

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 Sections 20-50 and 40-5 as follows:

6 (30 ILCS 500/20-50)

7 Sec. 20-50. Specifications. Specifications shall be
8 prepared in accordance with consistent standards that are
9 promulgated by the chief procurement officer and reviewed by
10 the Board and the Joint Committee on Administrative Rules.
11 Those standards shall include a prohibition against the use of
12 brand-name only products, except for products intended for
13 retail sale or as specified by rule. All specifications shall
14 seek to promote overall economy for the purposes intended and
15 encourage competition in satisfying the State's needs and shall
16 not be unduly restrictive.

17 A solicitation or specification for a contract or a
18 contract, including _____ ~~a contract~~ but not limited to _____ of a
19 college, university, or institution under the jurisdiction of a
20 governing board listed in Section 1-15.100, may not require,
21 stipulate, suggest, or encourage a monetary or other financial
22 contribution or donation, cash bonus or incentive, ~~or~~ economic
23 investment, or other prohibited conduct as an explicit or

1 implied term or condition for awarding or completing the
2 contract. The contract, solicitation, or specification also
3 may not include a requirement that an individual or individuals
4 employed by such a college, university, or institution receive
5 a consulting contract for professional services.

6 As used in this Section, "prohibited conduct" includes
7 requested payments or other consideration by a third party to
8 the university or State agency that is not part of the
9 solicitation or that is unrelated to the subject matter or
10 purpose of the solicitation. "Prohibited conduct" does not
11 include a payment from the vendor that is supported by
12 additional consideration (such as exclusive rights to sell
13 items or rights to advertise), other than the consideration of
14 the State's awarding a contract to purchase of goods and
15 services.

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

18 (30 ILCS 500/40-5)

19 Sec. 40-5. Applicability. All leases for real property or
20 capital improvements, including office and storage space,
21 buildings, and other facilities for State agencies, shall be
22 procured in accordance with the provisions of this Article. All
23 State agencies, with the exception of public institutions of
24 higher education, shall, in consultation with the Department of
25 Central Management Services, evaluate the State's existing

1 lease portfolio prior to engaging in a procurement for real
2 property or capital improvements.

3 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.