



Rep. Dagmara Avelar

**Filed: 4/16/2026**

10400HB0958ham001

LRB104 04860 HLH 36837 a

1 AMENDMENT TO HOUSE BILL 958

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 958 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by  
5 changing Sections 1-10, 1-15.15, and 10-20 and by adding  
6 Section 1-15.72 as follows:

7 (30 ILCS 500/1-10)

8 (Text of Section before amendment by P.A. 104-458)

9 Sec. 1-10. Application.

10 (a) This Code applies only to procurements for which  
11 bidders, offerors, potential contractors, or contractors were  
12 first solicited on or after July 1, 1998. This Code shall not  
13 be construed to affect or impair any contract, or any  
14 provision of a contract, entered into based on a solicitation  
15 prior to the implementation date of this Code as described in  
16 Article 99, including, but not limited to, any covenant

1 entered into with respect to any revenue bonds or similar  
2 instruments. All procurements for which contracts are  
3 solicited between the effective date of Articles 50 and 99 and  
4 July 1, 1998 shall be substantially in accordance with this  
5 Code and its intent.

6 (b) This Code shall apply regardless of the source of the  
7 funds with which the contracts are paid, including federal  
8 assistance moneys. This Code shall not apply to:

9 (1) Contracts between the State and its political  
10 subdivisions or other governments, or between State  
11 governmental bodies, except as specifically provided in  
12 this Code.

13 (2) Grants, except for the filing requirements of  
14 Section 20-80.

15 (2.5) Contracts arising from a grant award if the  
16 contract is with a partner whose specific experience and  
17 expertise was used as a condition of securing the grant  
18 and followed the selection provisions outlined in the  
19 grant application.

20 (3) Purchase of care, except as provided in Section  
21 5-30.6 of the Illinois Public Aid Code and this Section.

22 (4) Hiring of an individual as an employee and not as  
23 an independent contractor, whether pursuant to an  
24 employment code or policy or by contract directly with  
25 that individual.

26 (5) Collective bargaining contracts.

1           (6) Purchase of real estate, except that notice of  
2 this type of contract with a value of more than \$25,000  
3 must be published in the Procurement Bulletin within 10  
4 calendar days after the deed is recorded in the county of  
5 jurisdiction. The notice shall identify the real estate  
6 purchased, the names of all parties to the contract, the  
7 value of the contract, and the effective date of the  
8 contract.

9           (7) Contracts necessary to prepare for anticipated  
10 litigation, enforcement actions, or investigations,  
11 provided that the chief legal counsel to the Governor  
12 shall give his or her prior approval when the procuring  
13 agency is one subject to the jurisdiction of the Governor,  
14 and provided that the chief legal counsel of any other  
15 procuring entity subject to this Code shall give his or  
16 her prior approval when the procuring entity is not one  
17 subject to the jurisdiction of the Governor.

18           (8) (Blank).

19           (9) Procurement expenditures by the Illinois  
20 Conservation Foundation when only private funds are used.

21           (10) (Blank).

22           (11) Public-private agreements entered into according  
23 to the procurement requirements of Section 20 of the  
24 Public-Private Partnerships for Transportation Act and  
25 design-build agreements entered into according to the  
26 procurement requirements of Section 25 of the

1 Public-Private Partnerships for Transportation Act.

2 (12) (A) Contracts for legal, financial, and other  
3 professional and artistic services entered into by the  
4 Illinois Finance Authority in which the State of Illinois  
5 is not obligated. Such contracts shall be awarded through  
6 a competitive process authorized by the members of the  
7 Illinois Finance Authority and are subject to Sections  
8 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
9 as well as the final approval by the members of the  
10 Illinois Finance Authority of the terms of the contract.

11 (B) Contracts for legal and financial services entered  
12 into by the Illinois Housing Development Authority in  
13 connection with the issuance of bonds in which the State  
14 of Illinois is not obligated. Such contracts shall be  
15 awarded through a competitive process authorized by the  
16 members of the Illinois Housing Development Authority and  
17 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
18 and 50-37 of this Code, as well as the final approval by  
19 the members of the Illinois Housing Development Authority  
20 of the terms of the contract.

21 (13) Contracts for services, commodities, and  
22 equipment to support the delivery of timely forensic  
23 science services in consultation with and subject to the  
24 approval of the Chief Procurement Officer as provided in  
25 subsection (d) of Section 5-4-3a of the Unified Code of  
26 Corrections, except for the requirements of Sections

1 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
2 Code; however, the Chief Procurement Officer may, in  
3 writing with justification, waive any certification  
4 required under Article 50 of this Code. For any contracts  
5 for services which are currently provided by members of a  
6 collective bargaining agreement, the applicable terms of  
7 the collective bargaining agreement concerning  
8 subcontracting shall be followed.

9 On and after January 1, 2019, this paragraph (13),  
10 except for this sentence, is inoperative.

11 (14) Contracts for participation expenditures required  
12 by a domestic or international trade show or exhibition of  
13 an exhibitor, member, or sponsor.

14 (15) Contracts with a railroad or utility that  
15 requires the State to reimburse the railroad or utilities  
16 for the relocation of utilities for construction or other  
17 public purpose. Contracts included within this paragraph  
18 (15) shall include, but not be limited to, those  
19 associated with: relocations, crossings, installations,  
20 and maintenance. For the purposes of this paragraph (15),  
21 "railroad" means any form of non-highway ground  
22 transportation that runs on rails or electromagnetic  
23 guideways and "utility" means: (1) public utilities as  
24 defined in Section 3-105 of the Public Utilities Act, (2)  
25 telecommunications carriers as defined in Section 13-202  
26 of the Public Utilities Act, (3) electric cooperatives as

1 defined in Section 3.4 of the Electric Supplier Act, (4)  
2 telephone or telecommunications cooperatives as defined in  
3 Section 13-212 of the Public Utilities Act, (5) rural  
4 water or wastewater ~~waste-water~~ systems with 10,000  
5 connections or less, (6) a holder as defined in Section  
6 21-201 of the Public Utilities Act, and (7) municipalities  
7 owning or operating utility systems consisting of public  
8 utilities as that term is defined in Section 11-117-2 of  
9 the Illinois Municipal Code.

10 (16) Procurement expenditures necessary for the  
11 Department of Public Health to provide the delivery of  
12 timely newborn screening services in accordance with the  
13 Newborn Metabolic Screening Act.

14 (17) Procurement expenditures necessary for the  
15 Department of Agriculture, the Department of Financial and  
16 Professional Regulation, the Department of Human Services,  
17 and the Department of Public Health to implement the  
18 Compassionate Use of Medical Cannabis Program and Opioid  
19 Alternative Pilot Program requirements and ensure access  
20 to medical cannabis for patients with debilitating medical  
21 conditions in accordance with the Compassionate Use of  
22 Medical Cannabis Program Act.

23 (18) This Code does not apply to any procurements  
24 necessary for the Department of Agriculture, the  
25 Department of Financial and Professional Regulation, the  
26 Department of Human Services, the Department of Commerce

1 and Economic Opportunity, and the Department of Public  
2 Health to implement the Cannabis Regulation and Tax Act if  
3 the applicable agency has made a good faith determination  
4 that it is necessary and appropriate for the expenditure  
5 to fall within this exemption and if the process is  
6 conducted in a manner substantially in accordance with the  
7 requirements of Sections 20-160, 25-60, 30-22, 50-5,  
8 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,  
9 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
10 Section 50-35, compliance applies only to contracts or  
11 subcontracts over \$100,000. Notice of each contract  
12 entered into under this paragraph (18) that is related to  
13 the procurement of goods and services identified in  
14 paragraph (1) through (9) of this subsection shall be  
15 published in the Procurement Bulletin within 14 calendar  
16 days after contract execution. The Chief Procurement  
17 Officer shall prescribe the form and content of the  
18 notice. Each agency shall provide the Chief Procurement  
19 Officer, on a monthly basis, in the form and content  
20 prescribed by the Chief Procurement Officer, a report of  
21 contracts that are related to the procurement of goods and  
22 services identified in this subsection. At a minimum, this  
23 report shall include the name of the contractor, a  
24 description of the supply or service provided, the total  
25 amount of the contract, the term of the contract, and the  
26 exception to this Code utilized. A copy of any or all of

1 these contracts shall be made available to the Chief  
2 Procurement Officer immediately upon request. The Chief  
3 Procurement Officer shall submit a report to the Governor  
4 and General Assembly no later than November 1 of each year  
5 that includes, at a minimum, an annual summary of the  
6 monthly information reported to the Chief Procurement  
7 Officer. This exemption becomes inoperative 5 years after  
8 June 25, 2019 (the effective date of Public Act 101-27).

9 (19) Acquisition of modifications or adjustments,  
10 limited to assistive technology devices and assistive  
11 technology services, adaptive equipment, repairs, and  
12 replacement parts to provide reasonable accommodations (i)  
13 that enable a qualified applicant with a disability to  
14 complete the job application process and be considered for  
15 the position such qualified applicant desires, (ii) that  
16 modify or adjust the work environment to enable a  
17 qualified current employee with a disability to perform  
18 the essential functions of the position held by that  
19 employee, (iii) to enable a qualified current employee  
20 with a disability to enjoy equal benefits and privileges  
21 of employment as are enjoyed by other similarly situated  
22 employees without disabilities, and (iv) that allow a  
23 customer, client, claimant, or member of the public  
24 seeking State services full use and enjoyment of and  
25 access to its programs, services, or benefits.

26 For purposes of this paragraph (19):

1 "Assistive technology devices" means any item, piece  
2 of equipment, or product system, whether acquired  
3 commercially off the shelf, modified, or customized, that  
4 is used to increase, maintain, or improve functional  
5 capabilities of individuals with disabilities.

6 "Assistive technology services" means any service that  
7 directly assists an individual with a disability in  
8 selection, acquisition, or use of an assistive technology  
9 device.

10 "Qualified" has the same meaning and use as provided  
11 under the federal Americans with Disabilities Act when  
12 describing an individual with a disability.

13 (20) Procurement expenditures necessary for the  
14 Illinois Commerce Commission to hire third-party  
15 facilitators pursuant to Sections 16-105.17 and 16-108.18  
16 of the Public Utilities Act or an ombudsman pursuant to  
17 Section 16-107.5 of the Public Utilities Act, a  
18 facilitator pursuant to Section 16-105.17 of the Public  
19 Utilities Act, or a grid auditor pursuant to Section  
20 16-105.10 of the Public Utilities Act.

21 (21) Procurement expenditures for the purchase,  
22 renewal, and expansion of software, software licenses, or  
23 software maintenance agreements that support the efforts  
24 of the Illinois State Police to enforce, regulate, and  
25 administer the Firearm Owners Identification Card Act, the  
26 Firearm Concealed Carry Act, the Firearms Restraining

1 Order Act, the Firearm Dealer License Certification Act,  
2 the Law Enforcement Agencies Data System (LEADS), the  
3 Uniform Crime Reporting Act, the Criminal Identification  
4 Act, the Illinois Uniform Conviction Information Act, and  
5 the Gun Trafficking Information Act, or establish or  
6 maintain record management systems necessary to conduct  
7 human trafficking investigations or gun trafficking or  
8 other stolen firearm investigations. This paragraph (21)  
9 applies to contracts entered into on or after January 10,  
10 2023 (the effective date of Public Act 102-1116) and the  
11 renewal of contracts that are in effect on January 10,  
12 2023 (the effective date of Public Act 102-1116).

13 (22) Contracts for project management services and  
14 system integration services required for the completion of  
15 the State's enterprise resource planning project. This  
16 exemption becomes inoperative 5 years after June 7, 2023  
17 (the effective date of the changes made to this Section by  
18 Public Act 103-8). This paragraph (22) applies to  
19 contracts entered into on or after June 7, 2023 (the  
20 effective date of the changes made to this Section by  
21 Public Act 103-8) and the renewal of contracts that are in  
22 effect on June 7, 2023 (the effective date of the changes  
23 made to this Section by Public Act 103-8).

24 (23) Procurements necessary for the Department of  
25 Insurance to implement the Illinois Health Benefits  
26 Exchange Law if the Department of Insurance has made a

1 good faith determination that it is necessary and  
2 appropriate for the expenditure to fall within this  
3 exemption. The procurement process shall be conducted in a  
4 manner substantially in accordance with the requirements  
5 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
6 copy of these contracts shall be made available to the  
7 Chief Procurement Officer immediately upon request. This  
8 paragraph is inoperative 5 years after June 27, 2023 (the  
9 effective date of Public Act 103-103).

10 (24) Contracts for public education programming,  
11 noncommercial sustaining announcements, public service  
12 announcements, and public awareness and education  
13 messaging with the nonprofit trade associations of the  
14 providers of those services that inform the public on  
15 immediate and ongoing health and safety risks and hazards.

16 (25) Procurements necessary for the Department of  
17 Early Childhood to implement the Department of Early  
18 Childhood Act if the Department has made a good faith  
19 determination that it is necessary and appropriate for the  
20 expenditure to fall within this exemption. This exemption  
21 shall only be used for products and services procured  
22 solely for use by the Department of Early Childhood. The  
23 procurements may include those necessary to design and  
24 build integrated, operational systems of programs and  
25 services. The procurements may include, but are not  
26 limited to, those necessary to align and update program

1 standards, integrate funding systems, design and establish  
2 data and reporting systems, align and update models for  
3 technical assistance and professional development, design  
4 systems to manage grants and ensure compliance, design and  
5 implement management and operational structures, and  
6 establish new means of engaging with families, educators,  
7 providers, and stakeholders. The procurement processes  
8 shall be conducted in a manner substantially in accordance  
9 with the requirements of Article 50 (ethics) and Sections  
10 5-5 (Procurement Policy Board), 5-7 (Commission on Equity  
11 and Inclusion), 20-80 (contract files), 20-120  
12 (subcontractors), 20-155 (paperwork), 20-160  
13 (ethics/campaign contribution prohibitions), 25-60  
14 (prevailing wage), and 25-90 (prohibited and authorized  
15 cybersecurity) of this Code. Beginning January 1, 2025,  
16 the Department of Early Childhood shall provide a  
17 quarterly report to the General Assembly detailing a list  
18 of expenditures and contracts for which the Department  
19 uses this exemption. This paragraph is inoperative on and  
20 after July 1, 2027.

21 (26) Procurements that are necessary for increasing  
22 the recruitment and retention of State employees,  
23 particularly minority candidates for employment,  
24 including:

25 (A) procurements related to registration fees for  
26 job fairs and other outreach and recruitment events;

1 (B) production of recruitment materials; and

2 (C) other services related to recruitment and  
3 retention of State employees.

4 The exemption under this paragraph (26) applies only  
5 if the State agency has made a good faith determination  
6 that it is necessary and appropriate for the expenditure  
7 to fall within this paragraph (26). The procurement  
8 process under this paragraph (26) shall be conducted in a  
9 manner substantially in accordance with the requirements  
10 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
11 copy of these contracts shall be made available to the  
12 Chief Procurement Officer immediately upon request.  
13 Nothing in this paragraph (26) authorizes the replacement  
14 or diminishment of State responsibilities in hiring or the  
15 positions that effectuate that hiring. This paragraph (26)  
16 is inoperative on and after June 30, 2029.

17 (27) Procurements necessary for the Department of  
18 Healthcare and Family Services to implement changes to the  
19 State's Integrated Eligibility System to ensure the  
20 system's compliance with federal implementation mandates  
21 and deadlines, if the Department of Healthcare and Family  
22 Services has made a good faith determination that it is  
23 necessary and appropriate for the procurement to fall  
24 within this exemption.

25 Notwithstanding any other provision of law, for contracts  
26 with an annual value of more than \$100,000 entered into on or

1 after October 1, 2017 under an exemption provided in any  
2 paragraph of this subsection (b), except paragraph (1), (2),  
3 or (5), each State agency shall post to the appropriate  
4 procurement bulletin the name of the contractor, a description  
5 of the supply or service provided, the total amount of the  
6 contract, the term of the contract, and the exception to the  
7 Code utilized. The chief procurement officer shall submit a  
8 report to the Governor and General Assembly no later than  
9 November 1 of each year that shall include, at a minimum, an  
10 annual summary of the monthly information reported to the  
11 chief procurement officer.

12 (c) This Code does not apply to the electric power  
13 procurement process provided for under Section 1-75 of the  
14 Illinois Power Agency Act and Section 16-111.5 of the Public  
15 Utilities Act. This Code does not apply to the procurement of  
16 technical and policy experts pursuant to Section 1-129 of the  
17 Illinois Power Agency Act.

18 (d) Except for Section 20-160 and Article 50 of this Code,  
19 and as expressly required by Section 9.1 of the Illinois  
20 Lottery Law, the provisions of this Code do not apply to the  
21 procurement process provided for under Section 9.1 of the  
22 Illinois Lottery Law.

23 (e) This Code does not apply to the process used by the  
24 Capital Development Board to retain a person or entity to  
25 assist the Capital Development Board with its duties related  
26 to the determination of costs of a clean coal SNG brownfield

1 facility, as defined by Section 1-10 of the Illinois Power  
2 Agency Act, as required in subsection (h-3) of Section 9-220  
3 of the Public Utilities Act, including calculating the range  
4 of capital costs, the range of operating and maintenance  
5 costs, or the sequestration costs or monitoring the  
6 construction of clean coal SNG brownfield facility for the  
7 full duration of construction.

8 (f) (Blank).

9 (g) (Blank).

10 (h) This Code does not apply to the process to procure or  
11 contracts entered into in accordance with Sections 11-5.2 and  
12 11-5.3 of the Illinois Public Aid Code.

13 (i) Each chief procurement officer may access records  
14 necessary to review whether a contract, purchase, or other  
15 expenditure is or is not subject to the provisions of this  
16 Code, unless such records would be subject to attorney-client  
17 privilege.

18 (j) This Code does not apply to the process used by the  
19 Capital Development Board to retain an artist or work or works  
20 of art as required in Section 14 of the Capital Development  
21 Board Act.

22 (k) This Code does not apply to the process to procure  
23 contracts, or contracts entered into, by the State Board of  
24 Elections or the State Electoral Board for hearing officers  
25 appointed pursuant to the Election Code.

26 (l) This Code does not apply to the processes used by the

1 Illinois Student Assistance Commission to procure supplies and  
2 services paid for from the private funds of the Illinois  
3 Prepaid Tuition Fund. As used in this subsection (l), "private  
4 funds" means funds derived from deposits paid into the  
5 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

6 (m) This Code shall apply regardless of the source of  
7 funds with which contracts are paid, including federal  
8 assistance moneys. Except as specifically provided in this  
9 Code, this Code shall not apply to procurement expenditures  
10 necessary for the Department of Public Health to conduct the  
11 Healthy Illinois Survey in accordance with Section 2310-431 of  
12 the Department of Public Health Powers and Duties Law of the  
13 Civil Administrative Code of Illinois.

14 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;  
15 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.  
16 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,  
17 eff. 6-16-25; 104-417, eff. 8-15-25)

18 (Text of Section after amendment by P.A. 104-458)

19 Sec. 1-10. Application.

20 (a) This Code applies only to procurements for which  
21 bidders, offerors, potential contractors, or contractors were  
22 first solicited on or after July 1, 1998. This Code shall not  
23 be construed to affect or impair any contract, or any  
24 provision of a contract, entered into based on a solicitation  
25 prior to the implementation date of this Code as described in

1 Article 99, including, but not limited to, any covenant  
2 entered into with respect to any revenue bonds or similar  
3 instruments. All procurements for which contracts are  
4 solicited between the effective date of Articles 50 and 99 and  
5 July 1, 1998 shall be substantially in accordance with this  
6 Code and its intent.

7 (b) This Code shall apply regardless of the source of the  
8 funds with which the contracts are paid, including federal  
9 assistance moneys. This Code shall not apply to:

10 (1) Contracts between the State and its political  
11 subdivisions or other governments, or between State  
12 governmental bodies, except as specifically provided in  
13 this Code.

14 (2) Grants, except for the filing requirements of  
15 Section 20-80.

16 (2.5) Contracts arising from a grant award if the  
17 contract is with a partner whose specific experience and  
18 expertise was used as a condition of securing the grant  
19 and followed the selection provisions outlined in the  
20 grant application.

21 (3) Purchase of care, except as provided in Section  
22 5-30.6 of the Illinois Public Aid Code and this Section.

23 (4) Hiring of an individual as an employee and not as  
24 an independent contractor, whether pursuant to an  
25 employment code or policy or by contract directly with  
26 that individual.

1 (5) Collective bargaining contracts.

2 (6) Purchase of real estate, except that notice of  
3 this type of contract with a value of more than \$25,000  
4 must be published in the Procurement Bulletin within 10  
5 calendar days after the deed is recorded in the county of  
6 jurisdiction. The notice shall identify the real estate  
7 purchased, the names of all parties to the contract, the  
8 value of the contract, and the effective date of the  
9 contract.

10 (7) Contracts necessary to prepare for anticipated  
11 litigation, enforcement actions, or investigations,  
12 provided that the chief legal counsel to the Governor  
13 shall give his or her prior approval when the procuring  
14 agency is one subject to the jurisdiction of the Governor,  
15 and provided that the chief legal counsel of any other  
16 procuring entity subject to this Code shall give his or  
17 her prior approval when the procuring entity is not one  
18 subject to the jurisdiction of the Governor.

19 (8) (Blank).

20 (9) Procurement expenditures by the Illinois  
21 Conservation Foundation when only private funds are used.

22 (10) (Blank).

23 (11) Public-private agreements entered into according  
24 to the procurement requirements of Section 20 of the  
25 Public-Private Partnerships for Transportation Act and  
26 design-build agreements entered into according to the

1 procurement requirements of Section 25 of the  
2 Public-Private Partnerships for Transportation Act.

3 (12) (A) Contracts for legal, financial, and other  
4 professional and artistic services entered into by the  
5 Illinois Finance Authority in which the State of Illinois  
6 is not obligated. Such contracts shall be awarded through  
7 a competitive process authorized by the members of the  
8 Illinois Finance Authority and are subject to Sections  
9 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
10 as well as the final approval by the members of the  
11 Illinois Finance Authority of the terms of the contract.

12 (B) Contracts for legal and financial services entered  
13 into by the Illinois Housing Development Authority in  
14 connection with the issuance of bonds in which the State  
15 of Illinois is not obligated. Such contracts shall be  
16 awarded through a competitive process authorized by the  
17 members of the Illinois Housing Development Authority and  
18 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
19 and 50-37 of this Code, as well as the final approval by  
20 the members of the Illinois Housing Development Authority  
21 of the terms of the contract.

22 (13) Contracts for services, commodities, and  
23 equipment to support the delivery of timely forensic  
24 science services in consultation with and subject to the  
25 approval of the Chief Procurement Officer as provided in  
26 subsection (d) of Section 5-4-3a of the Unified Code of

1 Corrections, except for the requirements of Sections  
2 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
3 Code; however, the Chief Procurement Officer may, in  
4 writing with justification, waive any certification  
5 required under Article 50 of this Code. For any contracts  
6 for services which are currently provided by members of a  
7 collective bargaining agreement, the applicable terms of  
8 the collective bargaining agreement concerning  
9 subcontracting shall be followed.

10 On and after January 1, 2019, this paragraph (13),  
11 except for this sentence, is inoperative.

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13 by a domestic or international trade show or exhibition of  
14 an exhibitor, member, or sponsor.

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16 requires the State to reimburse the railroad or utilities  
17 for the relocation of utilities for construction or other  
18 public purpose. Contracts included within this paragraph  
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20 associated with: relocations, crossings, installations,  
21 and maintenance. For the purposes of this paragraph (15),  
22 "railroad" means any form of non-highway ground  
23 transportation that runs on rails or electromagnetic  
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1 of the Public Utilities Act, (3) electric cooperatives as  
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10 the Illinois Municipal Code.

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19 Compassionate Use of Medical Cannabis Program and Opioid  
20 Alternative Pilot Program requirements and ensure access  
21 to medical cannabis for patients with debilitating medical  
22 conditions in accordance with the Compassionate Use of  
23 Medical Cannabis Program Act.

24 (18) This Code does not apply to any procurements  
25 necessary for the Department of Agriculture, the  
26 Department of Financial and Professional Regulation, the

1 Department of Human Services, the Department of Commerce  
2 and Economic Opportunity, and the Department of Public  
3 Health to implement the Cannabis Regulation and Tax Act if  
4 the applicable agency has made a good faith determination  
5 that it is necessary and appropriate for the expenditure  
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8 requirements of Sections 20-160, 25-60, 30-22, 50-5,  
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10 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
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24 report shall include the name of the contractor, a  
25 description of the supply or service provided, the total  
26 amount of the contract, the term of the contract, and the

1       exception to this Code utilized. A copy of any or all of  
2       these contracts shall be made available to the Chief  
3       Procurement Officer immediately upon request. The Chief  
4       Procurement Officer shall submit a report to the Governor  
5       and General Assembly no later than November 1 of each year  
6       that includes, at a minimum, an annual summary of the  
7       monthly information reported to the Chief Procurement  
8       Officer. This exemption becomes inoperative 5 years after  
9       June 25, 2019 (the effective date of Public Act 101-27).

10       (19) Acquisition of modifications or adjustments,  
11       limited to assistive technology devices and assistive  
12       technology services, adaptive equipment, repairs, and  
13       replacement parts to provide reasonable accommodations (i)  
14       that enable a qualified applicant with a disability to  
15       complete the job application process and be considered for  
16       the position such qualified applicant desires, (ii) that  
17       modify or adjust the work environment to enable a  
18       qualified current employee with a disability to perform  
19       the essential functions of the position held by that  
20       employee, (iii) to enable a qualified current employee  
21       with a disability to enjoy equal benefits and privileges  
22       of employment as are enjoyed by other similarly situated  
23       employees without disabilities, and (iv) that allow a  
24       customer, client, claimant, or member of the public  
25       seeking State services full use and enjoyment of and  
26       access to its programs, services, or benefits.

1 For purposes of this paragraph (19):

2 "Assistive technology devices" means any item, piece  
3 of equipment, or product system, whether acquired  
4 commercially off the shelf, modified, or customized, that  
5 is used to increase, maintain, or improve functional  
6 capabilities of individuals with disabilities.

7 "Assistive technology services" means any service that  
8 directly assists an individual with a disability in  
9 selection, acquisition, or use of an assistive technology  
10 device.

11 "Qualified" has the same meaning and use as provided  
12 under the federal Americans with Disabilities Act when  
13 describing an individual with a disability.

14 (20) Procurement expenditures necessary for the  
15 Illinois Commerce Commission to hire third-party  
16 facilitators pursuant to Sections 16-105.17 and 16-108.18  
17 of the Public Utilities Act or an ombudsman pursuant to  
18 Section 16-107.5 of the Public Utilities Act, a  
19 facilitator pursuant to Section 16-105.17 of the Public  
20 Utilities Act, a grid auditor pursuant to Section  
21 16-105.10 of the Public Utilities Act, a facilitator,  
22 expert, or consultant pursuant to Sections 16-126.2 and  
23 16-202 of the Public Utilities Act, a procurement monitor  
24 pursuant to Section 16-111.5 of the Public Utilities Act,  
25 an ombudsperson pursuant to Section 20-145 of the Public  
26 Utilities Act, or consultants and experts pursuant to

1 Section 5-15 of the Utility Data Access Act.

2 (21) Procurement expenditures for the purchase,  
3 renewal, and expansion of software, software licenses, or  
4 software maintenance agreements that support the efforts  
5 of the Illinois State Police to enforce, regulate, and  
6 administer the Firearm Owners Identification Card Act, the  
7 Firearm Concealed Carry Act, the Firearms Restraining  
8 Order Act, the Firearm Dealer License Certification Act,  
9 the Law Enforcement Agencies Data System (LEADS), the  
10 Uniform Crime Reporting Act, the Criminal Identification  
11 Act, the Illinois Uniform Conviction Information Act, and  
12 the Gun Trafficking Information Act, or establish or  
13 maintain record management systems necessary to conduct  
14 human trafficking investigations or gun trafficking or  
15 other stolen firearm investigations. This paragraph (21)  
16 applies to contracts entered into on or after January 10,  
17 2023 (the effective date of Public Act 102-1116) and the  
18 renewal of contracts that are in effect on January 10,  
19 2023 (the effective date of Public Act 102-1116).

20 (22) Contracts for project management services and  
21 system integration services required for the completion of  
22 the State's enterprise resource planning project. This  
23 exemption becomes inoperative 5 years after June 7, 2023  
24 (the effective date of the changes made to this Section by  
25 Public Act 103-8). This paragraph (22) applies to  
26 contracts entered into on or after June 7, 2023 (the

1 effective date of the changes made to this Section by  
2 Public Act 103-8) and the renewal of contracts that are in  
3 effect on June 7, 2023 (the effective date of the changes  
4 made to this Section by Public Act 103-8).

5 (23) Procurements necessary for the Department of  
6 Insurance to implement the Illinois Health Benefits  
7 Exchange Law if the Department of Insurance has made a  
8 good faith determination that it is necessary and  
9 appropriate for the expenditure to fall within this  
10 exemption. The procurement process shall be conducted in a  
11 manner substantially in accordance with the requirements  
12 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
13 copy of these contracts shall be made available to the  
14 Chief Procurement Officer immediately upon request. This  
15 paragraph is inoperative 5 years after June 27, 2023 (the  
16 effective date of Public Act 103-103).

17 (24) Contracts for public education programming,  
18 noncommercial sustaining announcements, public service  
19 announcements, and public awareness and education  
20 messaging with the nonprofit trade associations of the  
21 providers of those services that inform the public on  
22 immediate and ongoing health and safety risks and hazards.

23 (25) Procurements necessary for the Department of  
24 Early Childhood to implement the Department of Early  
25 Childhood Act if the Department has made a good faith  
26 determination that it is necessary and appropriate for the

1 expenditure to fall within this exemption. This exemption  
2 shall only be used for products and services procured  
3 solely for use by the Department of Early Childhood. The  
4 procurements may include those necessary to design and  
5 build integrated, operational systems of programs and  
6 services. The procurements may include, but are not  
7 limited to, those necessary to align and update program  
8 standards, integrate funding systems, design and establish  
9 data and reporting systems, align and update models for  
10 technical assistance and professional development, design  
11 systems to manage grants and ensure compliance, design and  
12 implement management and operational structures, and  
13 establish new means of engaging with families, educators,  
14 providers, and stakeholders. The procurement processes  
15 shall be conducted in a manner substantially in accordance  
16 with the requirements of Article 50 (ethics) and Sections  
17 5-5 (Procurement Policy Board), 5-7 (Commission on Equity  
18 and Inclusion), 20-80 (contract files), 20-120  
19 (subcontractors), 20-155 (paperwork), 20-160  
20 (ethics/campaign contribution prohibitions), 25-60  
21 (prevailing wage), and 25-90 (prohibited and authorized  
22 cybersecurity) of this Code. Beginning January 1, 2025,  
23 the Department of Early Childhood shall provide a  
24 quarterly report to the General Assembly detailing a list  
25 of expenditures and contracts for which the Department  
26 uses this exemption. This paragraph is inoperative on and

1 after July 1, 2027.

2 (26) Procurements that are necessary for increasing  
3 the recruitment and retention of State employees,  
4 particularly minority candidates for employment,  
5 including:

6 (A) procurements related to registration fees for  
7 job fairs and other outreach and recruitment events;

8 (B) production of recruitment materials; and

9 (C) other services related to recruitment and  
10 retention of State employees.

11 The exemption under this paragraph (26) applies only  
12 if the State agency has made a good faith determination  
13 that it is necessary and appropriate for the expenditure  
14 to fall within this paragraph (26). The procurement  
15 process under this paragraph (26) shall be conducted in a  
16 manner substantially in accordance with the requirements  
17 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
18 copy of these contracts shall be made available to the  
19 Chief Procurement Officer immediately upon request.  
20 Nothing in this paragraph (26) authorizes the replacement  
21 or diminishment of State responsibilities in hiring or the  
22 positions that effectuate that hiring. This paragraph (26)  
23 is inoperative on and after June 30, 2029.

24 (27) Procurements necessary for the Department of  
25 Healthcare and Family Services to implement changes to the  
26 State's Integrated Eligibility System to ensure the

1 system's compliance with federal implementation mandates  
2 and deadlines, if the Department of Healthcare and Family  
3 Services has made a good faith determination that it is  
4 necessary and appropriate for the procurement to fall  
5 within this exemption.

6 Notwithstanding any other provision of law, for contracts  
7 with an annual value of more than \$100,000 entered into on or  
8 after October 1, 2017 under an exemption provided in any  
9 paragraph of this subsection (b), except paragraph (1), (2),  
10 or (5), each State agency shall post to the appropriate  
11 procurement bulletin the name of the contractor, a description  
12 of the supply or service provided, the total amount of the  
13 contract, the term of the contract, and the exception to the  
14 Code utilized. The chief procurement officer shall submit a  
15 report to the Governor and General Assembly no later than  
16 November 1 of each year that shall include, at a minimum, an  
17 annual summary of the monthly information reported to the  
18 chief procurement officer.

19 (c) This Code does not apply to the electric power  
20 procurement process provided for under Section 1-75 of the  
21 Illinois Power Agency Act and Section 16-111.5 of the Public  
22 Utilities Act. This Code does not apply to the procurement of  
23 technical and policy experts pursuant to Section 1-129 of the  
24 Illinois Power Agency Act.

25 (d) Except for Section 20-160 and Article 50 of this Code,  
26 and as expressly required by Section 9.1 of the Illinois

1 Lottery Law, the provisions of this Code do not apply to the  
2 procurement process provided for under Section 9.1 of the  
3 Illinois Lottery Law.

4 (e) This Code does not apply to the process used by the  
5 Capital Development Board to retain a person or entity to  
6 assist the Capital Development Board with its duties related  
7 to the determination of costs of a clean coal SNG brownfield  
8 facility, as defined by Section 1-10 of the Illinois Power  
9 Agency Act, as required in subsection (h-3) of Section 9-220  
10 of the Public Utilities Act, including calculating the range  
11 of capital costs, the range of operating and maintenance  
12 costs, or the sequestration costs or monitoring the  
13 construction of clean coal SNG brownfield facility for the  
14 full duration of construction.

15 (f) (Blank).

16 (g) (Blank).

17 (h) This Code does not apply to the process to procure or  
18 contracts entered into in accordance with Sections 11-5.2 and  
19 11-5.3 of the Illinois Public Aid Code.

20 (i) Each chief procurement officer may access records  
21 necessary to review whether a contract, purchase, or other  
22 expenditure is or is not subject to the provisions of this  
23 Code, unless such records would be subject to attorney-client  
24 privilege.

25 (j) This Code does not apply to the process used by the  
26 Capital Development Board to retain an artist or work or works

1 of art as required in Section 14 of the Capital Development  
2 Board Act.

3 (k) This Code does not apply to the process to procure  
4 contracts, or contracts entered into, by the State Board of  
5 Elections or the State Electoral Board for hearing officers  
6 appointed pursuant to the Election Code.

7 (l) This Code does not apply to the processes used by the  
8 Illinois Student Assistance Commission to procure supplies and  
9 services paid for from the private funds of the Illinois  
10 Prepaid Tuition Fund. As used in this subsection (l), "private  
11 funds" means funds derived from deposits paid into the  
12 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

13 (m) This Code shall apply regardless of the source of  
14 funds with which contracts are paid, including federal  
15 assistance moneys. Except as specifically provided in this  
16 Code, this Code shall not apply to procurement expenditures  
17 necessary for the Department of Public Health to conduct the  
18 Healthy Illinois Survey in accordance with Section 2310-431 of  
19 the Department of Public Health Powers and Duties Law of the  
20 Civil Administrative Code of Illinois.

21 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;  
22 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.  
23 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,  
24 eff. 6-16-25; 104-417, eff. 8-15-25; 104-458, eff. 6-1-26;  
25 revised 1-12-26.)

1 (30 ILCS 500/1-15.15)

2 Sec. 1-15.15. Chief Procurement Officer. "Chief  
3 Procurement Officer" means any of the 4 persons appointed or  
4 approved by a majority of the members of the Executive Ethics  
5 Commission:

6 (1) for procurements for (i) construction and  
7 construction-related services committed by law to the  
8 jurisdiction or responsibility of the Capital Development  
9 Board or (ii) construction-related services committed by  
10 law to the jurisdiction or responsibility of the  
11 Department of Central Management Services under Section  
12 405-217 of the Department of Central Management Services  
13 Law of the Civil Administrative Code of Illinois and other  
14 related provisions of this amendatory Act of the 104th  
15 General Assembly, the independent chief procurement  
16 officer appointed by a majority of the members of the  
17 Executive Ethics Commission.

18 (2) for procurements for all construction,  
19 construction support, construction-related services, the  
20 operation of any facility, the purchase of rolling stock,  
21 and the provision of any construction or  
22 construction-related service or activity committed by law  
23 to the jurisdiction or responsibility of the Illinois  
24 Department of Transportation, including the direct or  
25 reimbursable expenditure of all federal funds for which  
26 the Department of Transportation is responsible or

1           accountable for the use thereof in accordance with federal  
2           law, regulation, or procedure, the independent chief  
3           procurement officer appointed by the Secretary of  
4           Transportation with the consent of the majority of the  
5           members of the Executive Ethics Commission.

6           (3) for all procurements made by a public institution  
7           of higher education, the independent chief procurement  
8           officer appointed by a majority of the members of the  
9           Executive Ethics Commission.

10           (4) (Blank).

11           (5) for all other procurements, the independent chief  
12           procurement officer appointed by a majority of the members  
13           of the Executive Ethics Commission.

14           (Source: P.A. 104-2, eff. 6-16-25.)

15           (30 ILCS 500/1-15.72 new)

16           Sec. 1-15.72. Rolling stock. "Rolling stock" means buses,  
17           vans, cars, railcars, locomotives, trolley cars, trucks, and  
18           ferryboats as well as any vehicles used for support services,  
19           public transportation, or construction.

20           (30 ILCS 500/10-20)

21           Sec. 10-20. Independent chief procurement officers.

22           (a) Appointment. Within 60 calendar days after July 1,  
23           2010 (the effective date of Public Act 96-795), the Executive  
24           Ethics Commission, with the advice and consent of the Senate

1 shall appoint or approve 4 chief procurement officers, one for  
2 each of the following categories:

3 (1) for procurements for (i) construction and  
4 construction-related services committed by law to the  
5 jurisdiction or responsibility of the Capital Development  
6 Board or (ii) construction-related services committed by  
7 law to the jurisdiction or responsibility of the  
8 Department of ~~for~~ Central Management Services under  
9 Section 405-217 of the Department of Central Management  
10 Services Law of the Civil Administrative Code of Illinois  
11 and other related provisions of this amendatory Act of the  
12 104th General Assembly;

13 (2) for procurements for all construction,  
14 construction support, construction-related services, the  
15 operation of any facility, the purchase of rolling stock,  
16 and the provision of any service or activity committed by  
17 law to the jurisdiction or responsibility of the Illinois  
18 Department of Transportation, including the direct or  
19 reimbursable expenditure of all federal funds for which  
20 the Department of Transportation is responsible or  
21 accountable for the use thereof in accordance with federal  
22 law, regulation, or procedure, the chief procurement  
23 officer recommended for approval under this item appointed  
24 by the Secretary of Transportation after consent by the  
25 Executive Ethics Commission;

26 (3) for all procurements made by a public institution

1 of higher education; and

2 (4) for all other procurement needs of State agencies.

3 For fiscal years 2024, 2025, and 2026, the Executive  
4 Ethics Commission shall set aside from its appropriation those  
5 amounts necessary for the use of the 4 chief procurement  
6 officers for the ordinary and contingent expenses of their  
7 respective procurement offices. From the amounts set aside by  
8 the Commission, each chief procurement officer shall control  
9 the internal operations of his or her procurement office and  
10 shall procure the necessary equipment, materials, and services  
11 to perform the duties of that office, including hiring  
12 necessary procurement personnel, legal advisors, and other  
13 employees, and may establish, in the exercise of the chief  
14 procurement officer's discretion, the compensation of the  
15 office's employees, which includes the State purchasing  
16 officers and any legal advisors. The Executive Ethics  
17 Commission shall have no control over the employees of the  
18 chief procurement officers. The Executive Ethics Commission  
19 shall provide administrative support services, including  
20 payroll, for each procurement office.

21 (b) Terms and independence. Each chief procurement officer  
22 appointed under this Section shall serve for a term of 5 years  
23 beginning on the date of the officer's appointment. The chief  
24 procurement officer may be removed for cause after a hearing  
25 by the Executive Ethics Commission. The Governor or the  
26 director of a State agency directly responsible to the

1 Governor may institute a complaint against the officer by  
2 filing such complaint with the Commission. The Commission  
3 shall have a hearing based on the complaint. The officer and  
4 the complainant shall receive reasonable notice of the hearing  
5 and shall be permitted to present their respective arguments  
6 on the complaint. After the hearing, the Commission shall make  
7 a finding on the complaint and may take disciplinary action,  
8 including, but not limited to, removal of the officer.

9 The salary of a chief procurement officer shall be  
10 established by the Executive Ethics Commission and may not be  
11 diminished during the officer's term. The salary may not  
12 exceed the salary of the director of a State agency for which  
13 the officer serves as chief procurement officer.

14 (c) Qualifications. In addition to any other requirement  
15 or qualification required by State law, each chief procurement  
16 officer must within 12 months of employment be a Certified  
17 Professional Public Buyer or a Certified Public Purchasing  
18 Officer, pursuant to certification by the Universal Public  
19 Purchasing Certification Council, and must reside in Illinois.

20 (d) Fiduciary duty. Each chief procurement officer owes a  
21 fiduciary duty to the State.

22 (e) Vacancy. In case of a vacancy in one or more of the  
23 offices of a chief procurement officer under this Section  
24 during the recess of the Senate, the Executive Ethics  
25 Commission shall make a temporary appointment until the next  
26 meeting of the Senate, when the Executive Ethics Commission

1 shall nominate some person to fill the office, and any person  
2 so nominated who is confirmed by the Senate shall hold office  
3 during the remainder of the term and until his or her successor  
4 is appointed and qualified. If the Senate is not in session at  
5 the time Public Act 96-920 takes effect, the Executive Ethics  
6 Commission shall make a temporary appointment as in the case  
7 of a vacancy.

8 (f) (Blank).

9 (g) (Blank).

10 (Source: P.A. 103-8, eff. 6-7-23; 103-588, eff. 6-5-24;  
11 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2, eff.  
12 6-16-25.)

13 Section 10. The Governmental Joint Purchasing Act is  
14 amended by changing Section 2 as follows:

15 (30 ILCS 525/2) (from Ch. 85, par. 1602)

16 Sec. 2. Joint purchasing authority.

17 (a) Any governmental unit, except a governmental unit  
18 subject to the jurisdiction of a chief procurement officer  
19 established in Section 10-20 of the Illinois Procurement Code,  
20 may purchase personal property, supplies and services jointly  
21 with one or more other governmental units. All such joint  
22 purchases shall be by competitive solicitation as provided in  
23 Section 4, except as otherwise provided in this Act. The  
24 provisions of any other acts under which a governmental unit

1 operates which refer to purchases and procedures in connection  
2 therewith shall be superseded by the provisions of this Act  
3 when the governmental units are exercising the joint powers  
4 created by this Act.

5 (a-5) For purchases made by a governmental unit subject to  
6 the jurisdiction of a chief procurement officer established in  
7 Section 10-20 of the Illinois Procurement Code, the applicable  
8 chief procurement officer established in Section 10-20 of the  
9 Illinois Procurement Code may authorize the purchase of  
10 supplies and services jointly with a governmental unit of this  
11 State, governmental entity of another state, or with a  
12 consortium of governmental entities of one or more other  
13 states, except as otherwise provided in this Act. Subject to  
14 provisions of the joint purchasing solicitation, the  
15 appropriate chief procurement officer may designate the  
16 resulting contract as available to governmental units in  
17 Illinois.

18 (a-10) Each chief procurement officer appointed pursuant  
19 to Section 10-20 of the Illinois Procurement Code, with joint  
20 agreement of the respective agency or institution, may  
21 authorize the purchase or lease of supplies and services which  
22 have been procured through a competitive process by a federal  
23 agency; a state agency of another state; a consortium of  
24 governmental, educational, medical, research, or similar  
25 entities; or a group purchasing organization of which the  
26 chief procurement officer or State agency is a member or

1 affiliate, including, without limitation, any purchasing  
2 entity operating under the federal General Services  
3 Administration, the Higher Education Cooperation Act, and the  
4 Midwestern Higher Education Compact Act. Each applicable chief  
5 procurement officer may authorize purchases and contracts  
6 which have been procured through other methods of procurement  
7 if each chief procurement officer determines it is in the best  
8 interests of the State, considering a recommendation by their  
9 respective agencies or institutions. The chief procurement  
10 officer may establish detailed rules, policies, and procedures  
11 for use of these cooperative contracts. Notice of award shall  
12 be published by the chief procurement officer in the Illinois  
13 Procurement Bulletin at least prior to use of the contract.  
14 Each chief procurement officer shall submit to the General  
15 Assembly by November 1 of each year a report of procurements  
16 made under this subsection (a-10).

17 (a-15) Each chief procurement officer appointed pursuant  
18 to Section 10-20 of the Illinois Procurement Code may  
19 authorize any governmental unit of this State to purchase or  
20 lease supplies under a contract which has been procured under  
21 the jurisdiction of the Illinois Procurement Code by a  
22 governmental unit subject to the jurisdiction of the chief  
23 procurement officer. Prior to making the contract available to  
24 the governmental unit of this State, the chief procurement  
25 officer shall consult with the governmental unit that is party  
26 to the contract and is subject to the jurisdiction of the chief

1 procurement officer. A governmental unit of this State that  
2 uses a contract pursuant to this subsection shall report each  
3 year to the authorizing chief procurement officer the  
4 contractor used, supplies purchased, and total value of  
5 purchases for each contract. The authorizing chief procurement  
6 officer shall submit to the General Assembly by November 1 of  
7 each year a report of procurements made under this subsection  
8 (a-15).

9 (b) Any not-for-profit agency that qualifies under Section  
10 45-35 of the Illinois Procurement Code and that either (1)  
11 acts pursuant to a board established by or controlled by a unit  
12 of local government or (2) receives grant funds from the State  
13 or from a unit of local government, shall be eligible to  
14 participate in contracts established by the State.

15 (c) For governmental units subject to the jurisdiction of  
16 a chief procurement officer established in Section 10-20 of  
17 the Illinois Procurement Code, if any contract or amendment to  
18 a contract is entered into or purchase or expenditure of funds  
19 is made at any time in violation of this Act or any other law,  
20 the contract or amendment may be declared void by the chief  
21 procurement officer or may be ratified and affirmed, if the  
22 chief procurement officer determines that ratification is in  
23 the best interests of the governmental unit. If the contract  
24 or amendment is ratified and affirmed, it shall be without  
25 prejudice to the governmental unit's rights to any appropriate  
26 damages.

1           (d) This Section does not apply to construction-related  
2 professional services contracts awarded in accordance with the  
3 provisions of the Architectural, Engineering, and Land  
4 Surveying Qualifications Based Selection Act.

5           (Source: P.A. 103-865, eff. 1-1-25.)

6           Section 95. No acceleration or delay. Where this Act makes  
7 changes in a statute that is represented in this Act by text  
8 that is not yet or no longer in effect (for example, a Section  
9 represented by multiple versions), the use of that text does  
10 not accelerate or delay the taking effect of (i) the changes  
11 made by this Act or (ii) provisions derived from any other  
12 Public Act.".