



Rep. Dave Vella

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10400HB1053ham001

LRB104 03266 HLH 23239 a

1 AMENDMENT TO HOUSE BILL 1053

2 AMENDMENT NO. _____. Amend House Bill 1053 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Section 25-65 as follows:

6 (30 ILCS 500/25-65)

7 Sec. 25-65. Contracts performed outside the United States.
8 Prior to contracting or as a requirement of solicitation of
9 any State contracts for services as defined in Section
10 1-15.90, whichever is appropriate, potential contractors shall
11 disclose in a statement of work where services will be
12 performed under that contract, including any subcontracts, and
13 whether any services under that contract, including any
14 subcontracts, are anticipated to be performed outside the
15 United States.

16 In awarding the contract or evaluating the bid or offer,

1 the chief procurement officer shall ~~may~~ consider such
2 disclosure and the economic impact to the State of Illinois
3 and its residents.

4 The chief procurement officer may not award a contract to
5 a vendor if more than 10% of the services contracted, based on
6 the cost of services, are to be performed outside of the United
7 States unless the chief procurement officer first determines
8 in writing that the contracted services are not provided in
9 the United States or that the contracted services being
10 performed outside of the United States better serves the
11 public interest by helping to protect or save life, property,
12 or the environment. The limitation under this paragraph that
13 the chief procurement officer may not award a contract to a
14 vendor if more than 10% of the services contracted are to be
15 performed outside of the United States shall not apply to
16 emergency purchases authorized under Section 20-30 of this
17 Code or to sole source or sole economically feasible source
18 purchases authorized under Section 20-25 of this Code. The
19 changes made to this Section by this amendatory Act of the
20 104th General Assembly apply to procurements that are first
21 solicited on or after July 1, 2025.

22 If the chief procurement officer awards a contract to a
23 vendor based upon disclosure that work will be performed in
24 the United States and during the term of the contract the
25 contractor or a subcontractor proceeds to shift work outside
26 of the United States, the contractor shall be deemed in breach

1 of contract, unless the chief procurement officer shall have
2 first determined in writing that circumstances require the
3 shift of work or that termination of the contract would not be
4 in the State's best interest.

5 Nothing in this Section is intended to contravene any
6 existing treaty, law, agreement, or regulation of the United
7 States.

8 The chief procurement officer appointed pursuant to
9 paragraph (4) of subsection (a) of Section 10-20 shall prepare
10 and deliver to the General Assembly, no later than September
11 1, 2015, a report on the impact of outsourcing services for
12 State agencies subject to the jurisdiction of the chief
13 procurement officer. The report shall include the State's cost
14 of procurement and shall identify those contracts where it was
15 disclosed that services were provided outside of the United
16 States, including a description and value of those services.
17 Each State agency subject to the jurisdiction of the chief
18 procurement officer appointed pursuant to paragraph (4) of
19 subsection (a) of Section 10-20 must provide the chief
20 procurement officer the information necessary to comply with
21 this Section on or before June 1, 2015. The requirement for
22 reporting to the General Assembly shall be satisfied by filing
23 copies of the report in the manner provided by Section 3.1 of
24 the General Assembly Organization Act.

25 (Source: P.A. 98-1076, eff. 1-1-15.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".