



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2669

by Rep. Kenneth Dunkin

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Diversity Disclosures Mechanisms for Vendors Act. Defines relevant terms. Authorizes the Department of Central Management Services to create and administer a diversity reporting initiative. Permits the Department to produce a front-end report and supplemental report requesting the racial and ethic background of all employees employed by any vendor. Requires vendors to complete and submit to the Department the front-end report at the time of the execution of the contract, and the supplemental report after the completion of the performance required under the contract.

LRB099 08034 SXM 28178 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 1. Short title. This Act may be cited as the  
5 Diversity Disclosures Mechanisms for Vendors Act.

6 Section 5. Definitions. For the purposes of this Act:

7 (a) "Minority person" means a person who is a citizen or  
8 lawful permanent resident of the United States and who is any  
9 of the following:

10 (1) American Indian or Alaska Native (a person having  
11 origins in any of the original peoples of North and South  
12 America, including Central America, and who maintains  
13 tribal affiliation or community attachment).

14 (2) Asian (a person having origins in any of the  
15 original peoples of the Far East, Southeast Asia, or the  
16 Indian subcontinent, including, but not limited to,  
17 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
18 the Philippine Islands, Thailand, and Vietnam).

19 (3) Black or African-American (a person having origins  
20 in any of the black racial groups of Africa). Terms such as  
21 "Haitian" or "Negro" can be used in addition to "Black or  
22 African-American".

23 (4) Hispanic or Latino (a person of Cuban, Mexican,

1 Puerto Rican, South or Central American, or other Spanish  
2 culture or origin, regardless of race).

3 (5) Native Hawaiian or Other Pacific Islander (a person  
4 having origins in any of the original peoples of Hawaii,  
5 Guam, Samoa, or other Pacific Islands).

6 (b) "Female" shall mean a person who is a citizen or lawful  
7 permanent resident of the United States and who is of the  
8 female gender.

9 (c) "Person with a disability" means a person who is a  
10 citizen or lawful resident of the United States and is a person  
11 qualifying as being disabled under this subsection. "Disabled"  
12 means a severe physical or mental disability that:

13 (1) results from: amputation, arthritis, autism,  
14 blindness, burn injury, cancer, cerebral palsy, Crohn's  
15 disease, cystic fibrosis, deafness, head injury, heart  
16 disease, hemiplegia, hemophilia, respiratory or pulmonary  
17 dysfunction, an intellectual disability, mental illness,  
18 multiple sclerosis, muscular dystrophy, musculoskeletal  
19 disorders, neurological disorders, including stroke and  
20 epilepsy, paraplegia, quadriplegia and other spinal cord  
21 conditions, sickle cell anemia, ulcerative colitis,  
22 specific learning disabilities, or end stage renal failure  
23 disease; and

24 (2) substantially limits one or more of the person's  
25 major life activities.

26 Another disability or combination of disabilities may also be

1 considered as a severe disability for the purposes of paragraph  
2 (1) if it is determined by an evaluation of rehabilitation  
3 potential to cause a comparable degree of substantial  
4 functional limitation similar to the specific list of  
5 disabilities listed in paragraph (1).

6 (d) "Vendor" means any individual or entity doing business  
7 with, or providing services to, the State or any unit of local  
8 government.

9 Section 10. Purpose and reporting requirements. The  
10 General Assembly declares that it is the public policy of the  
11 State to promote and encourage the open access in the awarding  
12 of State contracts to businesses with diverse hiring practices  
13 and to minorities, within the definition of subsection (a) of  
14 Section 5. For this purpose, the Department shall create and  
15 administer a diversity reporting initiative for all vendors.  
16 The Department shall adopt rules to carry out the purposes of  
17 this Act, which shall require all vendors to report to the  
18 Department.

19 (a) The Department shall produce two forms requesting  
20 demographic information of all employees employed by vendors: a  
21 front-end report of employees, and a supplemental report of  
22 employees. The vendor shall accurately report and file both the  
23 front-end report and the supplemental report with the  
24 Department.

25 (b) All vendors shall, at the time of executing the

1 contract, complete the front-end form and submit the form to  
2 the Department. The vendor shall disclose to the Department who  
3 is employed by the vendor and who is expected to participate in  
4 the performance of the contract. All vendors must provide the  
5 following information on all of its employees, including  
6 management and staff, within the front-end report:

7 (1) racial and ethnic background;

8 (2) position within the company; and

9 (3) title.

10 (c) Within 30 days after the completion of performance  
11 under the contract, the vendor shall file with the Department a  
12 supplemental report stating:

13 (1) the total time the vendor worked, per the terms of  
14 the contract;

15 (2) the racial and ethnic background of each employee,  
16 including management and staff, who is employed by the  
17 vendor and who participated in the performance required  
18 under the contract; and

19 (3) The amount of time spent by each such employee to  
20 work on the performance required under the contract.