

SB3182



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3182

Introduced 2/2/2026, by Sen. Omar Aquino

SYNOPSIS AS INTRODUCED:

30 ILCS 500/10-10
30 ILCS 500/10-15

Amends the Illinois Procurement Code. Provides that a State agency may exercise administrative actions that are specifically provided for in a contract that has been entered into in accordance with the Code without prior procurement compliance monitor review. Removes language providing that each State purchasing officer owes a fiduciary duty to the State.

LRB104 20219 HLH 33670 b

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 Sections 10-10 and 10-15 as follows:

6 (30 ILCS 500/10-10)

7 Sec. 10-10. Independent State purchasing officers.

8 (a) The chief procurement officer shall appoint and
9 determine the salary of a State purchasing officer for each
10 agency that the chief procurement officer is responsible for
11 under Section 1-15.15. A State purchasing officer shall be
12 located in the State agency that the officer serves but shall
13 report to his or her respective chief procurement officer. The
14 State purchasing officer shall have direct communication with
15 agency staff assigned to assist with any procurement process.
16 At the direction of his or her respective chief procurement
17 officer, a State purchasing officer shall have the authority
18 to (i) review any contract or contract amendment prior to
19 execution to ensure that applicable procurement and
20 contracting standards were followed and (ii) approve or reject
21 contracts for a purchasing agency. If the State purchasing
22 officer provides written approval of the contract, the head of
23 the applicable State agency shall have the authority to sign

1 and enter into that contract. All actions of a State
2 purchasing officer are subject to review by a chief
3 procurement officer in accordance with procedures and policies
4 established by the chief procurement officer.

5 (a-5) A State purchasing officer may (i) attend any
6 procurement meetings; (ii) access any records or files related
7 to procurement; (iii) submit reports to the chief procurement
8 officer on procurement issues; (iv) ensure the State agency is
9 maintaining appropriate records; and (v) ensure transparency
10 of the procurement process.

11 (a-10) If a State purchasing officer is aware of
12 misconduct, waste, or inefficiency with respect to State
13 procurement, the State purchasing officer shall advise the
14 State agency of the issue in writing. If the State agency does
15 not correct the issue, the State purchasing officer shall
16 report the problem, in writing, to the chief procurement
17 officer and appropriate Inspector General.

18 (b) In addition to any other requirement or qualification
19 required by State law, within 30 months after appointment, a
20 State purchasing officer must be a Certified Professional
21 Public Buyer or a Certified Public Purchasing Officer,
22 pursuant to certification by the Universal Public Purchasing
23 Certification Council or the Institute for Supply Management.
24 A State purchasing officer shall serve a term of 5 years
25 beginning on the date of the officer's appointment. A State
26 purchasing officer shall have an office located in the State

1 agency that the officer serves but shall report to the chief
2 procurement officer. A State purchasing officer may be removed
3 by a chief procurement officer for cause after a hearing by the
4 Executive Ethics Commission. The chief procurement officer or
5 executive officer of the State agency housing the State
6 purchasing officer may institute a complaint against the State
7 purchasing officer by filing such a complaint with the
8 Commission and the Commission shall have a public hearing
9 based on the complaint. The State purchasing officer, chief
10 procurement officer, and executive officer of the State agency
11 shall receive notice of the hearing and shall be permitted to
12 present their respective arguments on the complaint. After the
13 hearing, the Commission shall make a non-binding
14 recommendation on whether the State purchasing officer shall
15 be removed. The salary of a State purchasing officer shall be
16 established by the chief procurement officer and may not be
17 diminished during the officer's term. In the absence of an
18 appointed State purchasing officer, the applicable chief
19 procurement officer shall exercise the procurement authority
20 created by this Code and may appoint a temporary acting State
21 purchasing officer.

22 (c) A State agency may exercise administrative actions
23 that are specifically provided for in a contract that has been
24 entered into in accordance with this Code without prior State
25 purchasing officer review. Those administrative actions
26 include, but are not limited to, adjustments to minimum or

1 prevailing wages, price adjustments made in accordance with
2 the Consumer Price Index or other schedule and product
3 substitutions that do not affect pricing. ~~Each State~~
4 ~~purchasing officer owes a fiduciary duty to the State.~~

5 (Source: P.A. 103-8, eff. 6-7-23.)

6 (30 ILCS 500/10-15)

7 Sec. 10-15. Procurement compliance monitors.

8 (a) The Executive Ethics Commission may appoint
9 procurement compliance monitors to oversee and review the
10 procurement processes. Each procurement compliance monitor
11 shall serve a term of 5 years beginning on the date of the
12 officer's appointment. Each procurement compliance monitor
13 appointed pursuant to this Section and serving a 5-year term
14 on the effective date of this amendatory Act of the 100th
15 General Assembly shall report to the chief procurement officer
16 in the performance of his or her duties until the expiration of
17 the monitor's term. The compliance monitor shall have direct
18 communications with the executive officer of a State agency in
19 exercising duties. A procurement compliance monitor may be
20 removed only for cause after a hearing by the Executive Ethics
21 Commission. The appropriate chief procurement officer or
22 executive officer of the State agency served by the
23 procurement compliance monitor may institute a complaint
24 against the procurement compliance monitor with the Commission
25 and the Commission shall hold a public hearing based on the

1 complaint. The procurement compliance monitor, State
2 purchasing officer, appropriate chief procurement officer, and
3 executive officer of the State agency shall receive notice of
4 the hearing and shall be permitted to present their respective
5 arguments on the complaint. After the hearing, the Commission
6 shall determine whether the procurement compliance monitor
7 shall be removed. The salary of a procurement compliance
8 monitor shall be established by the Executive Ethics
9 Commission and may not be diminished during the officer's
10 term.

11 (b) The procurement compliance monitor shall: (i) review
12 any procurement, contract, or contract amendment as directed
13 by the Executive Ethics Commission or a chief procurement
14 officer; and (ii) report any findings of the review, in
15 writing, to the Commission, the affected agency, the chief
16 procurement officer responsible for the affected agency, and
17 any entity requesting the review. The procurement compliance
18 monitor may: (i) review each contract or contract amendment
19 prior to execution to ensure that applicable procurement and
20 contracting standards were followed; (ii) attend any
21 procurement meetings; (iii) access any records or files
22 related to procurement; (iv) issue reports to the chief
23 procurement officer on procurement issues that present issues
24 or that have not been corrected after consultation with
25 appropriate State officials; (v) ensure the State agency is
26 maintaining appropriate records; and (vi) ensure transparency

1 of the procurement process.

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

9 (d) A State agency may exercise administrative actions
10 that are specifically provided for in a contract that has been
11 entered into in accordance with this Code without prior
12 procurement compliance monitor review. Those administrative
13 actions include, but are not limited to, adjustments to
14 minimum or prevailing wages, price adjustments made in
15 accordance with the Consumer Price Index or other schedule and
16 product substitutions that do not affect pricing. Each
17 ~~procurement compliance monitor owes a fiduciary duty to the~~
18 ~~State.~~

19 (Source: P.A. 100-43, eff. 8-9-17.)