



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2143

Introduced 2/26/2021, by Sen. Dan McConchie

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/50-85 new

Amends the Illinois Procurement Code. Provides that if the Governor, pursuant to the power granted under the Illinois Emergency Management Agency Act, suspends or waives the requirements of the Code, the Auditor General shall conduct a performance audit of purchases exempted from the provisions of the Code due to a disaster declaration. Provides that the audit requirement shall apply to any disaster declaration issued by the Governor during calendar year 2020 or 2021 for which the provisions of the Code were suspended or waived. Provides for the contents of the audit. Requires the Auditor General to commence the audit as soon as possible upon the termination of a disaster declaration, and report his or her findings and recommendations upon completion in accordance with specified provisions of the Illinois State Auditing Act. Effective immediately.

LRB102 16261 RJF 21643 b

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 adding Section 50-85 as follows:

6 (30 ILCS 500/50-85 new)

7 Sec. 50-85. Audit of disaster procurements.

8 (a) If the Governor, pursuant to the power granted to the  
9 Governor under paragraph (1) of Section 7 of the Illinois  
10 Emergency Management Agency Act, suspends or waives the  
11 requirements of this Code, the Auditor General shall conduct a  
12 performance audit of purchases exempted from the provisions of  
13 this Code due to a disaster declaration. The requirements of  
14 this Section shall apply to any disaster declaration issued by  
15 the Governor during calendar year 2020 or 2021 for which the  
16 provisions of this Code were suspended or waived, including  
17 such declarations issued before the effective date of this  
18 amendatory Act of the 102nd General Assembly.

19 (b) The audit required under subsection (a) shall include,  
20 but shall not be limited to, the following determinations:

21 (1) whether purchasing agencies took reasonable steps  
22 to maximize transparency and a competitive bidding process  
23 during the disaster;

1           (2) whether purchasing agencies limited the purchase  
2           to the time reasonably needed for a competitive  
3           procurement, not to exceed 90 calendar days, unless  
4           extended by the chief procurement officer;

5           (3) whether the procurements were published in the  
6           appropriate procurement bulletin; and

7           (4) whether the purchasing agencies kept accurate and  
8           complete records for all procurements exempted from the  
9           provisions of this Code under the disaster declaration.

10          (c) The Auditor General shall commence the audit required  
11          under this Section as soon as possible upon the termination of  
12          a disaster declaration, and report his or her findings and  
13          recommendations upon completion in accordance with Section  
14          3-14 of the Illinois State Auditing Act.

15          Section 99. Effective date. This Act takes effect upon  
16          becoming law.