



Sen. Rachel Ventura

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1 AMENDMENT TO SENATE BILL 3518

2 AMENDMENT NO. _____. Amend Senate Bill 3518 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Deforestation-Free Illinois Act.

6 Section 2. Legislative findings.

7 (a) The General Assembly finds and declares the following:

8 (1) According to the Food and Agriculture Organization
9 of the United Nations, 31% of land on earth is covered in
10 forests, but that area is rapidly decreasing. An estimated
11 1,600,000 square miles of forest have been converted to
12 other land uses since 1990, with 42,500 square miles
13 converted annually since 2010.

14 (2) Studies show that preventing deforestation is
15 among the most cost-effective climate mitigation
16 strategies with large global mitigation benefits.

1 Preventing deforestation is also one of the few large
2 mitigation options that does not risk trade-offs to
3 solving other challenges. On the contrary, it provides
4 co-benefits, such as enhanced health, clean water, and
5 sanitation.

6 (3) Cost-effective greenhouse gas emission mitigation
7 from forests and land use can provide roughly one-third of
8 the mitigation required by 2030 to hold the increase in
9 the global average temperature below 2 degrees Celsius
10 above pre-industrial levels. Studies also suggest that
11 protecting existing forests and allowing them to mature
12 could potentially store 151.7 gigatons of carbon or about
13 a quarter of the excess carbon emissions since
14 industrialization.

15 (4) Deforestation and forest degradation generates
16 between 4.3 and 5.5 gigatons of carbon dioxide equivalent
17 emissions annually. This amount is between 7% and 10% of
18 all carbon dioxide equivalent emissions from all sources
19 globally. Emissions associated with deforestation and
20 forest degradation contribute most of the 13% of total
21 anthropogenic carbon dioxide emissions attributed to
22 agriculture.

23 (5) The Intergovernmental Science-Policy Platform on
24 Biodiversity and Ecosystem Services found, in 2019, that
25 (i) the rate of global species extinction is accelerating
26 and is now tens to hundreds of times higher than the

1 average rate over the last 10,000,000 years, threatening
2 the loss of 1,000,000 species, and (ii) rampant land-use
3 change has an overwhelming relative impact on terrestrial
4 ecosystems.

5 (6) Most forest destruction is caused by a few
6 high-risk commodities, including, but not limited to,
7 cocoa, coffee, soy, palm oil, paper, rubber, and foreign
8 cattle products.

9 (b) The State should endeavor to use and purchase products
10 from supply chains that do not contribute to deforestation,
11 forest degradation, and interrelated human rights abuses.

12 Section 3. Definitions. As used in this Act:

13 "Beef" means any product that contains beef as an
14 ingredient.

15 "Cocoa" means any product that contains chocolate, cocoa,
16 or cocoa butter.

17 "Contractor" means any person or entity that receives
18 grant moneys from the State or has a contract with a State
19 agency for any of the following:

20 (1) public works or improvements;

21 (2) a franchise, concession, or lease of property; or

22 (3) goods and services or supplies to be purchased at
23 the expense of the State agency or to be paid for out of
24 moneys deposited into the State treasury or out of trust
25 fund moneys that are under the control of or collected by

1 the State agency.

2 "Deforestation" means direct, human-induced conversion of
3 forest to a tree plantation or other agricultural or
4 non-forest land use.

5 "Foreign beef" means beef that does not qualify for the
6 voluntary "Product of U.S.A." label under rules adopted by the
7 Food Safety and Inspection Service of the U.S. Department of
8 Agriculture.

9 "Forest degradation" means changes to forest structure
10 that result from human intervention and negatively impact
11 species composition or natural ecological functions, as
12 indicated by factors, including reductions in carbon storage
13 and other ecosystem services, abundance of native species, or
14 distribution of trees by age class.

15 "Forest-risk commodity" means:

16 (1) any commodity, including any agricultural or
17 nonagricultural commodity, whether in raw or processed
18 form, that is commonly extracted from or grown, derived,
19 harvested, reared, or produced on land where deforestation
20 or primary forest or old-growth forest degradation has
21 occurred or is likely to occur; or

22 (2) any product derived from a product described in
23 paragraph (1).

24 "Forest-risk commodity" includes cocoa and foreign beef.

25 "Illinois State product" means:

26 (1) a product that is grown, harvested, or produced in

1 this State; or

2 (2) a product that is processed inside or outside of
3 this State comprising over 51%, by weight or volume, raw
4 materials that are grown, harvested, or produced in this
5 State.

6 "Industrial development" means the processes and
7 operations involved in the large-scale production of goods,
8 including, but not limited to, manufacturing, processing,
9 warehousing, transporting, or repairing. "Industrial
10 development" also means the creation of facilities and
11 transportation infrastructure for these activities, such as
12 power generation, ship building, road development, and waste
13 storage and treatment.

14 "Large contractor" means any contractor whose annual
15 revenue, or that of its parent company, is equal to or greater
16 than \$100,000,000.

17 "Master contract" has the meaning given to that term in
18 Section 1-15.47 of the Illinois Procurement Code.

19 "Medium-sized business" means a business that operates in
20 this State, is independently owned and operated, not dominant
21 in its field, and employs between 100 and 500 persons.

22 "Minority-owned business" has the meaning given to that
23 term in Section 2 of the Business Enterprise for Minorities,
24 Women, and Persons with Disabilities Act.

25 "Old-growth forest" means a forest ecosystem distinguished
26 by old trees and related structural attributes, encompassing

1 the later stages of stand development that typically differ
2 from earlier stages in a variety of characteristics, which may
3 include advanced tree size, accumulations of large dead woody
4 material, multiple canopy layers, later successional species
5 composition, and ecosystem function. In the United States, the
6 attributes of old-growth forests vary depending on forest
7 type, geography and history, but typically contain trees that
8 are over 120 years of age and at least 40 centimeters in
9 diameter.

10 "Peat" means a soil that is rich in organic matter
11 composed of partially decomposed and decaying plant materials,
12 and comprises 40 centimeters of the top 100 centimeters of the
13 soil profile.

14 "Peatlands" means wetlands with a layer of peat.
15 "Peatlands" includes moors, bogs, mires, peat swamp forests,
16 and permafrost tundra.

17 "Primary forest" or "pre-industrial forest" means a forest
18 that has never been disturbed by industrial development or
19 large-scale harvesting and has developed following natural
20 disturbances and under natural processes, regardless of its
21 age. "Primary forest" includes a forest in any geography that
22 has experienced nonindustrial-scale human impacts, including
23 traditional or subsistence activities carried out by
24 indigenous communities.

25 "Recovered fiber" means postconsumer fiber such as paper,
26 paperboard, and fibrous materials from places including retail

1 stores, office buildings, and homes, after having passed
2 through its end usage, including used corrugated boxes, old
3 newspapers, old magazines, mixed waste paper, tabulating
4 cards, and used cordage, and all paper, paperboard, and
5 fibrous materials that enter and are collected from municipal
6 solid waste and manufacturing waste, such as dry paper and
7 paperboard waste generated after completion of the papermaking
8 process, including envelope cuttings, bindery trimmings, and
9 other paper and paperboard waste resulting from printing,
10 cutting, forming, and other converting operations, bag, box,
11 and carton manufacturing wastes, and butt rolls, mill
12 wrappers, and rejected unused stock, and repulped finished
13 paper and paperboard from obsolete inventories of paper and
14 paperboard manufacturers, merchants, wholesalers, dealers,
15 printers, converters, and others.

16 "Small business" has the meaning given to that term in
17 Section 45-45 of the Illinois Procurement Code.

18 "Tropical forest" means a natural ecosystem within the
19 tropical regions, approximately bounded geographically by the
20 tropics of Cancer and Capricorn, but possibly affected by
21 other factors such as prevailing winds, containing native
22 species composition, structure, and ecological function, with
23 a tree canopy cover of more than 10% over an area of at least
24 0.5 hectares. "Tropical forest" includes all of the following:
25 (i) human-managed tropical forests or partially degraded
26 tropical forests that are regenerating; and (ii) tropical

1 forests identified by multi-objective conservation-based
2 assessment methodologies, such as High Conservation Value
3 areas (HCV), as defined by the HCV Resource Network, or High
4 Carbon Stock Forests, as defined by the High Carbon Stock
5 Approach, or by another methodology with equivalent or higher
6 standards that includes primary forests and tropical peatlands
7 of any depth.

8 "Tropical hardwood" means any of the following species:

- 9 (1) *Prunus Africana* (African cherry, red stinkwood);
- 10 (2) *Caryocar Costaricense* (garlic tree);
- 11 (3) *Calophyllum* species (bintangor);
- 12 (4) *Cedrela* species (cedar, Spanish cedar, South
13 American cedar);
- 14 (5) *Neobalanocarpus Heimii* (chengal);
- 15 (6) *Octomeles Sumatrana* (Benuang);
- 16 (7) *Myroxylon Balsamum* (balsamo);
- 17 (8) *Apuleia Leiocarpa* (garapa);
- 18 (9) *Parastemon Urophyllus* (malas);
- 19 (10) *Spicatus Ridley Hopea* species (merawan);
- 20 (11) *Araucaria Araucana* (monkey puzzle, Chilean pine);
- 21 (12) *Senna Siamea* (Siamese cassia);
- 22 (13) *Pometia Pinnata* (taun);
- 23 (14) *Millettia Leucantha*, *Millettia Stuhlmannii*,
24 *Millettia Laurentii* (sathon, panga panga, wenge);
- 25 (15) *Bulnesia Arborea*, *Bulnesia Sarmientoi* (verawood,
26 Argentine *lignum vitae*);

- 1 (16) *Tristaniopsis Laurina* (water gum);
- 2 (17) *Terminalia* species (limba, afara, ofram, idigbo,
- 3 framire, black afara, amarillo, nargusta);
- 4 (18) *Homalium Foetidum* (malas);
- 5 (19) *Dillenia Papuana* (dillenia);
- 6 (20) *Canarium* species (red canarium, grey canarium);
- 7 (21) *Burkrella Macropoda* (rang rang);
- 8 (22) *Dracontomelon Dao* (New Guinea walnut);
- 9 (23) *Planchonella* species (white planchonella, red
- 10 planchonella);
- 11 (24) *Lophopetalum* species (perupok);
- 12 (25) *Cariniana Pyriformis* (Colombian mahogany, abarco,
- 13 jequitiba);
- 14 (26) *Mitragyna Ciliata* (abura);
- 15 (27) *Vouacapoua Americana* (acapu);
- 16 (28) *Amburana Cearensis* (amburana, cerejeira, cumare);
- 17 (29) *Lovoa* species (African walnut, tigerwood);
- 18 (30) *Pericopsis Elata* (afromosia);
- 19 (31) *Peltogyne* species (amaranth, purpleheart);
- 20 (32) *Pterogyne Nitens* (amendoim);
- 21 (33) *Carapa Guianensis*, *Dicorynia Guianensis*, *Bagassa*
- 22 *Guianensis*, *Couratari Guianensis* (andiroba, angelique,
- 23 tatajuba, bagasse);
- 24 (34) *Aningeria* species (aningeria, anegre, anigre);
- 25 (35) *Dipterocarpus* species (apitong, keruing);
- 26 (36) *Centrolobium* species (arariba);

- 1 (37) Brosimum Utile, Brosimum Alicastrum (baco,
2 breadnut);
- 3 (38) Ochroma Lagopus, Ochroma Pyramidale (balsa);
- 4 (39) Berlinia species (berlinia, rose zebrano);
- 5 (40) Symphonia Globulifera (boarwood);
- 6 (41) Detarium Senegalense (boire);
- 7 (42) Caesalpinia Echinata, Paubrasilia Echinata
8 (Brazilwood, pernambuco);
- 9 (43) Bertholletia Excelsa (Brazil nut, mora);
- 10 (44) Guibourtia species (bubinga, African rosewood,
11 kevazingo, amazique);
- 12 (45) Toona Calantas (calantas);
- 13 (46) Prioria copaifera (cativo);
- 14 (47) Ceiba Pentandra (ceiba);
- 15 (48) Antiaris africana (chechen, antiaris);
- 16 (49) Tabebuia Donnell-Smithii (copal);
- 17 (50) Daniellia species (daniellia);
- 18 (51) Cordia species (cordia wood, bocote, ziricote,
19 louro, freijo);
- 20 (52) Hymenaea Courbaril (courbaril, West Indian
21 locust, brazilian cherry);
- 22 (53) Dipteryx Odorata (cumaru, Brazilian teak);
- 23 (54) Piptadeniastrum Africanum (dahoma);
- 24 (55) Calycophyllum Candidissimum (dagame, lemonwood);
- 25 (56) Afzelia species (doussie);
- 26 (57) Diospyros species (ebony, ceylon ebony,

- 1 marblewood);
- 2 (58) *Lophira Alata* (ekki, azobe, red ironwood);
- 3 (59) *Combretodendron Macrocarpum* (esia);
- 4 (60) *Chlorophora Tinctoria*, *Chlorophora Excelsa*
- 5 (fustic, iroko, African teak);
- 6 (61) *Aucoumea Klaineana* (gaboon, okoume);
- 7 (62) *Astronium* species (goncalo alves, tigerwood);
- 8 (63) *Ocotea Rodiei* (greenheart);
- 9 (64) *Enterolobium Cyclocarpum* (guanacaste,
- 10 elephant-ear tree);
- 11 (65) *Guarea* species (guarea, bosse);
- 12 (66) *Phoebe Porosa* (imbuia, Brazilian walnut);
- 13 (67) *Handroanthus* species (ipe, pau d'arco, lapacho);
- 14 (68) *Jacaranda Copaia* (jacaranda);
- 15 (69) *Machaerium Villosum* (jacaranda pardo);
- 16 (70) *Dyera Costulata* (jelutong);
- 17 (71) *Dryobalanops* species (kapur, keladan);
- 18 (72) *Koompassia Malaccensis* (kempas);
- 19 (73) *Acacia Koa* (koa);
- 20 (74) *Pterygota Macrocarpa* (koto, African pterygota);
- 21 (75) *Oxandra Lanceolata* (lancewood);
- 22 (76) *Shorea* species (lauan, luan, lawaan, meranti,
- 23 seraya, Philippine mahogany, balau);
- 24 (77) *Nothofagus Pumilio*, *Nothofagus Obliqua* (lenga
- 25 beech, roble);
- 26 (78) *Guaiacum Officinale* (roughbark lignum-vitae);

- 1 (79) Aniba Rosaeodora, Aniba Duckei (pau rosa);
- 2 (80) Nectandra species (louro preto);
- 3 (81) Khaya species (African mahogany);
- 4 (82) Swietenia species (mahogany, West Indian
- 5 mahogany, Honduran mahogany, Cuban mahogany, big-leaf
- 6 mahogany);
- 7 (83) Tieghemella Heckelii (makora);
- 8 (84) Intsia Bijuga, Intsia Palembanica (Borneo teak,
- 9 merbau);
- 10 (85) Anisoptera species (mersawa, krabak, palosapis);
- 11 (86) Distemonanthus Benthamianus (movingui, ayan);
- 12 (87) Pterocarpus species (narra, amboyna, Papua New
- 13 Guinea rosewood, mukula, kosso, zitan, hongmu, padauk,
- 14 vermillion wood);
- 15 (88) Palaquium species (nyatoh);
- 16 (89) Triplochiton Scleroxylon (African whitewood,
- 17 obeche, sambawawa);
- 18 (90) Nauclea Diderrichii (opepe);
- 19 (91) Balfourodendron Riedelianum (marfim);
- 20 (92) Aspidosperma species (peroba rosa);
- 21 (93) Paratecoma Peroba (peroba branca);
- 22 (94) Gonystylus species (ramin);
- 23 (95) Melanorrhoea Curtisii (rengas, Borneo rosewood);
- 24 (96) Hevea Brasiliensis (rubber tree);
- 25 (97) Dalbergia species (rosewood, Indian rosewood,
- 26 Honduras rosewood, cocobolo, granadillo, pinkwood,

1 tulipwood, African blackwood);

2 (98) Entandrophragma cylindricum, Entandrophragma
3 Candollei, Entandrophragma Utile (sapele, sapelli, kosipo,
4 omu, utile, sipo);

5 (99) Acanthopanax Ricinofolius (sen);

6 (100) Brosimum Aubletti, Piratinera (snakewood,
7 letterwood, leopardwood);

8 (101) Juglans species (South American walnut, Peruvian
9 walnut);

10 (102) Sterculia Rhinopetalia (sterculia);

11 (103) Tectona Grandis (teak);

12 (104) Virola species (virola, cumala);

13 (105) Pentacme Contorta (white lauan); and

14 (106) Microberlinia species (zebrawood, zingana).

15 "Tropical hardwood" does not include wood grown in a tree
16 plantation.

17 "Tropical hardwood product" means any product that
18 contains tropical hardwood, regardless of whether it is sold
19 at wholesale or retail, including, but not limited to,
20 plywood, veneer, furniture, cabinets, paneling, siding,
21 moldings, doors, doorskins, joinery, flooring, or sawnwood.

22 "Tropical peatland" means tropical wetlands with a layer
23 of peat. "Tropical peatland" includes moors, bogs, mires, and
24 peat swamp forests.

25 "Wholly or in part" shall have the meaning given to that
26 term by rule. The term shall be defined in a manner designed to

1 limit the administrative burden on the State while maximizing
2 this Act's effectiveness at preventing deforestation and
3 primary forest and old-growth forest degradation.

4 "Women-owned business" has the meaning given to that term
5 in Section 2 of the Business Enterprise for Minorities, Women,
6 and Persons with Disabilities Act.

7 Section 4. Purchase of tropical hardwoods prohibited.

8 (a) Except as otherwise provided, on and after January 1,
9 2028, neither the State nor any State agency shall allow any
10 person having a contract with the State or with a State agency
11 to purchase, at wholesale or retail, or obtain any tropical
12 hardwood or tropical hardwood product for use in completing a
13 contract with the State or with any State agency.

14 (b) Subsection (a) shall not apply to:

15 (1) any binding contractual obligation for the
16 purchase of commodities entered into before January 1,
17 2028; or

18 (2) any grant, subvention, or contract with an agency
19 of the United States, or any instruction of an authorized
20 representative of an agency of the United States, if the
21 application of subsection (a) violates or is inconsistent
22 with the terms or conditions of the grant, subvention,
23 contract, or instruction.

24 (c) Tropical hardwood or tropical hardwood products
25 sourced via a small-scale harvesting operation by indigenous

1 communities on their traditional lands may be exempted from
2 this Section and Section 6 if the extraction rates are
3 demonstrated to be ecologically sustainable. Any exemptions
4 and associated justifications under this subsection (c) shall
5 be posted publicly in the Illinois Procurement Bulletin
6 published by the chief procurement officer appointed pursuant
7 to paragraph (4) of subsection (a) of Section 10-20 of the
8 Illinois Procurement Code.

9 Section 6. Phase-in of forest-risk commodity procurement.

10 (a) One year after the effective date of this Act, every
11 master contract entered into by the Department of Central
12 Management Services that includes the procurement of any
13 covered product made, in whole or in part, of a covered
14 forest-risk commodity shall require the contractor to certify
15 that the product furnished to the State under the contract was
16 not extracted from, grown, derived, harvested, reared, or
17 produced on land where deforestation or primary forest or
18 old-growth forest degradation occurred. The contractor shall
19 agree to comply with this provision of the contract.

20 (b) Two years after the effective date of this Act, every
21 contract entered into by a State agency that includes the
22 procurement of any product that consists, in whole or in part,
23 of a forest-risk commodity shall require the contractor to
24 confirm that the commodity furnished to the State under the
25 contract was not extracted from, grown, derived, harvested,

1 reared, or produced on land where deforestation or primary
2 forest or old-growth forest degradation occurred on or after
3 the effective date of this Act. The contractor shall agree to
4 comply with this provision of the contract.

5 (c) With respect to a certification for foreign beef that
6 consists wholly or in part of beef that was produced on land in
7 a country where the production of beef is not a direct cause of
8 deforestation or primary or old-growth forest degradation,
9 according to scientific assessments of recent land use trends,
10 the contractor shall be required only to demonstrate that the
11 beef originated in that country.

12 (d) This Section does not apply to any grant, subvention,
13 or contract with an agency of the United States, or to any
14 instruction of an authorized representative of an agency of
15 the United States, if the application of subsection (a)
16 violates or is inconsistent with the terms or conditions of
17 the grant, subvention, contract, or instruction.

18 (e) Certified contracts shall be made available for public
19 inspection on the website of the Department of Central
20 Management Services after approval of the contract. The
21 listing must include the identity of the contractor, the
22 contract, the products certified, and the basis for its
23 certification.

24 Section 7. Compliance.

25 (a) Every bid and resulting contract award shall specify

1 that the contractor is required to cooperate fully in
2 providing access to the contractor's records, documents,
3 agents, employees, or premises if required by authorized
4 officials of the contracting State agency, the Department of
5 Central Management Services, or the Office of the Attorney
6 General to determine the contractor's compliance with the
7 requirements of this Act.

8 (b) Contractors shall exercise due diligence in ensuring
9 that their subcontractors comply with Section 6. Contractors
10 shall require each subcontractor to certify in writing that
11 the subcontractor complies with this Act.

12 Section 8. Required forest policies. In addition to the
13 requirements of Sections 6 and 7, large contractors that are
14 subject to Section 6 must confirm that they have adopted a
15 forest policy that includes, at a minimum, the following for
16 each product covered by this Act:

17 (1) procedures for identifying and mitigating the risk
18 of deforestation and primary forest and old-growth forest
19 degradation in forest-risk commodity supply chains; and

20 (2) procedures to ensure compliance with source
21 country laws regarding forest-risk commodity supply chains
22 and respect for national and international human rights
23 standards, including recognized rights of indigenous
24 peoples and local communities; the principle of Free,
25 Prior and Informed Consent; the rights and safety of local

1 environmental and human rights defenders; and the rights
2 of workers.

3 When a large contractor has received a contract award, the
4 forest policy shall be published with the award notice in
5 addition to information demonstrating implementation of the
6 policy, disaggregated by product and updated at least
7 annually, as well as publicly in the Illinois Procurement
8 Bulletin published by the chief procurement officer appointed
9 pursuant to paragraph (4) of subsection (a) of Section 10-20
10 of the Illinois Procurement Code.

11 Section 10. Violations and sanctions.

12 (a) Within 6 months after the effective date of this Act,
13 each chief procurement officer shall establish an easily
14 accessible system through which members of the public may make
15 complaints and submit information regarding violations of this
16 Act and a mechanism to provide feedback to the person making
17 the complaint or submitting the information on any action that
18 was taken.

19 (b) If it is determined that any contractor contracting
20 with the State knew or should have known that a product made,
21 wholly or in part, of a forest-risk commodity was furnished to
22 the State in violation of Sections 4, 6, 7, or 8, the
23 contracting State agency shall issue a written notice of
24 violation and provide an opportunity for the contractor to
25 come into compliance with the Act. If, after such notice, a

1 contractor fails to come into compliance within a timeframe
2 established by the Department of Central Management Services
3 and the Capital Development Board, the contractor may have
4 either one or both of the following sanctions imposed:

5 (1) the contract under which the prohibited
6 forest-risk commodity was furnished may be terminated at
7 the option of the State agency to which the commodity was
8 furnished; or

9 (2) the contractor may be assessed a penalty that
10 shall be the greater of \$1,000 or an amount equaling 20% of
11 the value of the product that the State agency
12 demonstrates was made, wholly or in part, of a forest-risk
13 commodity and furnished to the State in violation of
14 Sections 4, 6, 7, and 8.

15 A hearing or opportunity to be heard shall be provided
16 prior to the assessment of any penalty.

17 (c) Notwithstanding subsection (a), a contractor that
18 complies with Section 7 shall not be subject to sanctions for
19 violations if the contractor had no knowledge of the
20 requirements of Sections 4, 6, 7, and 8, and if the violations
21 were committed solely by a subcontractor. In that case, the
22 sanctions described under subsection (a) shall instead be
23 imposed on the subcontractor that committed the violation.

24 Section 11. Investigation of violations.

25 (a) Any State agency that investigates a complaint against

1 a contractor or subcontractor for a violation of this Act may
2 limit its investigation to evaluating the information provided
3 by the person or entity submitting the complaint and the
4 information provided by the contractor or subcontractor.

5 (b) Whenever a contracting State agency has reason to
6 believe that the contractor failed to comply with Sections 4,
7 6, 7, and 8, the State agency may refer the matter for
8 investigation to the Office of the Attorney General.

9 Section 12. Preference for Illinois State products.

10 (a) If a contract for the purchase of a commodity or
11 product covered by this Act is to be awarded to the lowest
12 responsible bidder, an otherwise qualified bidder who is a
13 small business, medium-sized business, minority-owned
14 business, women-owned business, or who will fulfill the
15 contract through the use of Illinois State products may be
16 given preference over other bidders, as long as (i) the
17 product does not contribute to deforestation or primary forest
18 or old-growth forest degradation and (ii) the cost included in
19 the bid is not more than 10% greater than the cost included in
20 a bid that is not from a small business, medium-sized
21 business, minority-owned business, women-owned business, or
22 fulfilled through the use of Illinois State products.

23 (b) This Section shall not apply if the head of the
24 contracting State agency purchasing the products determines
25 that giving preference to bidders under this Section:

1 (1) would be against the public interest;

2 (2) would increase the cost of the contract by an
3 unreasonable amount; or

4 (3) would be impracticable because Illinois products
5 cannot be obtained in sufficient and reasonable available
6 quantities and of satisfactory quality to meet the
7 contracting State agency's requirements.

8 (c) Nothing in this Section shall be construed to conflict
9 with or otherwise limit the goals and requirements set forth
10 by Article 45 of the Illinois Procurement Code or the Business
11 Enterprise for Minorities, Women, and Persons with
12 Disabilities Act.

13 Section 14. Assessment. All work products produced under
14 Section 6 shall be made available to the public in the Illinois
15 Procurement Bulletin published by the chief procurement
16 officer appointed pursuant to paragraph (4) of subsection (a)
17 of Section 10-20 of the Illinois Procurement Code.

18 Section 15. The supply chain transparency assistance
19 program.

20 (a) As used in this Section, "eligible business" means a
21 small business, medium-sized business, minority-owned
22 business, or women-owned business seeking to comply with the
23 requirements of this Act.

24 (b) Each chief procurement officer, in consultation with

1 the Business Enterprise Program and the Department of Central
2 Management Services, is hereby authorized and directed, within
3 one year after the effective date of this Act, to establish,
4 develop, and issue, within available appropriations, a supply
5 chain transparency assistance program to assist small
6 businesses, medium-sized businesses, and minority-owned and
7 women-owned businesses in achieving supply chains that comply
8 with the requirements of this Act.

9 (c) The purpose of the program developed under this
10 Section is to compile and share resources that:

11 (1) help participating eligible businesses with
12 compliance with supply chain related regulations,
13 procurement standards, or contracting requirements
14 established under this Act; and

15 (2) identify funding streams, grant moneys, financial
16 assistance and other resources that may be available to
17 help participating eligible businesses achieve
18 transparent, traceable, ethical, and sustainable supply
19 chains as it pertains to this Act.

20 (d) The Chief Procurement Officer for General Services,
21 the Business Enterprise Program, and the Department of Central
22 Management Services are responsible for publishing the
23 resources compiled by this Act.

24 Section 16. Report. Beginning 2 years after the effective
25 date of this Act and biennially thereafter, the Director of

1 Central Management Services and the Director of the Capital
2 Development Board shall issue a report to each chief
3 procurement officer appointed pursuant to Section 10-20 of the
4 Illinois Procurement Code, the Governor, and the General
5 Assembly on the implementation of this Act.

6 Section 17. Applicability.

7 (a) This Act shall apply to all contracts entered into,
8 extended, or renewed on or after the effective date of the Act.

9 (b) If the Governor or the Director of the Department of
10 Public Health has issued a disaster declaration because of a
11 disaster, as defined in Section 4 of the Illinois Emergency
12 Management Agency Act, and compliance with the terms of this
13 Act would be impracticable because critical commodities cannot
14 be obtained in sufficient and reasonable available quantities
15 and of satisfactory quality to meet the contracting State
16 agency's requirements, then the comprehensive requirements of
17 this Act shall be suspended for a period of 60 days beginning
18 on the day of the disaster declaration, in accordance with
19 which critical commodities regulated by this Act cannot be
20 obtained in sufficient and reasonable available quantities and
21 of satisfactory quality to meet the contracting State agency's
22 requirements.

23 (c) Ongoing suspension of the comprehensive requirements
24 of this Act for terms beyond the initial 60 days must be
25 formally renewed by the Department of Central Management

1 Services and

2 (1) must be dependent upon the existence of an ongoing
3 disaster declaration as defined in Section 4 of the
4 Illinois Emergency Management Agency Act, and

5 (2) a reality where compliance with all of the terms
6 of this Act would be impracticable because critical
7 commodities cannot be obtained in sufficient and
8 reasonable available quantities and of satisfactory
9 quality to meet the contracting State agency's
10 requirements.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.".