



Sen. Rachel Ventura

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10400SB2157sam001

LRB104 09412 HLH 23950 a

1 AMENDMENT TO SENATE BILL 2157

2 AMENDMENT NO. _____. Amend Senate Bill 2157 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 adding Article 54 as follows:

6 (30 ILCS 500/Art. 54 heading new)

7 ARTICLE 54. DEFORESTATION-FREE ILLINOIS LAW

8 (30 ILCS 500/54-1 new)

9 Sec. 54-1. Short title. This Article 54 may be cited as the
10 Deforestation-Free Illinois Law.

11 (30 ILCS 500/54-2 new)

12 Sec. 54-2. Legislative findings. The General Assembly
13 finds and declares the following:

14 (1) According to the Food and Agriculture Organization

1 of the United Nations, 31% of land on earth is covered in
2 forests, but that area is rapidly decreasing. An estimated
3 1,600,000 square miles of forest has been converted to
4 other land uses since 1990, with 42,500 square miles
5 converted annually since 2010

6 (2) Studies show that preventing deforestation is
7 among the most cost-effective climate mitigation
8 strategies with large global mitigation benefits.
9 Preventing deforestation is also one of the few large
10 mitigation options that does not risk trade-offs to
11 solving other challenges; on the contrary, it provides
12 co-benefits like enhancing health, clean water, and
13 sanitation.

14 (3) Cost-effective greenhouse gas emission mitigation
15 from forests and land use can provide roughly one-third of
16 the mitigation required by 2030 to hold the increase in
17 the global average temperature below 2 degrees Celsius
18 above pre-industrial levels. Studies also suggest that
19 protecting existing forests and allowing them to mature
20 could potentially store 151.7 gigatons of carbon, or about
21 a quarter of excess emissions since industrialization.

22 (4) Deforestation and forest degradation generates
23 between 4.3 and 5.5 GtCO₂eq annually. This is between 7%
24 and 10% of all CO₂ equivalent emissions from all sources
25 globally. Emissions associated with deforestation and
26 forest degradation contribute most of the 13% of total

1 anthropogenic CO₂ emissions attributed to agriculture.

2 (5) The Intergovernmental Science-Policy Platform on
3 Biodiversity and Ecosystem Services found, in 2019, that
4 (i) the rate of global species extinction is accelerating
5 and is now tens to hundreds of times higher than the
6 average rate over the last 10,000,000 years, threatening
7 the loss of 1,000,000 species, and (ii) rampant land-use
8 change has an overwhelming relative impact on terrestrial
9 ecosystems.

10 (6) Most forest destruction is caused by a few
11 high-risk commodities, including, but not limited to,
12 cattle products, cocoa, coffee, soy, palm oil, paper, and
13 rubber. The State should endeavour to use and
14 purchase products from supply chains that do not
15 contribute to deforestation, forest degradation, and
16 interrelated human rights abuses.

17 (30 ILCS 500/54-3 new)

18 Sec. 54-3. Definitions. As used in this Article:

19 "Contractor" means any person or entity that has a
20 contract with a State agency for any of the following:

- 21 (1) public works or improvements;
22 (2) a franchise, concession, or lease of property; or
23 (3) grant moneys or goods and services or supplies to
24 be purchased at the expense of the State agency or to be
25 paid for out of moneys deposited into the State treasury

1 or out of trust fund moneys that are under the control of
2 or collected by the State agency.

3 "Deforestation" means direct human-induced conversion of
4 forest to agriculture, a tree plantation, or other non-forest
5 land use.

6 "Forest degradation" means structural changes to forest
7 cover that result in a change in species composition,
8 structure, or ecological function of that forest, as indicated
9 by factors including impacts to carbon storage and other
10 ecosystem services, native species abundance and composition,
11 forest structure, and tree age class distribution. "Forest
12 degradation" includes converting primary forest or naturally
13 regenerating forest into plantation forest or into other
14 wooded land and the conversion of primary forest into planted
15 forests.

16 "Forest-risk commodity" means:

17 (1) any commodity, including any agricultural or
18 nonagricultural commodity, whether in raw or processed
19 form, that is commonly extracted from or grown, derived,
20 harvested, reared, or produced on land where deforestation
21 or forest degradation has occurred or is likely to occur;
22 or

23 (2) any product derived from a product described in
24 paragraph (1).

25 "Forest-risk commodity" includes beef, cocoa, coffee,
26 leather, logs, lumber, palm oil, paper, soy, rubber, wood

1 pulp, and any other commodity identified as such by the
2 Director of Central Management Services by rule. "Forest-risk
3 commodity" does not include wood pulp or paper made entirely
4 from recovered fiber. For any wood pulp or paper product made
5 partially from recovered fiber, the contractor must only
6 confirm that the components that were not derived from
7 recovered fibers were not extracted from, grown, derived,
8 harvested, reared, or produced on land where deforestation or
9 forest degradation occurred in accordance with rules as
10 provided in Section 54-13. "Forest-risk commodity" does not
11 include salvaged wood or composite products made entirely from
12 recycled material.

13 "Free, prior, and informed consent" means an authorization
14 that embodies the principle that a community has the right to
15 give or withhold its approval of a proposed development that
16 may affect the land and waters it legally or customarily owns,
17 occupies, or otherwise uses, as described in the United
18 Nations Declaration on the Rights of Indigenous Peoples, the
19 Indigenous and Tribal Peoples Convention of 1989, and other
20 international instruments. "Free, prior, and informed consent"
21 includes informed, noncoercive negotiations between investors,
22 companies, or governments and Indigenous peoples prior to
23 project development, and the formalized ability for impacted
24 Indigenous peoples to say no if projects do not meet their
25 needs and, where the risk of harm to Indigenous Peoples'
26 rights is significant, projects should not proceed without the

1 affected People's consent.

2 "Illinois State product" means:

3 (1) a product that is grown, harvested, or produced in
4 this State; or

5 (2) a product that is processed inside or outside of
6 this State comprising over 51%, by weight or volume, raw
7 materials that are grown, harvested, or produced in this
8 State.

9 "Industrial development" means the processes and
10 operations involved in the large-scale production of goods,
11 including, but not limited to, manufacturing, processing,
12 warehousing, transporting, or repairing. "Industrial
13 development" also means the creation of facilities and
14 transportation infrastructure for these activities, such as
15 power generation, ship building, road development, and waste
16 storage and treatment.

17 "Large contractor" means any contractor whose annual
18 revenue, or that of its parent company, is equal to or greater
19 than \$100,000,000.

20 "Master contract" has the meaning given to that term in
21 Section 1-15.47 of the Illinois Procurement Code.

22 "Medium-sized business" means a business that operates in
23 this State, is independently owned and operated, not dominant
24 in its field, and employs between 100 and 500 persons.

25 "Minority-owned business" has the meaning given to that
26 term in Section 2 of the Business Enterprise for Minorities,

1 Women, and Persons with Disabilities Act.

2 "Peat" means a soil that is rich in organic matter
3 composed of partially decomposed and decaying plant materials,
4 and comprises 40 centimeters of the top 100 centimeters of the
5 soil profile.

6 "Peatlands" means wetlands with a layer of peat.
7 "Peatlands" includes moors, bogs, mires, peat swamp forests,
8 and permafrost tundra.

9 "Point of origin" means the geographic location, as
10 identified by the smallest administrative unit of land, where
11 a commodity is grown, derived, harvested, reared, or produced.

12 "Primary forest" or "pre-industrial forest" means a forest
13 that has never been disturbed by industrial development or
14 large-scale harvesting and has developed following natural
15 disturbances and under natural processes, regardless of its
16 age. "Primary forest" includes a forest in any geography that
17 has experienced nonindustrial-scale human impacts, including
18 traditional or subsistence activities carried out by
19 Indigenous communities.

20 "Recovered fiber" means postconsumer fiber such as paper,
21 paperboard, and fibrous materials from places including retail
22 stores, office buildings, and homes, after having passed
23 through its end usage, including used corrugated boxes, old
24 newspapers, old magazines, mixed waste paper, tabulating
25 cards, and used cordage, and all paper, paperboard, and
26 fibrous materials that enter and are collected from municipal

1 solid waste, and manufacturing wastes such as dry paper and
2 paperboard waste generated after completion of the papermaking
3 process, including envelope cuttings, bindery trimmings, and
4 other paper and paperboard waste resulting from printing,
5 cutting, forming, and other converting operations, bag, box,
6 and carton manufacturing wastes, and butt rolls, mill
7 wrappers, and rejected unused stock, and repulped finished
8 paper and paperboard from obsolete inventories of paper and
9 paperboard manufacturers, merchants, wholesalers, dealers,
10 printers, converters, and others.

11 "Small business" has the same meaning given to that term
12 in Section 45-45 of the Illinois Procurement Code.

13 "Tropical forest" means a natural ecosystem within the
14 tropical regions, approximately bounded geographically by the
15 tropics of Cancer and Capricorn, but possibly affected by
16 other factors such as prevailing winds, containing native
17 species composition, structure, and ecological function, with
18 a tree canopy cover of more than 10% over an area of at least
19 0.5 hectares. "Tropical forest" includes all of the following:
20 (i) human-managed tropical forests or partially degraded
21 tropical forests that are regenerating; and (ii) tropical
22 forests identified by multi-objective conservation-based
23 assessment methodologies, such as High Conservation Value
24 areas (HCV), as defined by the HCV Resource Network, or High
25 Carbon Stock Forests, as defined by the High Carbon Stock
26 Approach, or by another methodology with equivalent or higher

1 standards that includes primary forests and tropical peatlands
2 of any depth. "Tropical forest" does not include plantations
3 of any type.

4 "Tropical hardwood" means any and all hardwood,
5 specifically classified as angiosperm, that grows in any
6 tropical forest. "Tropical hardwood" includes, but is not
7 limited to, the following species:

8 (1) Prunus Africana (African cherry, red stinkwood)

9 (2) Caryocar Costaricense (garlic tree)

10 (3) Calophyllum species (bintangor)

11 (4) Cedrela species (cedar, Spanish cedar, South
12 American cedar)

13 (5) Neobalanocarpus Heimii (chengal)

14 (6) Octomeles Sumatrana (Benuang)

15 (7) Myroxylon Balsamum (balsamo)

16 (8) Apuleia Leiocarpa (garapa)

17 (9) Parastemon Urophyllus (malas)

18 (10) Spicatus Ridley Hopea species (merawan)

19 (11) Araucaria Araucana (monkey puzzle, Chilean pine)

20 (12) Senna Siamea (Siamese cassia)

21 (13) Pometia Pinnata (taun)

22 (14) Millettia Leucantha, Millettia Stuhlmannii,
23 Millettia Laurentii (sathon, panga panga, wenge)

24 (15) Bulnesia Arborea, Bulnesia Sarmientoi (verawood,
25 Argentine liqnum vitae)

26 (16) Tristaniopsis Laurina (water gum)

- 1 (17) Terminalia species (limba, afara, ofram, idigbo,
2 framire, black afara, amarillo, nargusta)
- 3 (18) Homalium Foetidum (malas)
- 4 (19) Dillenia Papuana (dillenia)
- 5 (20) Canarium species (red canarium, grey canarium)
- 6 (21) Burkrella Macropoda (rang rang)
- 7 (22) Dracontomelon Dao (New Guinea walnut)
- 8 (23) Planchonella species (white planchonella, red
9 planchonella)
- 10 (24) Lophopetalum species (perupok)
- 11 (25) Cariniana Pyriformis (Colombian mahogany, abarco,
12 jequitiba)
- 13 (26) Mitragyna Ciliata (abura)
- 14 (27) Vouacapoua Americana (acapu)
- 15 (28) Amburana Cearensis (amburana, cerejeira, cumare)
- 16 (29) Looea species (African walnut, tigerwood)
- 17 (30) Pericopsis Elata (afroformosa)
- 18 (31) Peltogyne species (amaranth, purpleheart)
- 19 (32) Pterogyne Nitens (amendoim)
- 20 (33) Carapa Guianensis, Dicorynia Guianensis, Bagassa
21 Guianensis, Couratari Guianensis (andiroba, angelique,
22 tatajuba, bagasse)
- 23 (34) Aningeria species (aningeria, anegre, anigre)
- 24 (35) Dipterocarpus species (apitong, keruing)
- 25 (36) Centrolobium species (arariba)
- 26 (37) Brosimum Utile, Brosimum Alicastrum (baco,

- 1 breadnut)
- 2 (38) Ochroma Lagopus, Ochroma Pyramidale (balsa)
- 3 (39) Berlinia species (berlinia, rose zebrano)
- 4 (40) Symphonia Globulifera (boarwood)
- 5 (41) Detarium Senegalense (boire)
- 6 (42) Caesalpinia Echinata, Paubrasilia Echinata
7 (Brazilwood, pernambuco)
- 8 (43) Bertholletia Excelsa (Brazil nut, mora)
- 9 (44) Guibourtia species (bubinga, African rosewood,
10 kevazingo, amazique)
- 11 (45) Toona Calantas (calantas)
- 12 (46) Prioria copaifera (cativo)
- 13 (47) Ceiba Pentandra (ceiba)
- 14 (48) Antiaris africana (chechen, antiaris)
- 15 (49) Tabebuia Donnell-Smithii (copal)
- 16 (50) Daniellia species (daniellia)
- 17 (51) Cordia species (cordia wood, bocote, ziricote,
18 louro, freijo)
- 19 (52) Hymenaea Courbaril (courbaril, West Indian
20 locust)
- 21 (53) Dipteryx Odorata (cumaru, Brazilian teak)
- 22 (54) Piptadeniastrum Africanum (dahoma)
- 23 (55) Calycophyllum Candidissimum (dagame, lemonwood)
- 24 (56) Afzelia species (doussie)
- 25 (57) Diospyros species (ebony, ceylon ebony,
26 marblewood)

- 1 (58) Lophira Alata (ekki, azobe, red ironwood)
- 2 (59) Combretodendron Macrocarpum (esia)
- 3 (60) Chlorophora Tinctoria, Chlorophora Excelsa
4 (fustic, iroko, African teak)
- 5 (61) Aucoumea Klaineana (gaboon, okoume)
- 6 (62) Astronium species (goncalo alves, tigerwood)
- 7 (63) Ocotea Rodiei (greenheart)
- 8 (64) Enterolobium Cyclocarpum (guanacaste,
9 elephant-ear tree)
- 10 (65) Guarea species (guarea, bosse)
- 11 (66) Phoebe Porosa (imbuia, Brazilian walnut)
- 12 (67) Handroanthus species (ipe, pau d'arco, lapacho)
- 13 (68) Jacaranda Copaia (jacaranda)
- 14 (69) Machaerium Villosum (jacaranda pardo)
- 15 (70) Dyera Costulata (jelutong)
- 16 (71) Dryobalanops species (kapur, keladan)
- 17 (72) Koompassia Malaccensis (kempas)
- 18 (73) Acacia Koa (koa)
- 19 (74) Pterygota Macrocarpa (koto, African pterygota)
- 20 (75) Oxandra Lanceolata (lancewood)
- 21 (76) Shorea species (lauan, luan, lawaan, meranti,
22 seraya, Philippine mahogany, balau)
- 23 (77) Nothofagus Pumilio, Nothofagus Obliqua (lenga
24 beech, roble)
- 25 (78) Guaiacum Officinale (roughbark lignum-vitae)
- 26 (79) Aniba Rosaeodora, Aniba Duckei (pau rosa)

- 1 (80) Nectandra species (louro preto)
- 2 (81) Khaya species (African mahogany)
- 3 (82) Swietenia species (mahogany, West Indian
4 mahogany, Honduran mahogany, Cuban mahogany, big-leaf
5 mahogany)
- 6 (83) Tieghemella Heckelii (makora)
- 7 (84) Intsia Bijuga, Intsia Palembanica (Borneo teak,
8 merbau)
- 9 (85) Anisoptera species (mersawa, krabak, palosapis)
- 10 (86) Distemonanthus Benthamianus (movingui, ayan)
- 11 (87) Pterocarpus species (narra, amboyna, Papua New
12 Guinea rosewood, mukula, kosso, zitan, hongmu, padauk,
13 vermillion wood)
- 14 (88) Palaquium species (nyatoh)
- 15 (89) Triplochiton Scleroxylon (African whitewood,
16 obeche, sambawawa)
- 17 (90) Nauclea Diderrichii (opepe)
- 18 (91) Balfourodendron Riedelianum (marfim)
- 19 (92) Aspidosperma species (peroba rosa)
- 20 (93) Paratecoma Peroba (peroba branca)
- 21 (94) Gonystylus species (ramin)
- 22 (95) Melanorrhoea Curtisii (rengas, Borneo rosewood)
- 23 (96) Hevea Brasiliensis (rubber tree)
- 24 (97) Dalbergia species (rosewood, Indian rosewood,
25 Honduras rosewood, cocobolo, granadillo, pinkwood,
26 tulipwood, African blackwood)

1 (98) Entandrophragma cylindricum, Entandrophragma
2 Candollei, Entandrophragma Utile (sapele, sapelli, kosipo,
3 omu, utile, sipo)

4 (99) Acanthopanax Ricinofolius (sen)

5 (100) Brosimum Aubletti, Piratinera (snakewood,
6 letterwood, leopardwood)

7 (101) Juglans species (South American walnut, Peruvian
8 walnut)

9 (102) Sterculia Rhinopetalia (sterculia)

10 (103) Tectona Grandis (teak)

11 (104) Virola species (virola, cumala)

12 (105) Pentacme Contorta (white lauan)

13 (106) Microberlinia species (zebrawood, zingana)

14 "Tropical hardwood product" means any product that
15 contains tropical hardwood, regardless of whether it is sold
16 at wholesale or retail, including, but not limited to,
17 plywood, veneer, furniture, cabinets, paneling, siding,
18 moldings, doors, doorskins, joinery, flooring, or sawnwood.

19 "Tropical peatland" means tropical wetlands with a layer
20 of peat. "Tropical peatland" includes moors, bogs, mires, and
21 peat swamp forests.

22 "Wholly or in part" shall have the meaning given to that
23 term by rule, as described in Section 54-13. The term shall be
24 defined in a manner designed to limit the administrative
25 burden on the State while maximizing this Act's effectiveness
26 at preventing deforestation and forest degradation.

1 "Women-owned business" has the meaning given to that term
2 in Section 2 of the Business Enterprise for Minorities, Women,
3 and Persons with Disabilities Act.

4 (30 ILCS 500/54-4 new)

5 Sec. 54-4. Purchase of tropical hardwoods prohibited.

6 (a) Except as otherwise provided in this Act, neither the
7 State nor any government agency of the State shall purchase,
8 at wholesale or retail, or obtain for any purpose any tropical
9 hardwood or tropical hardwood product.

10 (b) Subsection (a) shall not apply to:

11 (1) any binding contractual obligations for the
12 purchase of commodities entered into before the adoption
13 of rules as described in Section 54-13; or

14 (2) any grant, subvention, or contract with an agency
15 of the United States, or any instruction of an authorized
16 representative of an agency of the United States, if the
17 application of subsection (a) violates or is inconsistent
18 with the terms or conditions of the grant, subvention,
19 contract, or instruction.

20 (30 ILCS 500/54-5 new)

21 Sec. 54-5. Use of tropical hardwood or tropical hardwood
22 products prohibited.

23 (a) No bid proposal or solicitation, request for bid or
24 proposal, or contract for the construction of any public work,

1 building maintenance, or improvement for or on behalf of the
2 State or any government agency of the State shall require or
3 permit the use of any tropical hardwood or tropical hardwood
4 product.

5 (b) Every bid proposal, solicitation, request for bid or
6 proposal, and contract for the construction of any public
7 work, building maintenance, or improvement shall contain a
8 statement that any bid, proposal, or other response to a
9 solicitation for bid or proposal that proposes or calls for
10 the use of any tropical hardwood or tropical hardwood product
11 in performance of the contract shall be void.

12 (c) The use of any tropical hardwood or tropical hardwood
13 product on lands owned or managed by the State or by any
14 governmental agency of the State is prohibited.

15 (d) Subsections (a) and (b) shall not apply to the
16 following:

17 (1) bid packages advertised and made available to the
18 public or any competitive and sealed bids received or
19 entered into before the adoption of rules as described in
20 Section 54-13;

21 (2) any amendment, modification, or renewal of a
22 contract if the contract was entered into before the
23 adoption of rules as described in Section 54-13, and in
24 which such application would delay timely completion of a
25 project or involve an increase in the total moneys to be
26 paid under that contract; or

1 (3) any grant, subvention, or contract with any agency
2 of the United States, or any instruction of an authorized
3 representative of an agency of the United States, if the
4 contracting officer finds that the application of
5 subsection (a) violates or is inconsistent with the terms
6 or conditions of the grant, subvention, contract, or
7 instruction.

8 (30 ILCS 500/54-6 new)

9 Sec. 54-6. Phase-in of forest-risk commodity procurement.

10 (a) Every master contract entered into by the Department
11 of Central Management Services that includes the procurement
12 of any product that consists, in whole or in part, of a
13 forest-risk commodity shall require the contractor to confirm
14 that the commodity furnished to the State under the contract
15 was not extracted from, grown, derived, harvested, reared, or
16 produced on land where deforestation or forest degradation
17 occurred on or after the adoption of rules under Section
18 54-13. The contractor shall agree to comply with this
19 provision of the contract.

20 For any salvaged wood or composite products made partially
21 from recovered fiber, the contractor must only confirm the
22 components that were not derived from salvaged wood or
23 composite products were not extracted from, grown, derived,
24 harvested, reared, or produced on land where deforestation or
25 forest degradation occurred upon the issuance of rules as

1 described in Section 54-13.

2 (a-5) Two years after the adoption of rules as described
3 in Section 54-13 of this Act, every contract entered into by a
4 State agency that includes the procurement of any product that
5 consists, in whole or in part, of a forest-risk commodity
6 shall require the contractor to confirm that the commodity
7 furnished to the State under the contract was not extracted
8 from, grown, derived, harvested, reared, or produced on land
9 where deforestation or forest degradation occurred on or after
10 the adoption of rules described in Section 54-13. The
11 contractor shall agree to comply with this provision of the
12 contract.

13 (b) This Section does not apply to any grant, subvention,
14 or contract with an agency of the United States, or to any
15 instruction of an authorized representative of an agency of
16 the United States, if the application of subsection (a)
17 violates or is inconsistent with the terms or conditions of
18 the grant, subvention, contractor, or instruction.

19 (30 ILCS 500/54-7 new)

20 Sec. 54-7. Compliance.

21 (a) Every contract shall specify that the contractor is
22 required to cooperate fully in providing access to the
23 contractor's records, documents, agents, employees, or
24 premises if required by authorized officials of the
25 contracting State agency, the Department of Central Management

1 Services, or the Office of the Attorney General to determine
2 the contractor's compliance with the requirements under this
3 Act.

4 (b) Contractors shall exercise due diligence in ensuring
5 that their subcontractors comply with Section 54-6.
6 Contractors shall require each subcontractor to certify in
7 writing that the subcontractor complies with this Act.

8 (30 ILCS 500/54-8 new)

9 Sec. 54-8. Required forest policies. In addition to the
10 requirements of Sections 54-6 and 54-7, large contractors that
11 are subject to Section 54-6 must confirm that they have
12 adopted a forest policy that includes, at a minimum, the
13 following for each product covered by this Act::

14 (1) data detailing the complete list of direct and
15 indirect suppliers and supply chain traceability
16 information, including refineries, processing plants,
17 farms, and plantations, and their respective owners,
18 parent companies, and farmers, maps, and geolocations, for
19 each forest-risk commodity found in products that may be
20 furnished to the State;

21 (2) measures to be taken to ensure that the product
22 does not contribute to deforestation or forest
23 degradation, including measures to ensure that:

24 (A) the product does not contribute to industrial
25 development or logging in primary forests;

1 (B) the product does not originate from a site
2 where commodity production has replaced primary
3 forests;

4 (C) the product does not contribute to industrial
5 development of high carbon stock forests;

6 (D) the product does not contribute to industrial
7 development of high conservation value areas;

8 (E) the product does not contribute to industrial
9 development on forests that are deemed a critical
10 habitat for threatened or endangered species;

11 (F) the production, processing, delivery, or use
12 of the product does not result in burning for the
13 purposes of clearing land for agriculture and
14 cultivation of land for non-wood products regulated by
15 this Act;

16 (G) there is progressive reduction of greenhouse
17 gas emissions on existing plantations;

18 (H) the product does not contribute to the
19 development of peat, regardless of depth;

20 (I) best management practices for existing
21 plantations on peat are used; and

22 (J) where feasible, activities are oriented toward
23 peat restoration; and

24 (3) measures taken to prevent exploitation and redress
25 grievances of Indigenous peoples, workers and local
26 communities, including measures to ensure:

1 (A) respect for and recognition of the rights of
2 all workers including contract, temporary, and migrant
3 workers;

4 (B) respect for and recognition of land tenure of
5 rights of communities;

6 (C) respect for the rights of Indigenous peoples
7 to give or withhold their free, prior, and informed
8 consent to operations on lands to which they hold
9 legal, communal, or customary rights;

10 (D) explicit policies and processes to prevent
11 violence, intimidation, and coercion of workers and
12 local communities; and

13 (E) formal, open, transparent, and consultative
14 processes to address all complaints and conflicts;

15 (4) measures to be taken to protect biodiversity and
16 prevent the poaching of endangered species in all
17 operations and adjacent areas;

18 (5) measures to be taken to ensure compliance with the
19 laws of countries where forest-risk commodities in a
20 company's supply chain were produced; and

21 (6) measures to deter violence, threats, and
22 harassment against environmental human rights defenders,
23 including respecting internationally recognized human
24 rights standards, and educating employees, contractors,
25 and partners on the rights of EHRDs to express their
26 views, conduct peaceful protests, and criticize practices

1 without intimidation or retaliation.

2 A forest policy adopted under this Section must be made
3 publicly available, and corresponding data required under this
4 Section is subject to the Illinois Freedom of Information Act.
5 The adoption of a forest policy by a contractor,
6 subcontractor, or supplier is not required for compliance with
7 this Section if that entity is not a large contractor, but the
8 adoption of such a policy may be used to demonstrate the
9 entity's compliance with this Section.

10 (30 ILCS 500/54-9 new)

11 Sec. 54-9. Stakeholder advisory group. As needed
12 throughout the rulemaking process and throughout the process
13 of implementing this Act, including during the investigation
14 of violations as outlined in Section 54-11, the Director of
15 Central Management Services may consult with a stakeholder
16 advisory group on the adoption of rules for the implementation
17 of this Act. Members of the advisory group shall be selected by
18 the Director of Central Management Services and shall consist
19 of at least:

20 (1) representatives of current or former contractors
21 dealing in each of the forest-risk commodities, with an
22 emphasis on small and medium-sized businesses;

23 (2) representatives from civil society with relevant
24 expertise in supply chain traceability, forest
25 sustainability, biodiversity, forest carbon dynamics,

1 natural history, climate science, human and labor rights,
2 and indigenous rights; members selected under this
3 paragraph should be of at least equal number to members
4 selected under paragraph (1); and

5 (3) a minimum of 2 additional representatives from
6 indigenous communities residing within forests covered by
7 this Act.

8 The advisory group shall meet virtually. Membership in the
9 group shall be voluntary, and, therefore, members shall
10 receive no salary or compensation for participation.

11 (30 ILCS 500/54-10 new)

12 Sec. 54-10. Violations and sanctions.

13 (a) If it is determined that any contractor contracting
14 with the State knew or should have known that a product that
15 consists, wholly or in part, of a forest-risk commodity was
16 furnished to the State in violation of Sections 54-4, 54-5,
17 54-6, 54-7, or 54-8, the contracting State agency shall issue
18 a written notice of violation and provide an opportunity for
19 the contractor to come into compliance with the Act. If, after
20 such notice, a contractor fails to come into compliance with a
21 timeframe established by the Department of Central Management
22 Services, the contractor may have either one or both of the
23 following sanctions imposed:

24 (1) the contract under which the prohibited
25 forest-risk commodity was furnished may be voided at the

1 option of the State agency to which the commodity was
2 furnished; or

3 (2) the contractor may be assessed a penalty that
4 shall be the greater of \$1,000 or an amount equaling 20% of
5 the value of the product that the State agency
6 demonstrates was comprised, wholly or in part, of a
7 forest-risk commodity and furnished to the State in
8 violation of Sections 54-4, 54-5, 54-6, 54-7, and 54-8.

9 A hearing or opportunity to be heard shall be provided
10 prior to the assessment of any penalty.

11 (b) Notwithstanding subsection (a), a contractor that
12 complies with Section 54-7 shall not be subject to sanctions
13 for violations if the contractor had no knowledge of the
14 requirements of Sections 54-4, 54-5, 54-6, 54-7, and 54-8, and
15 if the violations were committed solely by a subcontractor.
16 Under this subsection (b), sanctions described under
17 subsection (a) shall instead be imposed against the
18 subcontractor that committed the violation.

19 (30 ILCS 500/54-11 new)

20 Sec. 54-11. Investigation of violations.

21 (a) Any State agency that investigates a complaint against
22 a contractor or subcontractor for a violation of this Act may
23 limit its investigation to evaluating the information provided
24 by the person or entity submitting the complaint and the
25 information provided by the contractor or subcontractor.

1 (b) Whenever a contracting officer of the contracting
2 State agency has reason to believe that the contractor failed
3 to comply with Sections 54-4, 54-5, 54-6, 54-7, and 54-8, the
4 State agency shall refer the matter for investigation to the
5 head of the State agency and, as the head of the State agency
6 determines appropriate, in consultation with the stakeholder
7 advisory group established under Section 54-9, to the Office
8 of the Attorney General who may consult in consultation with
9 the stakeholder advisory group established under Section 54-9.

10 (30 ILCS 500/54-12 new)

11 Sec. 54-12. Preference for Illinois State products.

12 (a) When a contract for the purchase of a commodity or
13 product covered by this Act is to be awarded to the lowest
14 responsible bidder, an otherwise qualified bidder who is a
15 small business, medium-sized business, minority-owned
16 business, women-owned business, or who will fulfill the
17 contract through the use of Illinois State products may be
18 given preference over other bidders, as long as (i) the
19 product does not contribute to deforestation or forest
20 degradation and (ii) the cost included in the bid is not more
21 than 10% greater than the cost included in a bid that is not
22 from a small business, medium-sized business, minority-owned
23 business, women-owned business, or fulfilled through the use
24 of Illinois State products.

25 (b) This Section shall not apply if the head of the

1 contracting State agency purchasing the products determines
2 that giving preference to bidders under this Section:

3 (1) would be against the public interest;

4 (2) would increase the cost of the contract by an
5 unreasonable amount; or

6 (3) would be impracticable because Illinois State
7 products cannot be obtained in sufficient and reasonable
8 available quantities and of satisfactory quality to meet
9 the contracting State agency's requirements.

10 (c) Nothing in this Section shall be construed to conflict
11 with or otherwise limit the goals and requirements set forth
12 by Article 45 of the Illinois Procurement Code and the
13 Business Enterprise for Minorities, Women, and Persons with
14 Disabilities Act.

15 (30 ILCS 500/54-13 new)

16 Sec. 54-13. Rules.

17 (a) On or before July 1, 2025, the Department of Central
18 Management Services shall adopt rules for the implementation
19 of this Act. The rules shall be developed in consultation with
20 the stakeholder advisory group established under Section 54-9.
21 The rules shall include, but shall not be limited to, all of
22 the following:

23 (1) Rules establishing a list of forest-risk
24 commodities that are furnished to the State or used by
25 State contractors that are subject to the requirements of

1 this Act, including, but not limited to: beef; cocoa;
2 coffee; leather; palm oil; rubber; soy-based products; and
3 wood and paper products, including lumber, pulp, paper,
4 fuel wood, particle board, and cardboard.

5 (2) Rules establishing the definition of the term
6 "wholly or in part" designed in a manner to limit the
7 administrative burden of the State while deterring
8 deforestation and forest degradation, including the
9 establishment of phase-out exemptions for products
10 composed in part of forest-risk commodities.

11 (3) Rules establishing a set of responsible sourcing
12 guidelines and policies derived from best practices in
13 supply chain transparency to the point-of-origin.

14 (4) Rules establishing guidance to assist contractors
15 in identifying forest-risk commodities in their supply
16 chain, performing necessary due diligence to meet the
17 requirements of this Act, and certifying that the
18 commodity did not contribute to deforestation or forest
19 degradation.

20 (5) Rules establishing the full set of requirements
21 for a large contractor's forest policy under Section 54-8.

22 (6) Rules establishing the process through which
23 contractors shall certify to the Department of Central
24 Management Services that they are in compliance with this
25 Act.

26 (7) Rules establishing an easily accessible system

1 through which members of the public may make complaints
2 and submit information regarding violations of this Act.

3 (8) Rules establishing an information-sharing system
4 between State agencies purchasing products that are
5 subject to this Act and the Department of Central
6 Management Services regarding contracts involving
7 purchases of hardwoods and forest-risk commodities on or
8 after the effective date of this Act.

9 (9) Rules establishing any information-sharing systems
10 with external partners implementing regulations comparable
11 to this Act.

12 (10) Rules establishing ongoing review of and
13 additions to the list as a means to strengthen
14 deforestation-free procurement provisions at a timeline
15 determined by the Department of Central Management
16 Services. When evaluating inclusion of additional
17 commodities in the list, the Director of Central
18 Management Services shall consider the impact of the
19 commodity as a driver of deforestation or forest
20 degradation, the state of existing supply chain
21 transparency and traceability systems for the commodity
22 across all the regions from which it is sourced, and the
23 feasibility of including the commodity in the requirements
24 of Section 54-6. The Department of Central Management
25 Services may consult with the stakeholder advisory group
26 during the list's review and update process. Procedures

1 established in relation to paragraph (j) shall not be made
2 to weaken deforestation-free procurement provisions.

3 (b) The Director of Central Management Services may
4 establish a voluntary certification process for current or
5 aspiring contractors to be recognized as supplying
6 deforestation-free products as a part of the rulemaking
7 process if the Director of Central Management Services, in
8 consultation with the stakeholder advisory group established
9 under Section 54-9, deems it would be advantageous to the
10 ongoing implementation of this Act. If the Director of Central
11 Management Services, in consultation with the stakeholder
12 advisory group established under Section 54-9, deems it would
13 be advantageous to establish a voluntary certification process
14 for current or aspiring contractors to be recognized as
15 supplying deforestation-free products, certification shall
16 include the following purchase restrictions:

17 (1) that the certification requirements set forth in
18 this Act shall not apply to a purchase of goods of \$2,500
19 or less; and

20 (2) that the total amount of goods exempted under
21 paragraph (1) shall not exceed \$7,500 per year for each
22 contractor from which a State agency is purchasing goods.
23 It shall be the responsibility of each State agency to
24 monitor the use of this exemption and adhere to these
25 restrictions on these purchases.

1 (30 ILCS 500/54-14 new)

2 Sec. 54-14. Assessment.

3 (a) At any time after the adoption of rules as described in
4 Section 54-13, but no less frequently than every 6 months
5 thereafter, the Director of Central Management Services shall
6 submit to the General Assembly the details of all contracts
7 regulated under this Act. The Director of Central Management
8 Services shall assess the compliance of all or a
9 representative subject of all contracts with the requirements
10 of this Act. Subject to the approval by a majority of members,
11 the General Assembly may:

12 (1) make recommendations to the Director of Central
13 Management Services regarding changes to the rules
14 implementing this Act; or

15 (2) make recommendations to the Director of Central
16 Management Services, the Office of the Attorney General,
17 the Office of the State Comptroller, or a contracting
18 State agency regarding deficiencies in contract
19 certifications, violations of this Act, or enforcement
20 actions.

21 (b) All work products produced under Section 54-6 shall be
22 made available to the public on the website of the Department
23 of Central Management Services.

24 (30 ILCS 500/54-15 new)

25 Sec. 54-15. The supply chain transparency assistance

1 program.

2 (a) As used in this Section, "eligible business" means a
3 small business, medium-sized business, minority-owned
4 business, or woman-owned business seeking to comply with the
5 requirements of this Act.

6 (b) In partnership with the Business Enterprise Program,
7 the Department of Central Management Services, or both, the
8 stakeholder advisory group established under Section 54-9 of
9 this Act is hereby authorized and directed, within one year
10 after the effective date of this Act, to establish, develop,
11 and issue, within available appropriations, a supply chain
12 transparency assistance program to assist small businesses,
13 medium-sized businesses, and minority-owned and women-owned
14 businesses in achieving supply chains that comply with the
15 requirements of this Act.

16 (c) The purpose of the program developed under this
17 Section is to compile and share resources that:

18 (1) help participating eligible businesses with
19 compliance with supply chain related regulations,
20 procurement standards, or contracting requirements
21 established under this Act; and

22 (2) identify funding streams, grant moneys, financial
23 assistance and other resources that may be available to
24 help participating eligible businesses achieve
25 transparent, traceable, ethical, and sustainable supply
26 chains as it pertains to this Act.

1 (d) The Business Enterprise Program and the Department of
2 Central Management Services are responsible for publishing the
3 resources compiled by the stakeholder advisory group and
4 facilitating communications between eligible businesses and
5 the stakeholder advisory group.

6 (30 ILCS 500/54-16 new)

7 Sec. 54-16. Report. Beginning 2 years after the effective
8 date of this Act and biennially thereafter, the Director of
9 Central Management Services shall issue a report to the State
10 Procurement Task Force, the Governor, and the General Assembly
11 on the implementation of this Act.

12 (30 ILCS 500/54-17 new)

13 Sec. 54-17. Applicability.

14 (a) This Act shall apply to all contracts entered into,
15 extended, or renewed on or after the adoption of rules as
16 described in Section 54-13.

17 (b) If the Governor or the Director of the Department of
18 Public Health has issued a disaster declaration because of a
19 disaster as defined in Section 4 of the Illinois Emergency
20 Management Act and compliance with all the terms of this Act
21 would be impracticable because critical commodities cannot be
22 obtained in sufficient and reasonable available quantities and
23 of satisfactory quality to meet the contracting State agency's
24 requirements, then the comprehensive requirements of this Act

1 shall be suspended for a period of 60 days beginning the day
2 the disaster declaration, in accordance with which critical
3 commodities regulated by this Act cannot be obtained in
4 sufficient and reasonable available quantities and of
5 satisfactory quality to meet the contracting State agency's
6 requirements.

7 (b) Ongoing suspension of the comprehensive requirements
8 of this Act for terms beyond the initial 60 days must be
9 formally renewed by the Department of Central Management
10 Services and

11 (1) must be dependent upon the existence of an ongoing
12 disaster declaration as defined in Section 4 of the
13 Illinois Emergency Management Act, and

14 (2) a reality where compliance with all of the terms
15 of this Act would be impracticable because critical
16 commodities cannot be obtained in sufficient and
17 reasonable available quantities and of satisfactory
18 quality to meet the contracting State agency's
19 requirements.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."