



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1726

Introduced 2/19/2009, by Sen. Jeffrey M. Schoenberg

SYNOPSIS AS INTRODUCED:

30 ILCS 500/50-20

Amends the Illinois Procurement Code. With respect to the waiving of the prohibition against certain State officials and employees having State contracts, (i) requires that a granted waiver must be filed with the Secretary of State and Comptroller within 60 days after issuance or when contract performance begins, whichever is earlier, (ii) requires that the filing must occur before the contract is executed, (iii) requires that the waiver must be published in the electronic Illinois Procurement Bulletin before the contract is executed, and (iv) provides that a contract for which an issued waiver has not been properly filed and published is voidable. Effective immediately.

LRB096 11108 JAM 21457 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 changing Section 50-20 as follows:

6 (30 ILCS 500/50-20)

7 Sec. 50-20. Exemptions. With the approval of the
8 appropriate chief procurement officer involved, the Governor,
9 or an executive ethics board or commission he or she
10 designates, may exempt named individuals from the prohibitions
11 of Section 50-13 when, in his, her, or its judgment, the public
12 interest in having the individual in the service of the State
13 outweighs the public policy evidenced in that Section. An
14 exemption is effective only when it is filed with the Secretary
15 of State and the Comptroller within 60 days after its issuance
16 or when performance of the contract begins, whichever is
17 earlier, and includes a statement setting forth the name of the
18 individual and all the pertinent facts that would make that
19 Section applicable, setting forth the reason for the exemption,
20 and declaring the individual exempted from that Section.
21 Exemptions must be filed with the Secretary of State and
22 Comptroller prior to execution of any contracts. A copy of
23 ~~Notice of~~ each exemption shall be published in the Illinois

1 Procurement Bulletin in its electronic form prior to execution
2 of the contract. The changes to this Section made by this
3 amendatory Act of the 96th General Assembly apply to exemptions
4 granted on or after its effective date.

5 A contract for which a waiver has been issued but has not
6 been filed in accordance with this Section is voidable.

7 (Source: P.A. 90-572, eff. 2-6-98.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.