



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2424

by Rep. Peter Breen

SYNOPSIS AS INTRODUCED:

30 ILCS 525/2

from Ch. 85, par. 1602

Amends the Governmental Joint Purchasing Act. Provides that if any contract or amendment to a contract is entered into or purchase or expenditure of funds is made at any time in violation of the Act or other laws, the contract or amendment may be declared void by the chief procurement officer or may be ratified and affirmed, provided the chief procurement officer determines that ratification is in the best interests of the governmental unit. Provides that if a contract is ratified and affirmed, it shall be without prejudice to the governmental unit's right to any appropriate damages.

LRB100 10872 MLM 21107 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 Governmental Joint Purchasing Act is amended
5 by changing Section 2 as follows:

6 (30 ILCS 525/2) (from Ch. 85, par. 1602)

7 Sec. 2. Joint purchasing authority.

8 (a) Any governmental unit may purchase personal property,
9 supplies and services jointly with one or more other
10 governmental units. All such joint purchases shall be by
11 competitive solicitation as provided in Section 4 of this Act.
12 The provisions of any other acts under which a governmental
13 unit operates which refer to purchases and procedures in
14 connection therewith shall be superseded by the provisions of
15 this Act when the governmental units are exercising the joint
16 powers created by this Act.

17 (a-5) A chief procurement officer established in Section
18 10-20 of the Illinois Procurement Code may authorize the
19 purchase of personal property, supplies, and services jointly
20 with a governmental unit or entity of this or another state or
21 with a consortium of governmental entities of one or more other
22 states. Subject to provisions of the joint purchasing
23 solicitation, the appropriate chief procurement officer may

1 designate the resulting contract as available to governmental
2 units in Illinois.

3 (b) Any not-for-profit agency that qualifies under Section
4 45-35 of the Illinois Procurement Code and that either (1) acts
5 pursuant to a board established by or controlled by a unit of
6 local government or (2) receives grant funds from the State or
7 from a unit of local government, shall be eligible to
8 participate in contracts established by the State.

9 (c) If any contract or amendment to a contract is entered
10 into or purchase or expenditure of funds is made at any time in
11 violation of this Act or any other law, the contract or
12 amendment may be declared void by the chief procurement officer
13 or may be ratified and affirmed, provided the chief procurement
14 officer determines that ratification is in the best interests
15 of the governmental unit. If the contract or amendment is
16 ratified and affirmed, it shall be without prejudice to the
17 governmental unit's rights to any appropriate damages.

18 (Source: P.A. 96-584, eff. 1-1-10; 97-895, eff. 8-3-12.)