

# HB4496



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

**HB4496**

Introduced 1/20/2026, by Rep. Jay Hoffman

### SYNOPSIS AS INTRODUCED:

30 ILCS 500/1-10

Amends Illinois Procurement Code. Provides that, after exhausting the list of master contracts and cooperative agreements, procurement expenditures necessary for the Department of Public Health, the Department of Agriculture, the Illinois State Police, or the Illinois Environmental Protection Agency to operate State laboratories are exempt from the Code.

LRB104 20171 HLH 33622 b

A BILL FOR

1 AN ACT concerning State government.

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 1-10 as follows:

6 (30 ILCS 500/1-10)

7 Sec. 1-10. Application.

8 (a) This Code applies only to procurements for which  
9 bidders, offerors, potential contractors, or contractors were  
10 first solicited on or after July 1, 1998. This Code shall not  
11 be construed to affect or impair any contract, or any  
12 provision of a contract, entered into based on a solicitation  
13 prior to the implementation date of this Code as described in  
14 Article 99, including, but not limited to, any covenant  
15 entered into with respect to any revenue bonds or similar  
16 instruments. All procurements for which contracts are  
17 solicited between the effective date of Articles 50 and 99 and  
18 July 1, 1998 shall be substantially in accordance with this  
19 Code and its intent.

20 (b) This Code shall apply regardless of the source of the  
21 funds with which the contracts are paid, including federal  
22 assistance moneys. This Code shall not apply to:

23 (1) Contracts between the State and its political

1 subdivisions or other governments, or between State  
2 governmental bodies, except as specifically provided in  
3 this Code.

4 (2) Grants, except for the filing requirements of  
5 Section 20-80.

6 (3) Purchase of care, except as provided in Section  
7 5-30.6 of the Illinois Public Aid Code and this Section.

8 (4) Hiring of an individual as an employee and not as  
9 an independent contractor, whether pursuant to an  
10 employment code or policy or by contract directly with  
11 that individual.

12 (5) Collective bargaining contracts.

13 (6) Purchase of real estate, except that notice of  
14 this type of contract with a value of more than \$25,000  
15 must be published in the Procurement Bulletin within 10  
16 calendar days after the deed is recorded in the county of  
17 jurisdiction. The notice shall identify the real estate  
18 purchased, the names of all parties to the contract, the  
19 value of the contract, and the effective date of the  
20 contract.

21 (7) Contracts necessary to prepare for anticipated  
22 litigation, enforcement actions, or investigations,  
23 provided that the chief legal counsel to the Governor  
24 shall give his or her prior approval when the procuring  
25 agency is one subject to the jurisdiction of the Governor,  
26 and provided that the chief legal counsel of any other

1           procuring entity subject to this Code shall give his or  
2           her prior approval when the procuring entity is not one  
3           subject to the jurisdiction of the Governor.

4           (8) (Blank).

5           (9) Procurement expenditures by the Illinois  
6           Conservation Foundation when only private funds are used.

7           (10) (Blank).

8           (11) Public-private agreements entered into according  
9           to the procurement requirements of Section 20 of the  
10          Public-Private Partnerships for Transportation Act and  
11          design-build agreements entered into according to the  
12          procurement requirements of Section 25 of the  
13          Public-Private Partnerships for Transportation Act.

14          (12) (A) Contracts for legal, financial, and other  
15          professional and artistic services entered into by the  
16          Illinois Finance Authority in which the State of Illinois  
17          is not obligated. Such contracts shall be awarded through  
18          a competitive process authorized by the members of the  
19          Illinois Finance Authority and are subject to Sections  
20          5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
21          as well as the final approval by the members of the  
22          Illinois Finance Authority of the terms of the contract.

23          (B) Contracts for legal and financial services entered  
24          into by the Illinois Housing Development Authority in  
25          connection with the issuance of bonds in which the State  
26          of Illinois is not obligated. Such contracts shall be

1 awarded through a competitive process authorized by the  
2 members of the Illinois Housing Development Authority and  
3 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
4 and 50-37 of this Code, as well as the final approval by  
5 the members of the Illinois Housing Development Authority  
6 of the terms of the contract.

7 (13) Contracts for services, commodities, and  
8 equipment to support the delivery of timely forensic  
9 science services in consultation with and subject to the  
10 approval of the Chief Procurement Officer as provided in  
11 subsection (d) of Section 5-4-3a of the Unified Code of  
12 Corrections, except for the requirements of Sections  
13 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
14 Code; however, the Chief Procurement Officer may, in  
15 writing with justification, waive any certification  
16 required under Article 50 of this Code. For any contracts  
17 for services which are currently provided by members of a  
18 collective bargaining agreement, the applicable terms of  
19 the collective bargaining agreement concerning  
20 subcontracting shall be followed.

21 On and after January 1, 2019, this paragraph (13),  
22 except for this sentence, is inoperative.

23 (14) Contracts for participation expenditures required  
24 by a domestic or international trade show or exhibition of  
25 an exhibitor, member, or sponsor.

26 (15) Contracts with a railroad or utility that

1 requires the State to reimburse the railroad or utilities  
2 for the relocation of utilities for construction or other  
3 public purpose. Contracts included within this paragraph  
4 (15) shall include, but not be limited to, those  
5 associated with: relocations, crossings, installations,  
6 and maintenance. For the purposes of this paragraph (15),  
7 "railroad" means any form of non-highway ground  
8 transportation that runs on rails or electromagnetic  
9 guideways and "utility" means: (1) public utilities as  
10 defined in Section 3-105 of the Public Utilities Act, (2)  
11 telecommunications carriers as defined in Section 13-202  
12 of the Public Utilities Act, (3) electric cooperatives as  
13 defined in Section 3.4 of the Electric Supplier Act, (4)  
14 telephone or telecommunications cooperatives as defined in  
15 Section 13-212 of the Public Utilities Act, (5) rural  
16 water or waste water systems with 10,000 connections or  
17 less, (6) a holder as defined in Section 21-201 of the  
18 Public Utilities Act, and (7) municipalities owning or  
19 operating utility systems consisting of public utilities  
20 as that term is defined in Section 11-117-2 of the  
21 Illinois Municipal Code.

22 (16) Procurement expenditures necessary for the  
23 Department of Public Health to provide the delivery of  
24 timely newborn screening services in accordance with the  
25 Newborn Metabolic Screening Act.

26 (17) Procurement expenditures necessary for the

1 Department of Agriculture, the Department of Financial and  
2 Professional Regulation, the Department of Human Services,  
3 and the Department of Public Health to implement the  
4 Compassionate Use of Medical Cannabis Program and Opioid  
5 Alternative Pilot Program requirements and ensure access  
6 to medical cannabis for patients with debilitating medical  
7 conditions in accordance with the Compassionate Use of  
8 Medical Cannabis Program Act.

9 (18) This Code does not apply to any procurements  
10 necessary for the Department of Agriculture, the  
11 Department of Financial and Professional Regulation, the  
12 Department of Human Services, the Department of Commerce  
13 and Economic Opportunity, and the Department of Public  
14 Health to implement the Cannabis Regulation and Tax Act if  
15 the applicable agency has made a good faith determination  
16 that it is necessary and appropriate for the expenditure  
17 to fall within this exemption and if the process is  
18 conducted in a manner substantially in accordance with the  
19 requirements of Sections 20-160, 25-60, 30-22, 50-5,  
20 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,  
21 50-36, 50-37, 50-38, and 50-50 of this Code; however, for  
22 Section 50-35, compliance applies only to contracts or  
23 subcontracts over \$100,000. Notice of each contract  
24 entered into under this paragraph (18) that is related to  
25 the procurement of goods and services identified in  
26 paragraph (1) through (9) of this subsection shall be

1 published in the Procurement Bulletin within 14 calendar  
2 days after contract execution. The Chief Procurement  
3 Officer shall prescribe the form and content of the  
4 notice. Each agency shall provide the Chief Procurement  
5 Officer, on a monthly basis, in the form and content  
6 prescribed by the Chief Procurement Officer, a report of  
7 contracts that are related to the procurement of goods and  
8 services identified in this subsection. At a minimum, this  
9 report shall include the name of the contractor, a  
10 description of the supply or service provided, the total  
11 amount of the contract, the term of the contract, and the  
12 exception to this Code utilized. A copy of any or all of  
13 these contracts shall be made available to the Chief  
14 Procurement Officer immediately upon request. The Chief  
15 Procurement Officer shall submit a report to the Governor  
16 and General Assembly no later than November 1 of each year  
17 that includes, at a minimum, an annual summary of the  
18 monthly information reported to the Chief Procurement  
19 Officer. This exemption becomes inoperative 5 years after  
20 June 25, 2019 (the effective date of Public Act 101-27).

21 (19) Acquisition of modifications or adjustments,  
22 limited to assistive technology devices and assistive  
23 technology services, adaptive equipment, repairs, and  
24 replacement parts to provide reasonable accommodations (i)  
25 that enable a qualified applicant with a disability to  
26 complete the job application process and be considered for

1 the position such qualified applicant desires, (ii) that  
2 modify or adjust the work environment to enable a  
3 qualified current employee with a disability to perform  
4 the essential functions of the position held by that  
5 employee, (iii) to enable a qualified current employee  
6 with a disability to enjoy equal benefits and privileges  
7 of employment as are enjoyed by other similarly situated  
8 employees without disabilities, and (iv) that allow a  
9 customer, client, claimant, or member of the public  
10 seeking State services full use and enjoyment of and  
11 access to its programs, services, or benefits.

12 For purposes of this paragraph (19):

13 "Assistive technology devices" means any item, piece  
14 of equipment, or product system, whether acquired  
15 commercially off the shelf, modified, or customized, that  
16 is used to increase, maintain, or improve functional  
17 capabilities of individuals with disabilities.

18 "Assistive technology services" means any service that  
19 directly assists an individual with a disability in  
20 selection, acquisition, or use of an assistive technology  
21 device.

22 "Qualified" has the same meaning and use as provided  
23 under the federal Americans with Disabilities Act when  
24 describing an individual with a disability.

25 (20) Procurement expenditures necessary for the  
26 Illinois Commerce Commission to hire third-party

1 facilitators pursuant to Sections 16-105.17 and 16-108.18  
2 of the Public Utilities Act or an ombudsman pursuant to  
3 Section 16-107.5 of the Public Utilities Act, a  
4 facilitator pursuant to Section 16-105.17 of the Public  
5 Utilities Act, or a grid auditor pursuant to Section  
6 16-105.10 of the Public Utilities Act.

7 (21) Procurement expenditures for the purchase,  
8 renewal, and expansion of software, software licenses, or  
9 software maintenance agreements that support the efforts  
10 of the Illinois State Police to enforce, regulate, and  
11 administer the Firearm Owners Identification Card Act, the  
12 Firearm Concealed Carry Act, the Firearms Restraining  
13 Order Act, the Firearm Dealer License Certification Act,  
14 the Law Enforcement Agencies Data System (LEADS), the  
15 Uniform Crime Reporting Act, the Criminal Identification  
16 Act, the Illinois Uniform Conviction Information Act, and  
17 the Gun Trafficking Information Act, or establish or  
18 maintain record management systems necessary to conduct  
19 human trafficking investigations or gun trafficking or  
20 other stolen firearm investigations. This paragraph (21)  
21 applies to contracts entered into on or after January 10,  
22 2023 (the effective date of Public Act 102-1116) and the  
23 renewal of contracts that are in effect on January 10,  
24 2023 (the effective date of Public Act 102-1116).

25 (22) Contracts for project management services and  
26 system integration services required for the completion of

1 the State's enterprise resource planning project. This  
2 exemption becomes inoperative 5 years after June 7, 2023  
3 (the effective date of the changes made to this Section by  
4 Public Act 103-8). This paragraph (22) applies to  
5 contracts entered into on or after June 7, 2023 (the  
6 effective date of the changes made to this Section by  
7 Public Act 103-8) and the renewal of contracts that are in  
8 effect on June 7, 2023 (the effective date of the changes  
9 made to this Section by Public Act 103-8).

10 (23) Procurements necessary for the Department of  
11 Insurance to implement the Illinois Health Benefits  
12 Exchange Law if the Department of Insurance has made a  
13 good faith determination that it is necessary and  
14 appropriate for the expenditure to fall within this  
15 exemption. The procurement process shall be conducted in a  
16 manner substantially in accordance with the requirements  
17 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
18 copy of these contracts shall be made available to the  
19 Chief Procurement Officer immediately upon request. This  
20 paragraph is inoperative 5 years after June 27, 2023 (the  
21 effective date of Public Act 103-103).

22 (24) Contracts for public education programming,  
23 noncommercial sustaining announcements, public service  
24 announcements, and public awareness and education  
25 messaging with the nonprofit trade associations of the  
26 providers of those services that inform the public on

1 immediate and ongoing health and safety risks and hazards.

2 (25) Procurements necessary for the Department of  
3 Early Childhood to implement the Department of Early  
4 Childhood Act if the Department has made a good faith  
5 determination that it is necessary and appropriate for the  
6 expenditure to fall within this exemption. This exemption  
7 shall only be used for products and services procured  
8 solely for use by the Department of Early Childhood. The  
9 procurements may include those necessary to design and  
10 build integrated, operational systems of programs and  
11 services. The procurements may include, but are not  
12 limited to, those necessary to align and update program  
13 standards, integrate funding systems, design and establish  
14 data and reporting systems, align and update models for  
15 technical assistance and professional development, design  
16 systems to manage grants and ensure compliance, design and  
17 implement management and operational structures, and  
18 establish new means of engaging with families, educators,  
19 providers, and stakeholders. The procurement processes  
20 shall be conducted in a manner substantially in accordance  
21 with the requirements of Article 50 (ethics) and Sections  
22 5-5 (Procurement Policy Board), 5-7 (Commission on Equity  
23 and Inclusion), 20-80 (contract files), 20-120  
24 (subcontractors), 20-155 (paperwork), 20-160  
25 (ethics/campaign contribution prohibitions), 25-60  
26 (prevailing wage), and 25-90 (prohibited and authorized

1 cybersecurity) of this Code. Beginning January 1, 2025,  
2 the Department of Early Childhood shall provide a  
3 quarterly report to the General Assembly detailing a list  
4 of expenditures and contracts for which the Department  
5 uses this exemption. This paragraph is inoperative on and  
6 after July 1, 2027.

7 (26) Procurements that are necessary for increasing  
8 the recruitment and retention of State employees,  
9 particularly minority candidates for employment,  
10 including:

11 (A) procurements related to registration fees for  
12 job fairs and other outreach and recruitment events;

13 (B) production of recruitment materials; and

14 (C) other services related to recruitment and  
15 retention of State employees.

16 The exemption under this paragraph (26) applies only  
17 if the State agency has made a good faith determination  
18 that it is necessary and appropriate for the expenditure  
19 to fall within this paragraph (26). The procurement  
20 process under this paragraph (26) shall be conducted in a  
21 manner substantially in accordance with the requirements  
22 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
23 copy of these contracts shall be made available to the  
24 Chief Procurement Officer immediately upon request.  
25 Nothing in this paragraph (26) authorizes the replacement  
26 or diminishment of State responsibilities in hiring or the

1 positions that effectuate that hiring. This paragraph (26)  
2 is inoperative on and after June 30, 2029.

3 (27) Procurements necessary for the Department of  
4 Healthcare and Family Services to implement changes to the  
5 State's Integrated Eligibility System to ensure the  
6 system's compliance with federal implementation mandates  
7 and deadlines, if the Department of Healthcare and Family  
8 Services has made a good faith determination that it is  
9 necessary and appropriate for the procurement to fall  
10 within this exemption.

11 (28) After exhausting the list of master contracts and  
12 cooperative agreements, procurement expenditures  
13 necessary for the Department of Public Health, the  
14 Department of Agriculture, the Illinois State Police, or  
15 the Illinois Environmental Protection Agency to operate  
16 State laboratories.

17 Notwithstanding any other provision of law, for contracts  
18 with an annual value of more than \$100,000 entered into on or  
19 after October 1, 2017 under an exemption provided in any  
20 paragraph of this subsection (b), except paragraph (1), (2),  
21 or (5), each State agency shall post to the appropriate  
22 procurement bulletin the name of the contractor, a description  
23 of the supply or service provided, the total amount of the  
24 contract, the term of the contract, and the exception to the  
25 Code utilized. The chief procurement officer shall submit a  
26 report to the Governor and General Assembly no later than

1 November 1 of each year that shall include, at a minimum, an  
2 annual summary of the monthly information reported to the  
3 chief procurement officer.

4 (c) This Code does not apply to the electric power  
5 procurement process provided for under Section 1-75 of the  
6 Illinois Power Agency Act and Section 16-111.5 of the Public  
7 Utilities Act. This Code does not apply to the procurement of  
8 technical and policy experts pursuant to Section 1-129 of the  
9 Illinois Power Agency Act.

10 (d) Except for Section 20-160 and Article 50 of this Code,  
11 and as expressly required by Section 9.1 of the Illinois  
12 Lottery Law, the provisions of this Code do not apply to the  
13 procurement process provided for under Section 9.1 of the  
14 Illinois Lottery Law.

15 (e) This Code does not apply to the process used by the  
16 Capital Development Board to retain a person or entity to  
17 assist the Capital Development Board with its duties related  
18 to the determination of costs of a clean coal SNG brownfield  
19 facility, as defined by Section 1-10 of the Illinois Power  
20 Agency Act, as required in subsection (h-3) of Section 9-220  
21 of the Public Utilities Act, including calculating the range  
22 of capital costs, the range of operating and maintenance  
23 costs, or the sequestration costs or monitoring the  
24 construction of clean coal SNG brownfield facility for the  
25 full duration of construction.

26 (f) (Blank).

1 (g) (Blank).

2 (h) This Code does not apply to the process to procure or  
3 contracts entered into in accordance with Sections 11-5.2 and  
4 11-5.3 of the Illinois Public Aid Code.

5 (i) Each chief procurement officer may access records  
6 necessary to review whether a contract, purchase, or other  
7 expenditure is or is not subject to the provisions of this  
8 Code, unless such records would be subject to attorney-client  
9 privilege.

10 (j) This Code does not apply to the process used by the  
11 Capital Development Board to retain an artist or work or works  
12 of art as required in Section 14 of the Capital Development  
13 Board Act.

14 (k) This Code does not apply to the process to procure  
15 contracts, or contracts entered into, by the State Board of  
16 Elections or the State Electoral Board for hearing officers  
17 appointed pursuant to the Election Code.

18 (l) This Code does not apply to the processes used by the  
19 Illinois Student Assistance Commission to procure supplies and  
20 services paid for from the private funds of the Illinois  
21 Prepaid Tuition Fund. As used in this subsection (l), "private  
22 funds" means funds derived from deposits paid into the  
23 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

24 (m) This Code shall apply regardless of the source of  
25 funds with which contracts are paid, including federal  
26 assistance moneys. Except as specifically provided in this

1 Code, this Code shall not apply to procurement expenditures  
2 necessary for the Department of Public Health to conduct the  
3 Healthy Illinois Survey in accordance with Section 2310-431 of  
4 the Department of Public Health Powers and Duties Law of the  
5 Civil Administrative Code of Illinois.

6 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;  
7 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.  
8 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,  
9 eff. 6-16-25; 104-417, eff. 8-15-25)