

HB4875



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4875

by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

30 ILCS 500/1-15.15

30 ILCS 500/10-20

Amends the Illinois Procurement Code. Provides that the Executive Ethics Commission, with the advice and consent of the Senate, shall approve a chief procurement officer for procurements for farm and agricultural land made by the Department of Natural Resources after the effective date of the amendatory Act.

LRB104 19456 HLH 32904 b

A BILL FOR

1 AN ACT concerning State government.

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 1-15.15 and 10-20 as follows:

6 (30 ILCS 500/1-15.15)

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

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

23 (2) for procurements for all construction,

1 construction-related services, operation of any facility,
2 and the provision of any construction or
3 construction-related service or activity committed by law
4 to the jurisdiction or responsibility of the Illinois
5 Department of Transportation, including the direct or
6 reimbursable expenditure of all federal funds for which
7 the Department of Transportation is responsible or
8 accountable for the use thereof in accordance with federal
9 law, regulation, or procedure, the independent chief
10 procurement officer appointed by the Secretary of
11 Transportation with the consent of the majority of the
12 members of the Executive Ethics Commission; -

13 (3) for all procurements made by a public institution
14 of higher education, the independent chief procurement
15 officer appointed by a majority of the members of the
16 Executive Ethics Commission; -

17 (4) (Blank); -

18 (5) for all other procurements, the independent chief
19 procurement officer appointed by a majority of the members
20 of the Executive Ethics Commission; -

21 (6) for procurements for all farm and agricultural
22 land made by the Department of Natural Resources, the
23 independent chief procurement officer appointed by the
24 Director of Natural Resources with the consent of the
25 majority of the members of the Executive Ethics
26 Commission.

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

2 (30 ILCS 500/10-20)

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

4 (a) Appointment. Within 60 calendar days after July 1,
5 2010 (the effective date of Public Act 96-795), the Executive
6 Ethics Commission, with the advice and consent of the Senate
7 shall appoint or approve 5 ~~4~~ chief procurement officers, one
8 for each of the following categories:

9 (1) for procurements for (i) construction and
10 construction-related services committed by law to the
11 jurisdiction or responsibility of the Capital Development
12 Board or (ii) construction-related services committed by
13 law to the jurisdiction or responsibility of the
14 Department for Central Management Services under Section
15 405-217 of the Department of Central Management Services
16 Law of the Civil Administrative Code of Illinois and other
17 related provisions of this amendatory Act of the 104th
18 General Assembly;

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

1 accountable for the use thereof in accordance with federal
2 law, regulation, or procedure, the chief procurement
3 officer recommended for approval under this item appointed
4 by the Secretary of Transportation after consent by the
5 Executive Ethics Commission;

6 (3) for all procurements made by a public institution
7 of higher education; ~~and~~

8 (4) for all other procurement needs of State agencies;

9 -

10 (5) within 60 calendar days after the effective date
11 of this amendatory Act of the 104th General Assembly, the
12 Executive Ethics Commission, with the advice and consent
13 of the Senate, shall approve a chief procurement officer
14 for procurements for all farm and agricultural land made
15 by the Department of Natural Resources after the effective
16 date of this amendatory Act of the 104th General Assembly.

17 For fiscal years 2024, 2025, and 2026, the Executive
18 Ethics Commission shall set aside from its appropriation those
19 amounts necessary for the use of the 4 chief procurement
20 officers for the ordinary and contingent expenses of their
21 respective procurement offices. From the amounts set aside by
22 the Commission, each chief procurement officer shall control
23 the internal operations of his or her procurement office and
24 shall procure the necessary equipment, materials, and services
25 to perform the duties of that office, including hiring
26 necessary procurement personnel, legal advisors, and other

1 employees, and may establish, in the exercise of the chief
2 procurement officer's discretion, the compensation of the
3 office's employees, which includes the State purchasing
4 officers and any legal advisors. The Executive Ethics
5 Commission shall have no control over the employees of the
6 chief procurement officers. The Executive Ethics Commission
7 shall provide administrative support services, including
8 payroll, for each procurement office.

9 (b) Terms and independence. Each chief procurement officer
10 appointed under this Section shall serve for a term of 5 years
11 beginning on the date of the officer's appointment. The chief
12 procurement officer may be removed for cause after a hearing
13 by the Executive Ethics Commission. The Governor or the
14 director of a State agency directly responsible to the
15 Governor may institute a complaint against the officer by
16 filing such complaint with the Commission. The Commission
17 shall have a hearing based on the complaint. The officer and
18 the complainant shall receive reasonable notice of the hearing
19 and shall be permitted to present their respective arguments
20 on the complaint. After the hearing, the Commission shall make
21 a finding on the complaint and may take disciplinary action,
22 including, but not limited to, removal of the officer.

23 The salary of a chief procurement officer shall be
24 established by the Executive Ethics Commission and may not be
25 diminished during the officer's term. The salary may not
26 exceed the salary of the director of a State agency for which

1 the officer serves as chief procurement officer.

2 (c) Qualifications. In addition to any other requirement
3 or qualification required by State law, each chief procurement
4 officer must within 12 months of employment be a Certified
5 Professional Public Buyer or a Certified Public Purchasing
6 Officer, pursuant to certification by the Universal Public
7 Purchasing Certification Council, and must reside in Illinois.

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

10 (e) Vacancy. In case of a vacancy in one or more of the
11 offices of a chief procurement officer under this Section
12 during the recess of the Senate, the Executive Ethics
13 Commission shall make a temporary appointment until the next
14 meeting of the Senate, when the Executive Ethics Commission
15 shall nominate some person to fill the office, and any person
16 so nominated who is confirmed by the Senate shall hold office
17 during the remainder of the term and until his or her successor
18 is appointed and qualified. If the Senate is not in session at
19 the time Public Act 96-920 takes effect, the Executive Ethics
20 Commission shall make a temporary appointment as in the case
21 of a vacancy.

22 (f) (Blank).

23 (g) (Blank).

24 (Source: P.A. 103-8, eff. 6-7-23; 103-588, eff. 6-5-24;
25 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2, eff.
26 6-16-25.)