be permitted to present their respective arguments on the
10 complaint. After the hearing, upon a three-fifths vote, the
11 Board ~~Commission~~ shall determine whether the procurement
12 compliance monitor shall be removed. The salary of a
13 procurement compliance monitor shall be established by the
14 Procurement Policy Board ~~Executive Ethics Commission~~ and may
15 not be diminished during the officer's term.

16 (b) The procurement compliance monitor may: (i) review each
17 contract or contract amendment prior to execution to ensure
18 that applicable procurement and contracting standards were
19 followed; (ii) attend any procurement meetings; (iii) access
20 any records or files related to procurement; (iv) issue reports
21 to the Procurement Policy Board and the chief procurement
22 officer on procurement issues that present issues or that have
23 not been corrected after consultation with appropriate State
24 officials; (v) ensure the State agency is maintaining
25 appropriate records; and (vi) ensure transparency of the
26 procurement process.

1 (c) If the procurement compliance monitor is aware of
2 misconduct, waste, or inefficiency with respect to State
3 procurement, the procurement compliance monitor shall advise
4 the State agency of the issue. If the State agency does not
5 correct the issue, the monitor shall report the problem to the
6 Procurement Policy Board, the chief procurement officer, and
7 Inspector General.

8 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793
9 for the effective date of changes made by P.A. 96-795).)

10 Section 99. Effective date. This Act takes effect July 1,
11 2012.