



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3099

Introduced 1/29/2026, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

5 ILCS 830/10-5	
20 ILCS 2605/2605-10	was 20 ILCS 2605/55a in part
20 ILCS 2605/2605-45	was 20 ILCS 2605/55a-5
20 ILCS 2605/2605-595	
20 ILCS 2605/2605-605	
30 ILCS 500/1-10	
430 ILCS 68/Act rep.	
720 ILCS 5/24-5.1	

Repeals the Firearm Dealer License Certification Act. Amends the Gun Trafficking Information Act, the Illinois State Police Law of the Civil Administrative Code of Illinois, the Illinois Procurement Code, and the Criminal Code of 2012 to make conforming changes. Effective immediately.

LRB104 18899 RLC 32344 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Gun Trafficking Information Act is amended
5 by changing Section 10-5 as follows:

6 (5 ILCS 830/10-5)

7 Sec. 10-5. Gun trafficking information.

8 (a) The Illinois State Police shall use all reasonable
9 efforts, as allowed by State law and regulations, federal law
10 and regulations, and executed Memoranda of Understanding
11 between Illinois law enforcement agencies and the U.S. Bureau
12 of Alcohol, Tobacco, Firearms and Explosives, in making
13 publicly available, on a regular and ongoing basis, key
14 information related to firearms used in the commission of
15 crimes in this State, including, but not limited to: reports
16 on crimes committed with firearms, locations where the crimes
17 occurred, the number of persons killed or injured in the
18 commission of the crimes, whether or not a stolen firearm was
19 used in the commission of the crimes, the state where the
20 firearms used originated, the Federal Firearms Licensee that
21 sold the firearm, the type of firearms used, if known, annual
22 statistical information concerning Firearm Owner's
23 Identification Card and concealed carry license applications,

1 revocations, and compliance with Section 9.5 of the Firearm
2 Owners Identification Card Act, and the information required
3 in the report or on the Illinois State Police's website under
4 Section 85 of the Firearms Restraining Order Act, ~~and firearm~~
5 ~~dealer license certification inspections~~. The Illinois State
6 Police shall make the information available on its website,
7 which may be presented in a dashboard format, in addition to
8 electronically filing a report with the Governor and the
9 General Assembly. The report to the General Assembly shall be
10 filed with the Clerk of the House of Representatives and the
11 Secretary of the Senate in electronic form only, in the manner
12 that the Clerk and the Secretary shall direct.

13 (b) The Illinois State Police shall study, on a regular
14 and ongoing basis, and compile reports on the number of
15 Firearm Owner's Identification Card checks to determine
16 firearms trafficking or straw purchase patterns. The Illinois
17 State Police shall, to the extent not inconsistent with law,
18 share such reports and underlying data with academic centers,
19 foundations, and law enforcement agencies studying firearms
20 trafficking, provided that personally identifying information
21 is protected. For purposes of this subsection (b), a Firearm
22 Owner's Identification Card number is not personally
23 identifying information, provided that no other personal
24 information of the card holder is attached to the record. The
25 Illinois State Police may create and attach an alternate
26 unique identifying number to each Firearm Owner's

1 Identification Card number, instead of releasing the Firearm
2 Owner's Identification Card number itself.

3 (c) Each department, office, division, and agency of this
4 State shall, to the extent not inconsistent with law,
5 cooperate fully with the Illinois State Police and furnish the
6 Illinois State Police with all relevant information and
7 assistance on a timely basis as is necessary to accomplish the
8 purpose of this Act. The Illinois Criminal Justice Information
9 Authority shall submit the information required in subsection
10 (a) of this Section to the Illinois State Police, and any other
11 information as the Illinois State Police may request, to
12 assist the Illinois State Police in carrying out its duties
13 under this Act.

14 (Source: P.A. 103-34, eff. 6-9-23; 104-31, eff. 1-1-26.)

15 Section 10. The Illinois State Police Law of the Civil
16 Administrative Code of Illinois is amended by changing
17 Sections 2605-10, 2605-45, 2605-595, and 2605-605 as follows:

18 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

19 Sec. 2605-10. Powers and duties, generally.

20 (a) The Illinois State Police shall exercise the rights,
21 powers, and duties that have been vested in the Illinois State
22 Police by the following:

23 The Illinois State Police Act.

24 The Illinois State Police Radio Act.

1 The Criminal Identification Act.
2 The Illinois Vehicle Code.
3 The Firearm Owners Identification Card Act.
4 The Firearm Concealed Carry Act.
5 ~~The Firearm Dealer License Certification Act.~~
6 The Intergovernmental Missing Child Recovery Act of
7 1984.
8 The Intergovernmental Drug Laws Enforcement Act.
9 The Narcotic Control Division Abolition Act.
10 The Illinois Uniform Conviction Information Act.
11 The Murderer and Violent Offender Against Youth
12 Registration Act.

13 (b) The Illinois State Police shall have the powers and
14 duties set forth in the following Sections. The Illinois State
15 Police may receive revenue and real and personal property from
16 any legal source, grants, pass-through grants, donations, and
17 lawful appropriations.

18 (c) The Illinois State Police shall exercise the rights,
19 powers, and duties vested in the Illinois State Police to
20 implement the following protective service functions for State
21 facilities, State officials, and State employees serving in
22 their official capacity:

23 (1) Utilize subject matter expertise and law
24 enforcement authority to strengthen the protection of
25 State government facilities, State employees, State
26 officials, and State critical infrastructure.

1 (2) Coordinate State, federal, and local law
2 enforcement activities involving the protection of State
3 facilities, officials, and employees.

4 (3) Conduct investigations of criminal threats to
5 State facilities, State critical infrastructure, State
6 officials, and State employees.

7 (4) Train State officials and employees in personal
8 protection, crime prevention, facility occupant emergency
9 planning, and incident management.

10 (5) Establish standard protocols for prevention and
11 response to criminal threats to State facilities, State
12 officials, State employees, and State critical
13 infrastructure and standard protocols for reporting of
14 suspicious activities.

15 (6) Establish minimum operational standards,
16 qualifications, training, and compliance requirements for
17 State employees and contractors engaged in the protection
18 of State facilities and employees.

19 (7) At the request of departments or agencies of State
20 government, conduct security assessments, including, but
21 not limited to, examination of alarm systems, cameras
22 systems, access points, personnel readiness, and emergency
23 protocols based on risk and need.

24 (8) Oversee the planning and implementation of
25 security and law enforcement activities necessary for the
26 protection of major, multi-jurisdictional events

1 implicating potential criminal threats to State officials,
2 State employees, or State-owned, State-leased, or
3 State-operated critical infrastructure or facilities.

4 (9) Oversee and direct the planning and implementation
5 of security and law enforcement activities by the
6 departments and agencies of the State necessary for the
7 protection of State employees, State officials, and
8 State-owned, State-leased, or State-operated critical
9 infrastructure or facilities from criminal activity.

10 (10) Advise the Governor and Homeland Security Advisor
11 on any matters necessary for the effective protection of
12 State facilities, critical infrastructure, officials, and
13 employees from criminal threats.

14 (11) Utilize intergovernmental agreements and
15 administrative rules as needed for the effective,
16 efficient implementation of law enforcement and support
17 activities necessary for the protection of State
18 facilities, State infrastructure, State employees, and,
19 upon the express written consent of State constitutional
20 officials, State constitutional officials.

21 (Source: P.A. 103-34, eff. 1-1-24; 103-564, eff. 11-17-23;
22 104-24, eff. 1-1-26.)

23 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

24 Sec. 2605-45. Division of Justice Services.

25 (a) The Division of Justice Services shall provide

1 administrative and technical services and support to the
2 Illinois State Police, criminal justice agencies, and the
3 public and shall exercise the following functions:

4 (1) Operate and maintain the Law Enforcement Agencies
5 Data System (LEADS), a statewide, computerized
6 telecommunications system designed to provide services,
7 information, and capabilities to the law enforcement and
8 criminal justice community in the State of Illinois. The
9 Director is responsible for establishing policy,
10 procedures, and regulations consistent with State and
11 federal rules, policies, and law by which LEADS operates.
12 The Director shall designate a statewide LEADS
13 Administrator for management of the system. The Director
14 may appoint a LEADS Advisory Policy Board to reflect the
15 needs and desires of the law enforcement and criminal
16 justice community and to make recommendations concerning
17 policies and procedures.

18 (2) Pursue research and the publication of studies
19 pertaining to local law enforcement activities.

20 (3) Serve as the State's point of contact for the
21 Federal Bureau of Investigation's Uniform Crime Reporting
22 Program and National Incident-Based Reporting System.

23 (4) Operate an electronic data processing and computer
24 center for the storage and retrieval of data pertaining to
25 criminal activity.

26 (5) Exercise the rights, powers, and duties vested in

1 the Illinois State Police by the Cannabis Regulation and
2 Tax Act and the Compassionate Use of Medical Cannabis
3 Program Act.

4 (6) (Blank).

5 (6.5) Exercise the rights, powers, and duties vested
6 in the Illinois State Police by the Firearm Owners
7 Identification Card Act, the Firearm Concealed Carry Act,
8 the Firearm Transfer Inquiry Program, and the prohibited
9 persons portal under Section 2605-304, ~~and the Firearm
10 Dealer License Certification Act.~~

11 (7) Exercise other duties that may be assigned by the
12 Director to fulfill the responsibilities and achieve the
13 purposes of the Illinois State Police.

14 (8) Exercise the rights, powers, and duties vested by
15 law in the Illinois State Police by the Criminal
16 Identification Act and the Illinois Uniform Conviction
17 Information Act.

18 (9) Exercise the powers and perform the duties that
19 have been vested in the Illinois State Police by the
20 Murderer and Violent Offender Against Youth Registration
21 Act, the Sex Offender Registration Act, and the Sex
22 Offender Community Notification Law and adopt reasonable
23 rules necessitated thereby.

24 (10) Serve as the State central repository for
25 criminal history record information.

26 (11) Share all necessary information with the

1 Concealed Carry Licensing Review Board and the Firearms
2 Owner's Identification Card Review Board necessary for the
3 execution of their duties.

4 (12) Serve as the CJIS Systems Agency for Illinois.

5 (b) Notwithstanding any law to the contrary, the CJIS
6 Security Policy of the Federal Bureau of Investigation governs
7 criminal justice information systems and requires all of those
8 systems to be subject to a management control agreement
9 controlled by the criminal justice agency that owns the
10 criminal justice information system and to be subject to
11 oversight by the CJIS Systems Agency. The CJIS Systems Agency
12 shall establish principles and standards to provide
13 consistency in the operation and use of criminal justice
14 system information technology throughout the State. The CJIS
15 Systems Agency may impose more stringent or additional
16 protection measures than those measures outlined in the CJIS
17 Security Policy of the Federal Bureau of Investigation if the
18 protection measures are documented and maintained. State
19 agencies and units of local government shall work with the
20 CJIS Systems Agency to follow all principles and standards,
21 including those imposed under this Section. Consistent with
22 the CJIS Security Policy of the Federal Bureau of
23 Investigation, no State agency, unit of local government, or
24 employee of a State agency or unit of local government shall
25 usurp, replace, or diminish the role and responsibility of the
26 CJIS Information Security Officer or the CJIS Systems Officer

1 appointed by the head of the CJIS Systems Agency.

2 (Source: P.A. 103-34, eff. 1-1-24; 104-157, eff. 1-1-26.)

3 (20 ILCS 2605/2605-595)

4 (Text of Section before amendment by P.A. 104-131)

5 Sec. 2605-595. State Police Firearm Services Fund.

6 (a) There is created in the State treasury a special fund
7 known as the State Police Firearm Services Fund. The Fund
8 shall receive revenue under the Firearm Concealed Carry Act,
9 ~~the Firearm Dealer License Certification Act,~~ and Section 5 of
10 the Firearm Owners Identification Card Act. The Fund may also
11 receive revenue from grants, pass-through grants, donations,
12 appropriations, and any other legal source.

13 (a-5) (Blank).

14 (b) The Illinois State Police may use moneys in the Fund to
15 finance any of its lawful purposes, mandates, functions, and
16 duties under the Firearm Owners Identification Card Act,~~the~~
17 ~~Firearm Dealer License Certification Act,~~ and the Firearm
18 Concealed Carry Act, including the cost of sending notices of
19 expiration of Firearm Owner's Identification Cards, concealed
20 carry licenses, the prompt and efficient processing of
21 applications under the Firearm Owners Identification Card Act
22 and the Firearm Concealed Carry Act, the improved efficiency
23 and reporting of the LEADS and federal NICS law enforcement
24 data systems, and support for investigations required under
25 these Acts and law. Any surplus funds beyond what is needed to

1 comply with the aforementioned purposes shall be used by the
2 Illinois State Police to improve the Law Enforcement Agencies
3 Data System (LEADS) and criminal history background check
4 system.

5 (c) Investment income that is attributable to the
6 investment of moneys in the Fund shall be retained in the Fund
7 for the uses specified in this Section.

8 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;
9 103-363, eff. 7-28-23.)

10 (Text of Section after amendment by P.A. 104-131)

11 Sec. 2605-595. State Police Firearm Services Fund.

12 (a) There is created in the State treasury a special fund
13 known as the State Police Firearm Services Fund. The Fund
14 shall receive revenue under the Firearm Concealed Carry Act,
15 ~~the Firearm Dealer License Certification Act,~~ Article 24 of
16 the Criminal Code of 2012, other provisions of law concerning
17 firearm offenses, and Section 5 of the Firearm Owners
18 Identification Card Act. The Fund may also receive revenue
19 from grants, pass-through grants, donations, appropriations,
20 and any other legal source.

21 (a-5) (Blank).

22 (a-10) Notwithstanding any other provision of law to the
23 contrary, and in addition to any other transfers that may be
24 provided by law, on the effective date of this amendatory Act
25 of the 104th General Assembly, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the remaining balance from the State
3 Police Firearm Enforcement Fund into the State Police Firearm
4 Services Fund. Upon completion of the transfer, the State
5 Police Firearm Enforcement Fund is dissolved, and any future
6 deposits due to that Fund and any outstanding obligations or
7 liabilities of that Fund shall pass to the State Police
8 Firearm Services Fund.

9 (a-15) The Illinois State Police may use moneys from the
10 Fund to establish task forces and, if necessary, include other
11 law enforcement agencies, under intergovernmental contracts
12 written and executed in conformity with the Intergovernmental
13 Cooperation Act.

14 (a-20) The Illinois State Police may use moneys in the
15 Fund to hire and train Illinois State Police officers and for
16 the prevention of violent crime.

17 (b) The Illinois State Police may use moneys in the Fund to
18 finance any of its lawful purposes, mandates, functions,
19 enforcement, and duties under the Firearm Owners
20 Identification Card Act, ~~the Firearm Dealer License~~
21 ~~Certification Act~~, Article 24 of the Criminal Code of 2012,
22 provisions of law concerning firearm offenses, and the Firearm
23 Concealed Carry Act, including the cost of sending notices of
24 expiration of Firearm Owner's Identification Cards, concealed
25 carry licenses, the prompt and efficient processing of
26 applications under the Firearm Owners Identification Card Act

1 and the Firearm Concealed Carry Act, the improved efficiency
2 and reporting of the LEADS and federal NICS law enforcement
3 data systems, and support for investigations required under
4 these Acts and law. Any surplus funds beyond what is needed to
5 comply with the aforementioned purposes shall be used by the
6 Illinois State Police to improve the Law Enforcement Agencies
7 Data System (LEADS) and criminal history background check
8 system.

9 (b-5) Any surplus in the Fund beyond what is necessary to
10 ensure compliance with subsections (a) through (b) or moneys
11 that are specifically appropriated for those purposes shall be
12 used by the Illinois State Police to award grants to assist
13 with the data reporting requirements of the Gun Trafficking
14 Information Act.

15 (c) Investment income that is attributable to the
16 investment of moneys in the Fund shall be retained in the Fund
17 for the uses specified in this Section.

18 (Source: P.A. 103-363, eff. 7-28-23; 104-131, eff. 9-1-26.)

19 (20 ILCS 2605/2605-605)

20 (Text of Section before amendment by P.A. 104-131)

21 Sec. 2605-605. Violent Crime Intelligence Task Force. The
22 Director of the Illinois State Police shall establish a
23 statewide multi-jurisdictional Violent Crime Intelligence Task
24 Force led by the Illinois State Police dedicated to combating
25 gun violence, gun-trafficking, and other violent crime with

1 the primary mission of preservation of life and reducing the
2 occurrence and the fear of crime. The objectives of the Task
3 Force shall include, but not be limited to, reducing and
4 preventing illegal possession and use of firearms,
5 firearm-related homicides, and other violent crimes, and
6 solving firearm-related crimes.

7 (1) The Task Force may develop and acquire information,
8 training, tools, and resources necessary to implement a
9 data-driven approach to policing, with an emphasis on
10 intelligence development.

11 (2) The Task Force may utilize information sharing,
12 partnerships, crime analysis, and evidence-based practices to
13 assist in the reduction of firearm-related shootings,
14 homicides, and gun-trafficking, including, but not limited to,
15 ballistic data, eTrace data, DNA evidence, latent
16 fingerprints, firearm training data, and National Integrated
17 Ballistic Information Network (NIBIN) data. The Task Force may
18 design a model crime gun intelligence strategy which may
19 include, but is not limited to, comprehensive collection and
20 documentation of all ballistic evidence, timely transfer of
21 NIBIN and eTrace leads to an intelligence center, which may
22 include the Division of Criminal Investigation of the Illinois
23 State Police, timely dissemination of intelligence to
24 investigators, investigative follow-up, and coordinated
25 prosecution.

26 (3) The Task Force may recognize and utilize best

1 practices of community policing and may develop potential
2 partnerships with faith-based and community organizations to
3 achieve its goals.

4 (4) The Task Force may identify and utilize best practices
5 in drug-diversion programs and other community-based services
6 to redirect low-level offenders.

7 (5) The Task Force may assist in violence suppression
8 strategies including, but not limited to, details in
9 identified locations that have shown to be the most prone to
10 gun violence and violent crime, focused deterrence against
11 violent gangs and groups considered responsible for the
12 violence in communities, and other intelligence driven methods
13 deemed necessary to interrupt cycles of violence or prevent
14 retaliation.

15 (6) In consultation with the Chief Procurement Officer,
16 the Illinois State Police may obtain contracts for software,
17 commodities, resources, and equipment to assist the Task Force
18 with achieving this Act. Any contracts necessary to support
19 the delivery of necessary software, commodities, resources,
20 and equipment are not subject to the Illinois Procurement
21 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and
22 Article 50 of that Code, provided that the Chief Procurement
23 Officer may, in writing with justification, waive any
24 certification required under Article 50 of the Illinois
25 Procurement Code.

26 (7) The Task Force shall conduct enforcement operations

1 against persons whose Firearm Owner's Identification Cards
2 have been revoked or suspended and persons who fail to comply
3 with the requirements of Section 9.5 of the Firearm Owners
4 Identification Card Act, prioritizing individuals presenting a
5 clear and present danger to themselves or to others under
6 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
7 Owners Identification Card Act.

8 (8) The Task Force shall collaborate with local law
9 enforcement agencies to enforce provisions of the Firearm
10 Owners Identification Card Act, the Firearm Concealed Carry
11 Act, ~~the Firearm Dealer License Certification Act,~~ and Article
12 24 of the Criminal Code of 2012.

13 (9) To implement this Section, the Director of the
14 Illinois State Police may establish intergovernmental
15 agreements with law enforcement agencies in accordance with
16 the Intergovernmental Cooperation Act.

17 (10) Law enforcement agencies that participate in
18 activities described in paragraphs (7) through (9) may apply
19 to the Illinois State Police for grants from the State Police
20 Firearm Enforcement Fund.

21 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
22 102-813, eff. 5-13-22; 103-609, eff. 7-1-24.)

23 (Text of Section after amendment by P.A. 104-131)

24 Sec. 2605-605. Violent Crime Intelligence Task Force. The
25 Director of the Illinois State Police shall establish a

1 statewide multi-jurisdictional Violent Crime Intelligence Task
2 Force led by the Illinois State Police dedicated to combating
3 gun violence, gun-trafficking, and other violent crime with
4 the primary mission of preservation of life and reducing the
5 occurrence and the fear of crime. The objectives of the Task
6 Force shall include, but not be limited to, reducing and
7 preventing illegal possession and use of firearms,
8 firearm-related homicides, and other violent crimes, and
9 solving firearm-related crimes.

10 (1) The Task Force may develop and acquire information,
11 training, tools, and resources necessary to implement a
12 data-driven approach to policing, with an emphasis on
13 intelligence development.

14 (2) The Task Force may utilize information sharing,
15 partnerships, crime analysis, and evidence-based practices to
16 assist in the reduction of firearm-related shootings,
17 homicides, and gun-trafficking, including, but not limited to,
18 ballistic data, eTrace data, DNA evidence, latent
19 fingerprints, firearm training data, and National Integrated
20 Ballistic Information Network (NIBIN) data. The Task Force may
21 design a model crime gun intelligence strategy which may
22 include, but is not limited to, comprehensive collection and
23 documentation of all ballistic evidence, timely transfer of
24 NIBIN and eTrace leads to an intelligence center, which may
25 include the Division of Criminal Investigation of the Illinois
26 State Police, timely dissemination of intelligence to

1 investigators, investigative follow-up, and coordinated
2 prosecution.

3 (3) The Task Force may recognize and utilize best
4 practices of community policing and may develop potential
5 partnerships with faith-based and community organizations to
6 achieve its goals.

7 (4) The Task Force may identify and utilize best practices
8 in drug-diversion programs and other community-based services
9 to redirect low-level offenders.

10 (5) The Task Force may assist in violence suppression
11 strategies including, but not limited to, details in
12 identified locations that have shown to be the most prone to
13 gun violence and violent crime, focused deterrence against
14 violent gangs and groups considered responsible for the
15 violence in communities, and other intelligence driven methods
16 deemed necessary to interrupt cycles of violence or prevent
17 retaliation.

18 (6) In consultation with the Chief Procurement Officer,
19 the Illinois State Police may obtain contracts for software,
20 commodities, resources, and equipment to assist the Task Force
21 with achieving this Act. Any contracts necessary to support
22 the delivery of necessary software, commodities, resources,
23 and equipment are not subject to the Illinois Procurement
24 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and
25 Article 50 of that Code, provided that the Chief Procurement
26 Officer may, in writing with justification, waive any

1 certification required under Article 50 of the Illinois
2 Procurement Code.

3 (7) The Task Force shall conduct enforcement operations
4 against persons whose Firearm Owner's Identification Cards
5 have been revoked or suspended and persons who fail to comply
6 with the requirements of Section 9.5 of the Firearm Owners
7 Identification Card Act, prioritizing individuals presenting a
8 clear and present danger to themselves or to others under
9 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
10 Owners Identification Card Act.

11 (8) The Task Force shall collaborate with local law
12 enforcement agencies to enforce provisions of the Firearm
13 Owners Identification Card Act, the Firearm Concealed Carry
14 Act, ~~the Firearm Dealer License Certification Act,~~ and Article
15 24 of the Criminal Code of 2012.

16 (9) To implement this Section, the Director of the
17 Illinois State Police may establish intergovernmental
18 agreements with law enforcement agencies in accordance with
19 the Intergovernmental Cooperation Act.

20 (10) Law enforcement agencies that participate in
21 activities described in paragraphs (7) through (9) may apply
22 to the Illinois State Police for grants from the State Police
23 Firearm Services Fund.

24 (Source: P.A. 103-609, eff. 7-1-24; 104-131, eff. 9-1-26.)

25 Section 15. The Illinois Procurement Code is amended by

1 changing Section 1-10 as follows:

2 (30 ILCS 500/1-10)

3 (Text of Section before amendment by P.A. 104-458)

4 Sec. 1-10. Application.

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

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

20 (1) Contracts between the State and its political
21 subdivisions or other governments, or between State
22 governmental bodies, except as specifically provided in
23 this Code.

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

1 (3) Purchase of care, except as provided in Section
2 5-30.6 of the Illinois Public Aid Code and this Section.

3 (4) Hiring of an individual as an employee and not as
4 an independent contractor, whether pursuant to an
5 employment code or policy or by contract directly with
6 that individual.

7 (5) Collective bargaining contracts.

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

16 (7) Contracts necessary to prepare for anticipated
17 litigation, enforcement actions, or investigations,
18 provided that the chief legal counsel to the Governor
19 shall give his or her prior approval when the procuring
20 agency is one subject to the jurisdiction of the Governor,
21 and provided that the chief legal counsel of any other
22 procuring entity subject to this Code shall give his or
23 her prior approval when the procuring entity is not one
24 subject to the jurisdiction of the Governor.

25 (8) (Blank).

26 (9) Procurement expenditures by the Illinois

1 Conservation Foundation when only private funds are used.

2 (10) (Blank).

3 (11) Public-private agreements entered into according
4 to the procurement requirements of Section 20 of the
5 Public-Private Partnerships for Transportation Act and
6 design-build agreements entered into according to the
7 procurement requirements of Section 25 of the
8 Public-Private Partnerships for Transportation Act.

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

18 (B) Contracts for legal and financial services entered
19 into by the Illinois Housing Development Authority in
20 connection with the issuance of bonds in which the State
21 of Illinois is not obligated. Such contracts shall be
22 awarded through a competitive process authorized by the
23 members of the Illinois Housing Development Authority and
24 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
25 and 50-37 of this Code, as well as the final approval by
26 the members of the Illinois Housing Development Authority

1 of the terms of the contract.

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

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

18 (14) Contracts for participation expenditures required
19 by a domestic or international trade show or exhibition of
20 an exhibitor, member, or sponsor.

21 (15) Contracts with a railroad or utility that
22 requires the State to reimburse the railroad or utilities
23 for the relocation of utilities for construction or other
24 public purpose. Contracts included within this paragraph
25 (15) shall include, but not be limited to, those
26 associated with: relocations, crossings, installations,

1 and maintenance. For the purposes of this paragraph (15),
2 "railroad" means any form of non-highway ground
3 transportation that runs on rails or electromagnetic
4 guideways and "utility" means: (1) public utilities as
5 defined in Section 3-105 of the Public Utilities Act, (2)
6 telecommunications carriers as defined in Section 13-202
7 of the Public Utilities Act, (3) electric cooperatives as
8 defined in Section 3.4 of the Electric Supplier Act, (4)
9 telephone or telecommunications cooperatives as defined in
10 Section 13-212 of the Public Utilities Act, (5) rural
11 water or wastewater ~~waste-water~~ systems with 10,000
12 connections or less, (6) a holder as defined in Section
13 21-201 of the Public Utilities Act, and (7) municipalities
14 owning or operating utility systems consisting of public
15 utilities as that term is defined in Section 11-117-2 of
16 the Illinois Municipal Code.

17 (16) Procurement expenditures necessary for the
18 Department of Public Health to provide the delivery of
19 timely newborn screening services in accordance with the
20 Newborn Metabolic Screening Act.

21 (17) Procurement expenditures necessary for the
22 Department of Agriculture, the Department of Financial and
23 Professional Regulation, the Department of Human Services,
24 and the Department of Public Health to implement the
25 Compassionate Use of Medical Cannabis Program and Opioid
26 Alternative Pilot Program requirements and ensure access

1 to medical cannabis for patients with debilitating medical
2 conditions in accordance with the Compassionate Use of
3 Medical Cannabis Program Act.

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

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

16 (19) Acquisition of modifications or adjustments,
17 limited to assistive technology devices and assistive
18 technology services, adaptive equipment, repairs, and
19 replacement parts to provide reasonable accommodations (i)
20 that enable a qualified applicant with a disability to
21 complete the job application process and be considered for
22 the position such qualified applicant desires, (ii) that
23 modify or adjust the work environment to enable a
24 qualified current employee with a disability to perform
25 the essential functions of the position held by that
26 employee, (iii) to enable a qualified current employee

1 with a disability to enjoy equal benefits and privileges
2 of employment as are enjoyed by other similarly situated
3 employees without disabilities, and (iv) that allow a
4 customer, client, claimant, or member of the public
5 seeking State services full use and enjoyment of and
6 access to its programs, services, or benefits.

7 For purposes of this paragraph (19):

8 "Assistive technology devices" means any item, piece
9 of equipment, or product system, whether acquired
10 commercially off the shelf, modified, or customized, that
11 is used to increase, maintain, or improve functional
12 capabilities of individuals with disabilities.

13 "Assistive technology services" means any service that
14 directly assists an individual with a disability in
15 selection, acquisition, or use of an assistive technology
16 device.

17 "Qualified" has the same meaning and use as provided
18 under the federal Americans with Disabilities Act when
19 describing an individual with a disability.

20 (20) Procurement expenditures necessary for the
21 Illinois Commerce Commission to hire third-party
22 facilitators pursuant to Sections 16-105.17 and 16-108.18
23 of the Public Utilities Act or an ombudsman pursuant to
24 Section 16-107.5 of the Public Utilities Act, a
25 facilitator pursuant to Section 16-105.17 of the Public
26 Utilities Act, or a grid auditor pursuant to Section

1 16-105.10 of the Public Utilities Act.

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

20 (22) Contracts for project management services and
21 system integration services required for the completion of
22 the State's enterprise resource planning project. This
23 exemption becomes inoperative 5 years after June 7, 2023
24 (the effective date of the changes made to this Section by
25 Public Act 103-8). This paragraph (22) applies to
26 contracts entered into on or after June 7, 2023 (the

1 effective date of the changes made to this Section by
2 Public Act 103-8) and the renewal of contracts that are in
3 effect on June 7, 2023 (the effective date of the changes
4 made to this Section by Public Act 103-8).

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

17 (24) Contracts for public education programming,
18 noncommercial sustaining announcements, public service
19 announcements, and public awareness and education
20 messaging with the nonprofit trade associations of the
21 providers of those services that inform the public on
22 immediate and ongoing health and safety risks and hazards.

23 (25) Procurements necessary for the Department of
24 Early Childhood to implement the Department of Early
25 Childhood Act if the Department has made a good faith
26 determination that it is necessary and appropriate for the

1 expenditure to fall within this exemption. This exemption
2 shall only be used for products and services procured
3 solely for use by the Department of Early Childhood. The
4 procurements may include those necessary to design and
5 build integrated, operational systems of programs and
6 services. The procurements may include, but are not
7 limited to, those necessary to align and update program
8 standards, integrate funding systems, design and establish
9 data and reporting systems, align and update models for
10 technical assistance and professional development, design
11 systems to manage grants and ensure compliance, design and
12 implement management and operational structures, and
13 establish new means of engaging with families, educators,
14 providers, and stakeholders. The procurement processes
15 shall be conducted in a manner substantially in accordance
16 with the requirements of Article 50 (ethics) and Sections
17 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
18 and Inclusion), 20-80 (contract files), 20-120
19 (subcontractors), 20-155 (paperwork), 20-160
20 (ethics/campaign contribution prohibitions), 25-60
21 (prevailing wage), and 25-90 (prohibited and authorized
22 cybersecurity) of this Code. Beginning January 1, 2025,
23 the Department of Early Childhood shall provide a
24 quarterly report to the General Assembly detailing a list
25 of expenditures and contracts for which the Department
26 uses this exemption. This paragraph is inoperative on and

1 after July 1, 2027.

2 (26) Procurements that are necessary for increasing
3 the recruitment and retention of State employees,
4 particularly minority candidates for employment,
5 including:

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

8 (B) production of recruitment materials; and

9 (C) other services related to recruitment and
10 retention of State employees.

11 The exemption under this paragraph (26) applies only
12 if the State agency has made a good faith determination
13 that it is necessary and appropriate for the expenditure
14 to fall within this paragraph (26). The procurement
15 process under this paragraph (26) 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.
20 Nothing in this paragraph (26) authorizes the replacement
21 or diminishment of State responsibilities in hiring or the
22 positions that effectuate that hiring. This paragraph (26)
23 is inoperative on and after June 30, 2029.

24 (27) Procurements necessary for the Department of
25 Healthcare and Family Services to implement changes to the
26 State's Integrated Eligibility System to ensure the

1 system's compliance with federal implementation mandates
2 and deadlines, if the Department of Healthcare and Family
3 Services has made a good faith determination that it is
4 necessary and appropriate for the procurement to fall
5 within this exemption.

6 Notwithstanding any other provision of law, for contracts
7 with an annual value of more than \$100,000 entered into on or
8 after October 1, 2017 under an exemption provided in any
9 paragraph of this subsection (b), except paragraph (1), (2),
10 or (5), each State agency shall post to the appropriate
11 procurement bulletin the name of the contractor, a description
12 of the supply or service provided, the total amount of the
13 contract, the term of the contract, and the exception to the
14 Code utilized. The chief procurement officer shall submit a
15 report to the Governor and General Assembly no later than
16 November 1 of each year that shall include, at a minimum, an
17 annual summary of the monthly information reported to the
18 chief procurement officer.

19 (c) This Code does not apply to the electric power
20 procurement process provided for under Section 1-75 of the
21 Illinois Power Agency Act and Section 16-111.5 of the Public
22 Utilities Act. This Code does not apply to the procurement of
23 technical and policy experts pursuant to Section 1-129 of the
24 Illinois Power Agency Act.

25 (d) Except for Section 20-160 and Article 50 of this Code,
26 and as expressly required by Section 9.1 of the Illinois

1 Lottery Law, the provisions of this Code do not apply to the
2 procurement process provided for under Section 9.1 of the
3 Illinois Lottery Law.

4 (e) This Code does not apply to the process used by the
5 Capital Development Board to retain a person or entity to
6 assist the Capital Development Board with its duties related
7 to the determination of costs of a clean coal SNG brownfield
8 facility, as defined by Section 1-10 of the Illinois Power
9 Agency Act, as required in subsection (h-3) of Section 9-220
10 of the Public Utilities Act, including calculating the range
11 of capital costs, the range of operating and maintenance
12 costs, or the sequestration costs or monitoring the
13 construction of clean coal SNG brownfield facility for the
14 full duration of construction.

15 (f) (Blank).

16 (g) (Blank).

17 (h) This Code does not apply to the process to procure or
18 contracts entered into in accordance with Sections 11-5.2 and
19 11-5.3 of the Illinois Public Aid Code.

20 (i) Each chief procurement officer may access records
21 necessary to review whether a contract, purchase, or other
22 expenditure is or is not subject to the provisions of this
23 Code, unless such records would be subject to attorney-client
24 privilege.

25 (j) This Code does not apply to the process used by the
26 Capital Development Board to retain an artist or work or works

1 of art as required in Section 14 of the Capital Development
2 Board Act.

3 (k) This Code does not apply to the process to procure
4 contracts, or contracts entered into, by the State Board of
5 Elections or the State Electoral Board for hearing officers
6 appointed pursuant to the Election Code.

7 (l) This Code does not apply to the processes used by the
8 Illinois Student Assistance Commission to procure supplies and
9 services paid for from the private funds of the Illinois
10 Prepaid Tuition Fund. As used in this subsection (l), "private
11 funds" means funds derived from deposits paid into the
12 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

13 (m) This Code shall apply regardless of the source of
14 funds with which contracts are paid, including federal
15 assistance moneys. Except as specifically provided in this
16 Code, this Code shall not apply to procurement expenditures
17 necessary for the Department of Public Health to conduct the
18 Healthy Illinois Survey in accordance with Section 2310-431 of
19 the Department of Public Health Powers and Duties Law of the
20 Civil Administrative Code of Illinois.

21 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
22 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
23 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,
24 eff. 6-16-25; 104-417, eff. 8-15-25)

25 (Text of Section after amendment by P.A. 104-458)

1 Sec. 1-10. Application.

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

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

17 (1) Contracts between the State and its political
18 subdivisions or other governments, or between State
19 governmental bodies, except as specifically provided in
20 this Code.

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

23 (3) Purchase of care, except as provided in Section
24 5-30.6 of the Illinois Public Aid Code and this Section.

25 (4) Hiring of an individual as an employee and not as
26 an independent contractor, whether pursuant to an

1 employment code or policy or by contract directly with
2 that individual.

3 (5) Collective bargaining contracts.

4 (6) Purchase of real estate, except that notice of
5 this type of contract with a value of more than \$25,000
6 must be published in the Procurement Bulletin within 10
7 calendar days after the deed is recorded in the county of
8 jurisdiction. The notice shall identify the real estate
9 purchased, the names of all parties to the contract, the
10 value of the contract, and the effective date of the
11 contract.

12 (7) Contracts necessary to prepare for anticipated
13 litigation, enforcement actions, or investigations,
14 provided that the chief legal counsel to the Governor
15 shall give his or her prior approval when the procuring
16 agency is one subject to the jurisdiction of the Governor,
17 and provided that the chief legal counsel of any other
18 procuring entity subject to this Code shall give his or
19 her prior approval when the procuring entity is not one
20 subject to the jurisdiction of the Governor.

21 (8) (Blank).

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

24 (10) (Blank).

25 (11) Public-private agreements entered into according
26 to the procurement requirements of Section 20 of the

1 Public-Private Partnerships for Transportation Act and
2 design-build agreements entered into according to the
3 procurement requirements of Section 25 of the
4 Public-Private Partnerships for Transportation Act.

5 (12) (A) Contracts for legal, financial, and other
6 professional and artistic services entered into by the
7 Illinois Finance Authority in which the State of Illinois
8 is not obligated. Such contracts shall be awarded through
9 a competitive process authorized by the members of the
10 Illinois Finance Authority and are subject to Sections
11 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
12 as well as the final approval by the members of the
13 Illinois Finance Authority of the terms of the contract.

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

24 (13) Contracts for services, commodities, and
25 equipment to support the delivery of timely forensic
26 science services in consultation with and subject to the

1 approval of the Chief Procurement Officer as provided in
2 subsection (d) of Section 5-4-3a of the Unified Code of
3 Corrections, except for the requirements of Sections
4 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
5 Code; however, the Chief Procurement Officer may, in
6 writing with justification, waive any certification
7 required under Article 50 of this Code. For any contracts
8 for services which are currently provided by members of a
9 collective bargaining agreement, the applicable terms of
10 the collective bargaining agreement concerning
11 subcontracting shall be followed.

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

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

17 (15) Contracts with a railroad or utility that
18 requires the State to reimburse the railroad or utilities
19 for the relocation of utilities for construction or other
20 public purpose. Contracts included within this paragraph
21 (15) shall include, but not be limited to, those
22 associated with: relocations, crossings, installations,
23 and maintenance. For the purposes of this paragraph (15),
24 "railroad" means any form of non-highway ground
25 transportation that runs on rails or electromagnetic
26 guideways and "utility" means: (1) public utilities as

1 defined in Section 3-105 of the Public Utilities Act, (2)
2 telecommunications carriers as defined in Section 13-202
3 of the Public Utilities Act, (3) electric cooperatives as
4 defined in Section 3.4 of the Electric Supplier Act, (4)
5 telephone or telecommunications cooperatives as defined in
6 Section 13-212 of the Public Utilities Act, (5) rural
7 water or wastewater ~~waste-water~~ systems with 10,000
8 connections or less, (6) a holder as defined in Section
9 21-201 of the Public Utilities Act, and (7) municipalities
10 owning or operating utility systems consisting of public
11 utilities as that term is defined in Section 11-117-2 of
12 the Illinois Municipal Code.

13 (16) Procurement expenditures necessary for the
14 Department of Public Health to provide the delivery of
15 timely newborn screening services in accordance with the
16 Newborn Metabolic Screening Act.

17 (17) Procurement expenditures necessary for the
18 Department of Agriculture, the Department of Financial and
19 Professional Regulation, the Department of Human Services,
20 and the Department of Public Health to implement the
21 Compassionate Use of Medical Cannabis Program and Opioid
22 Alternative Pilot Program requirements and ensure access
23 to medical cannabis for patients with debilitating medical
24 conditions in accordance with the Compassionate Use of
25 Medical Cannabis Program Act.

26 (18) This Code does not apply to any procurements

1 necessary for the Department of Agriculture, the
2 Department of Financial and Professional Regulation, the
3 Department of Human Services, the Department of Commerce
4 and Economic Opportunity, and the Department of Public
5 Health to implement the Cannabis Regulation and Tax Act if
6 the applicable agency has made a good faith determination
7 that it is necessary and appropriate for the expenditure
8 to fall within this exemption and if the process is
9 conducted in a manner substantially in accordance with the
10 requirements of Sections 20-160, 25-60, 30-22, 50-5,
11 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
12 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
13 Section 50-35, compliance applies only to contracts or
14 subcontracts over \$100,000. Notice of each contract
15 entered into under this paragraph (18) that is related to
16 the procurement of goods and services identified in
17 paragraph (1) through (9) of this subsection shall be
18 published in the Procurement Bulletin within 14 calendar
19 days after contract execution. The Chief Procurement
20 Officer shall prescribe the form and content of the
21 notice. Each agency shall provide the Chief Procurement
22 Officer, on a monthly basis, in the form and content
23 prescribed by the Chief Procurement Officer, a report of
24 contracts that are related to the procurement of goods and
25 services identified in this subsection. At a minimum, this
26 report shall include the name of the contractor, a

1 description of the supply or service provided, the total
2 amount of the contract, the term of the contract, and the
3 exception to this Code utilized. A copy of any or all of
4 these contracts shall be made available to the Chief
5 Procurement Officer immediately upon request. The Chief
6 Procurement Officer shall submit a report to the Governor
7 and General Assembly no later than November 1 of each year
8 that includes, at a minimum, an annual summary of the
9 monthly information reported to the Chief Procurement
10 Officer. This exemption becomes inoperative 5 years after
11 June 25, 2019 (the effective date of Public Act 101-27).

12 (19) Acquisition of modifications or adjustments,
13 limited to assistive technology devices and assistive
14 technology services, adaptive equipment, repairs, and
15 replacement parts to provide reasonable accommodations (i)
16 that enable a qualified applicant with a disability to
17 complete the job application process and be considered for
18 the position such qualified applicant desires, (ii) that
19 modify or adjust the work environment to enable a
20 qualified current employee with a disability to perform
21 the essential functions of the position held by that
22 employee, (iii) to enable a qualified current employee
23 with a disability to enjoy equal benefits and privileges
24 of employment as are enjoyed by other similarly situated
25 employees without disabilities, and (iv) that allow a
26 customer, client, claimant, or member of the public

1 seeking State services full use and enjoyment of and
2 access to its programs, services, or benefits.

3 For purposes of this paragraph (19):

4 "Assistive technology devices" means any item, piece
5 of equipment, or product system, whether acquired
6 commercially off the shelf, modified, or customized, that
7 is used to increase, maintain, or improve functional
8 capabilities of individuals with disabilities.

9 "Assistive technology services" means any service that
10 directly assists an individual with a disability in
11 selection, acquisition, or use of an assistive technology
12 device.

13 "Qualified" has the same meaning and use as provided
14 under the federal Americans with Disabilities Act when
15 describing an individual with a disability.

16 (20) Procurement expenditures necessary for the
17 Illinois Commerce Commission to hire third-party
18 facilitators pursuant to Sections 16-105.17 and 16-108.18
19 of the Public Utilities Act or an ombudsman pursuant to
20 Section 16-107.5 of the Public Utilities Act, a
21 facilitator pursuant to Section 16-105.17 of the Public
22 Utilities Act, a grid auditor pursuant to Section
23 16-105.10 of the Public Utilities Act, a facilitator,
24 expert, or consultant pursuant to Sections 16-126.2 and
25 16-202 of the Public Utilities Act, a procurement monitor
26 pursuant to Section 16-111.5 of the Public Utilities Act,

1 an ombudsperson pursuant to Section 20-145 of the Public
2 Utilities Act, or consultants and experts pursuant to
3 Section 5-15 of the Utility Data Access Act.

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

22 (22) Contracts for project management services and
23 system integration services required for the completion of
24 the State's enterprise resource planning project. This
25 exemption becomes inoperative 5 years after June 7, 2023
26 (the effective date of the changes made to this Section by

1 Public Act 103-8). This paragraph (22) applies to
2 contracts entered into on or after June 7, 2023 (the
3 effective date of the changes made to this Section by
4 Public Act 103-8) and the renewal of contracts that are in
5 effect on June 7, 2023 (the effective date of the changes
6 made to this Section by Public Act 103-8).

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

19 (24) Contracts for public education programming,
20 noncommercial sustaining announcements, public service
21 announcements, and public awareness and education
22 messaging with the nonprofit trade associations of the
23 providers of those services that inform the public on
24 immediate and ongoing health and safety risks and hazards.

25 (25) Procurements necessary for the Department of
26 Early Childhood to implement the Department of Early

1 Childhood Act if the Department has made a good faith
2 determination that it is necessary and appropriate for the
3 expenditure to fall within this exemption. This exemption
4 shall only be used for products and services procured
5 solely for use by the Department of Early Childhood. The
6 procurements may include those necessary to design and
7 build integrated, operational systems of programs and
8 services. The procurements may include, but are not
9 limited to, those necessary to align and update program
10 standards, integrate funding systems, design and establish
11 data and reporting systems, align and update models for
12 technical assistance and professional development, design
13 systems to manage grants and ensure compliance, design and
14 implement management and operational structures, and
15 establish new means of engaging with families, educators,
16 providers, and stakeholders. The procurement processes
17 shall be conducted in a manner substantially in accordance
18 with the requirements of Article 50 (ethics) and Sections
19 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
20 and Inclusion), 20-80 (contract files), 20-120
21 (subcontractors), 20-155 (paperwork), 20-160
22 (ethics/campaign contribution prohibitions), 25-60
23 (prevailing wage), and 25-90 (prohibited and authorized
24 cybersecurity) of this Code. Beginning January 1, 2025,
25 the Department of Early Childhood shall provide a
26 quarterly report to the General Assembly detailing a list

1 of expenditures and contracts for which the Department
2 uses this exemption. This paragraph is inoperative on and
3 after July 1, 2027.

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

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

10 (B) production of recruitment materials; and

11 (C) other services related to recruitment and
12 retention of State employees.

13 The exemption under this paragraph (26) applies only
14 if the State agency has made a good faith determination
15 that it is necessary and appropriate for the expenditure
16 to fall within this paragraph (26). The procurement
17 process under this paragraph (26) shall be conducted in a
18 manner substantially in accordance with the requirements
19 of Sections 20-160 and 25-60 and Article 50 of this Code. A
20 copy of these contracts shall be made available to the
21 Chief Procurement Officer immediately upon request.
22 Nothing in this paragraph (26) authorizes the replacement
23 or diminishment of State responsibilities in hiring or the
24 positions that effectuate that hiring. This paragraph (26)
25 is inoperative on and after June 30, 2029.

26 (27) Procurements necessary for the Department of

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

8 Notwithstanding any other provision of law, for contracts
9 with an annual value of more than \$100,000 entered into on or
10 after October 1, 2017 under an exemption provided in any
11 paragraph of this subsection (b), except paragraph (1), (2),
12 or (5), each State agency shall post to the appropriate
13 procurement bulletin the name of the contractor, a description
14 of the supply or service provided, the total amount of the
15 contract, the term of the contract, and the exception to the
16 Code utilized. The chief procurement officer shall submit a
17 report to the Governor and General Assembly no later than
18 November 1 of each year that shall include, at a minimum, an
19 annual summary of the monthly information reported to the
20 chief procurement officer.

21 (c) This Code does not apply to the electric power
22 procurement process provided for under Section 1-75 of the
23 Illinois Power Agency Act and Section 16-111.5 of the Public
24 Utilities Act. This Code does not apply to the procurement of
25 technical and policy experts pursuant to Section 1-129 of the
26 Illinois Power Agency Act.

1 (d) Except for Section 20-160 and Article 50 of this Code,
2 and as expressly required by Section 9.1 of the Illinois
3 Lottery Law, the provisions of this Code do not apply to the
4 procurement process provided for under Section 9.1 of the
5 Illinois Lottery Law.

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

17 (f) (Blank).

18 (g) (Blank).

19 (h) This Code does not apply to the process to procure or
20 contracts entered into in accordance with Sections 11-5.2 and
21 11-5.3 of the Illinois Public Aid Code.

22 (i) Each chief procurement officer may access records
23 necessary to review whether a contract, purchase, or other
24 expenditure is or is not subject to the provisions of this
25 Code, unless such records would be subject to attorney-client
26 privilege.

1 (j) This Code does not apply to the process used by the
2 Capital Development Board to retain an artist or work or works
3 of art as required in Section 14 of the Capital Development
4 Board Act.

5 (k) This Code does not apply to the process to procure
6 contracts, or contracts entered into, by the State Board of
7 Elections or the State Electoral Board for hearing officers
8 appointed pursuant to the Election Code.

9 (l) This Code does not apply to the processes used by the
10 Illinois Student Assistance Commission to procure supplies and
11 services paid for from the private funds of the Illinois
12 Prepaid Tuition Fund. As used in this subsection (l), "private
13 funds" means funds derived from deposits paid into the
14 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

15 (m) This Code shall apply regardless of the source of
16 funds with which contracts are paid, including federal
17 assistance moneys. Except as specifically provided in this
18 Code, this Code shall not apply to procurement expenditures
19 necessary for the Department of Public Health to conduct the
20 Healthy Illinois Survey in accordance with Section 2310-431 of
21 the Department of Public Health Powers and Duties Law of the
22 Civil Administrative Code of Illinois.

23 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
24 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
25 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,
26 eff. 6-16-25; 104-417, eff. 8-15-25; 104-458, eff. 6-1-26;

1 revised 1-12-26.)

2 (430 ILCS 68/Act rep.)

3 Section 20. The Firearm Dealer License Certification Act
4 is repealed.

5 Section 25. The Criminal Code of 2012 is amended by
6 changing Section 24-5.1 as follows:

7 (720 ILCS 5/24-5.1)

8 Sec. 24-5.1. Serialization of unfinished frames or
9 receivers; prohibition on unserialized firearms; exceptions;
10 penalties.

11 (a) In this Section:

12 "Bona fide supplier" means an established business entity
13 engaged in the development and sale of firearms parts to one or
14 more federal firearms manufacturers or federal firearms
15 importers.

16 "Federal firearms dealer" means a licensed manufacturer
17 pursuant to 18 U.S.C. 921(a)(11).

18 "Federal firearms importer" means a licensed importer
19 pursuant to 18 U.S.C. 921(a)(9).

20 "Federal firearms manufacturer" means a licensed
21 manufacturer pursuant to 18 U.S.C. 921(a)(10).

22 "Frame or receiver" means a part of a firearm that, when
23 the complete weapon is assembled, is visible from the exterior

1 and provides housing or a structure designed to hold or
2 integrate one or more fire control components, even if pins or
3 other attachments are required to connect those components to
4 the housing or structure. For models of firearms in which
5 multiple parts provide such housing or structure, the part or
6 parts that the Director of the federal Bureau of Alcohol,
7 Tobacco, Firearms and Explosives has determined are a frame or
8 receiver constitute the frame or receiver. For purposes of
9 this definition, "fire control component" means a component
10 necessary for the firearm to initiate, complete, or continue
11 the firing sequence, including any of the following: hammer,
12 bolt, bolt carrier, breechblock, cylinder, trigger mechanism,
13 firing pin, striker, or slide rails.

14 "Security exemplar" means an object to be fabricated at
15 the direction of the United States Attorney General that is
16 (1) constructed of 3.7 ounces of material type 17-4 PH
17 stainless steel in a shape resembling a handgun and (2)
18 suitable for testing and calibrating metal detectors.

19 "Three-dimensional printer" means a computer or
20 computer-drive machine capable of producing a
21 three-dimensional object from a digital model.

22 "Undetectable firearm" means (1) a firearm constructed
23 entirely of non-metal substances; (2) a firearm that, after
24 removal of all parts but the major components of the firearm,
25 is not detectable by walk-through metal detectors calibrated
26 and operated to detect the security exemplar; or (3) a firearm

1 that includes a major component of a firearm, which, if
2 subject to the types of detection devices commonly used at
3 airports for security screening, would not generate an image
4 that accurately depicts the shape of the component.
5 "Undetectable firearm" does not include a firearm subject to
6 the provisions of 18 U.S.C. 922(p) (3) through (6).

7 "Unfinished frame or receiver" means any forging, casting,
8 printing, extrusion, machined body, or similar article that:

9 (1) has reached a stage in manufacture where it may
10 readily be completed, assembled, or converted to be a
11 functional firearm; or

12 (2) is marketed or sold to the public to become or be
13 used as the frame or receiver of a functional firearm once
14 completed, assembled, or converted.

15 "Unserialized" means lacking a serial number imprinted by:

16 (1) a federal firearms manufacturer, federal firearms
17 importer, federal firearms dealer, or other federal
18 licensee authorized to provide marking services, pursuant
19 to a requirement under federal law; or

20 (2) a federal firearms dealer or other federal
21 licensee authorized to provide marking services pursuant
22 to subsection (f) of this Section.

23 (b) It is unlawful for any person to knowingly sell, offer
24 to sell, or transfer an unserialized unfinished frame or
25 receiver or unserialized firearm, including those produced
26 using a three-dimensional printer, unless the party purchasing

1 or receiving the unfinished frame or receiver or unserialized
2 firearm is a federal firearms importer, federal firearms
3 manufacturer, or federal firearms dealer.

4 (c) Beginning 180 days after May 18, 2022 (the effective
5 date of Public Act 102-889), it is unlawful for any person to
6 knowingly possess, transport, or receive an unfinished frame
7 or receiver, unless:

8 (1) the party possessing or receiving the unfinished
9 frame or receiver is a federal firearms importer or
10 federal firearms manufacturer;

11 (2) the unfinished frame or receiver is possessed or
12 transported by a person for transfer to a federal firearms
13 importer or federal firearms manufacturer; or

14 (3) the unfinished frame or receiver has been
15 imprinted with a serial number issued by a federal
16 firearms importer or federal firearms manufacturer in
17 compliance with subsection (f) of this Section.

18 (d) Beginning 180 days after May 18, 2022 (the effective
19 date of Public Act 102-889), unless the party receiving the
20 firearm is a federal firearms importer or federal firearms
21 manufacturer, it is unlawful for any person to knowingly
22 possess, purchase, transport, or receive a firearm that is not
23 imprinted with a serial number by (1) a federal firearms
24 importer or federal firearms manufacturer in compliance with
25 all federal laws and regulations regulating the manufacture
26 and import of firearms or (2) a federal firearms manufacturer,

1 federal firearms dealer, or other federal licensee authorized
2 to provide marking services in compliance with the
3 unserialized firearm serialization process under subsection
4 (f) of this Section.

5 (e) Any firearm or unfinished frame or receiver
6 manufactured using a three-dimensional printer must also be
7 serialized in accordance with the requirements of subsection
8 (f) within 30 days after May 18, 2022 (the effective date of
9 Public Act 102-889), or prior to reaching a stage of
10 manufacture where it may be readily completed, assembled, or
11 converted to be a functional firearm.

12 (f) Unserialized unfinished frames or receivers and
13 unserialized firearms serialized pursuant to this Section
14 shall be serialized in compliance with all of the following:

15 (1) An unserialized unfinished frame or receiver and
16 unserialized firearm shall be serialized by a federally
17 licensed firearms dealer or other federal licensee
18 authorized to provide marking services with the licensee's
19 abbreviated federal firearms license number as a prefix
20 (which is the first 3 and last 5 digits) followed by a
21 hyphen, and then followed by a number as a suffix, such as
22 12345678-(number). The serial number or numbers must be
23 placed in a manner that accords with the requirements
24 under federal law for affixing serial numbers to firearms,
25 including the requirements that the serial number or
26 numbers be at the minimum size and depth, and not

1 susceptible to being readily obliterated, altered, or
2 removed, and the licensee must retain records that accord
3 with the requirements under federal law in the case of the
4 sale of a firearm. The imprinting of any serial number
5 upon an undetectable firearm must be done on a steel
6 plaque in compliance with 18 U.S.C. 922(p).

7 (2) Every federally licensed firearms dealer or other
8 federal licensee that engraves, casts, stamps, or
9 otherwise conspicuously and permanently places a unique
10 serial number pursuant to this Section shall maintain a
11 record of such indefinitely. ~~Licensees subject to the~~
12 ~~Firearm Dealer License Certification Act shall make all~~
13 ~~records accessible for inspection upon the request of the~~
14 ~~Illinois State Police or a law enforcement agency in~~
15 ~~accordance with Section 5-35 of the Firearm Dealer License~~
16 ~~Certification Act.~~

17 (3) Every federally licensed firearms dealer or other
18 federal licensee that engraves, casts, stamps, or
19 otherwise conspicuously and permanently places a unique
20 serial number pursuant to this Section shall record it at
21 the time of every transaction involving the transfer of a
22 firearm, rifle, shotgun, finished frame or receiver, or
23 unfinished frame or receiver that has been so marked in
24 compliance with the federal guidelines set forth in 27 CFR
25 478.124.

26 (4) Every federally licensed firearms dealer or other

1 federal licensee that engraves, casts, stamps, or
2 otherwise conspicuously and permanently places a unique
3 serial number pursuant to this Section shall review and
4 confirm the validity of the owner's Firearm Owner's
5 Identification Card issued under the Firearm Owners
6 Identification Card Act prior to returning the firearm to
7 the owner.

8 (g) Within 30 days after May 18, 2022 (the effective date
9 of Public Act 102-889), the Director of the Illinois State
10 Police shall issue a public notice regarding the provisions of
11 this Section. The notice shall include posting on the Illinois
12 State Police website and may include written notification or
13 any other means of communication statewide to all
14 Illinois-based federal firearms manufacturers, federal
15 firearms dealers, or other federal licensees authorized to
16 provide marking services in compliance with the serialization
17 process in subsection (f) in order to educate the public.

18 (h) Exceptions. This Section does not apply to an
19 unserialized unfinished frame or receiver or an unserialized
20 firearm that:

21 (1) has been rendered permanently inoperable;

22 (2) is an antique firearm, as defined in 18 U.S.C.
23 921(a)(16);

24 (3) was manufactured prior to October 22, 1968;

25 (4) is an unfinished frame or receiver and is
26 possessed by a bona fide supplier exclusively for transfer

1 to a federal firearms manufacturer or federal firearms
2 importer, or is possessed by a federal firearms
3 manufacturer or federal firearms importer in compliance
4 with all federal laws and regulations regulating the
5 manufacture and import of firearms; except this exemption
6 does not apply if an unfinished frame or receiver is
7 possessed for transfer or is transferred to a person other
8 than a federal firearms manufacturer or federal firearms
9 importer; or

10 (5) is possessed by a person who received the
11 unserialized unfinished frame or receiver or unserialized
12 firearm through inheritance, and is not otherwise
13 prohibited from possessing the unserialized unfinished
14 frame or receiver or unserialized firearm, for a period
15 not exceeding 30 days after inheriting the unserialized
16 unfinished frame or receiver or unserialized firearm.

17 (i) Penalties.

18 (1) A person who violates subsection (c) or (d) is
19 guilty of a Class A misdemeanor for a first violation and
20 is guilty of a Class 3 felony for a second or subsequent
21 violation.

22 (2) A person who violates subsection (b) is guilty of
23 a Class 4 felony for a first violation and is guilty of a
24 Class 2 felony for a second or subsequent violation.

25 (Source: P.A. 102-889, eff. 5-18-22; 103-605, eff. 7-1-24.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.