



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB5474**

by Rep. Keith R. Wheeler

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Ethics in Public Contracting Act. Provides that whenever any public body has taken an action suspending, debarring, or otherwise limiting the ability of a person to enter into a public contract, the public body shall provide a report to the Secretary of State identifying specified information. Requires the Secretary of State, within 12 months after the effective date of the Act, to establish and maintain a website, known as the Ethics in Public Contracting Portal, with information received from all public bodies. Provides that a public body may reciprocate another public body's suspension, debarment, or other limitation on the ability of a person to enter into a public contract. Provides that the Secretary of State shall adopt rules to carry out the intent of the Act, and to provide a review process for persons to petition for removal from the Ethics in Public Contracting Portal. Defines terms. Effective immediately.

LRB100 20714 RJF 36182 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 Ethics  
5 in Public Contracting Act.

6 Section 5. Purpose. The purpose of this Act is to promote  
7 inter-governmental cooperation in providing full and complete  
8 disclosure to the public of any entity against whom a public  
9 body has taken an action limiting the ability of that entity to  
10 enter into a public contract.

11 Section 10. Definitions. As used in this Act:

12 "Public body" means all legislative, executive,  
13 administrative, or advisory bodies of the State, State  
14 universities and colleges, counties, townships, cities,  
15 villages, incorporated towns, school districts and all other  
16 municipal corporations, boards, bureaus, committees, or  
17 commissions of this State, any subsidiary bodies of any of the  
18 foregoing, including, but not limited to, committees and  
19 subcommittees thereof, and a School Finance Authority created  
20 under Article 1E of the School Code.

21 "Person" means any business, public or private  
22 corporation, partnership, individual, union, committee, club,

1 unincorporated association or other organization or group of  
2 individuals, or other legal entity.

3       Section 15. Public body notification. Whenever any public  
4 body has taken an action suspending, debarring, or otherwise  
5 limiting the ability of a person to enter into a public  
6 contract, the public body shall provide a report to the  
7 Secretary of State identifying: (i) the public body submitting  
8 the report; (ii) the legal name and Secretary of State  
9 registration number of the person; and (iii) a summary of the  
10 action taken against the person, including the effective length  
11 of time of such action.

12       Section 20. Ethics in Public Contracting Portal. The  
13 Secretary of State, within 12 months after the effective date  
14 of this Act, shall establish and maintain a website, known as  
15 the Ethics in Public Contracting Portal, with information  
16 received from all public bodies as defined in this Act.

17       Section 25. Public body reciprocity rights. A public body  
18 may reciprocate another public body's suspension, debarment,  
19 or other limitation on the ability of a person to enter into a  
20 public contract.

21       Section 30. Adoption of rules. The Secretary of State shall  
22 adopt rules to carry out the intent of this Act, and to provide

1 a review process for persons to petition for removal from the  
2 Ethics in Public Contracting Portal.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.