

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Procurement Code is amended by
5 changing Section 1-10 as follows:

6 (30 ILCS 500/1-10)

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

8 Sec. 1-10. Application.

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

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

1 (1) Contracts between the State and its political
2 subdivisions or other governments, or between State
3 governmental bodies, except as specifically provided in
4 this Code.

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

7 (3) Purchase of care, except as provided in Section
8 5-30.6 of the Illinois Public Aid Code and this Section.

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

13 (5) Collective bargaining contracts.

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

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

1 and provided that the chief legal counsel of any other
2 procuring entity subject to this Code shall give his or
3 her prior approval when the procuring entity is not one
4 subject to the jurisdiction of the Governor.

5 (8) (Blank).

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

8 (10) (Blank).

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

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

24 (B) Contracts for legal and financial services entered
25 into by the Illinois Housing Development Authority in
26 connection with the issuance of bonds in which the State

1 of Illinois is not obligated. Such contracts shall be
2 awarded through a competitive process authorized by the
3 members of the Illinois Housing Development Authority and
4 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
5 and 50-37 of this Code, as well as the final approval by
6 the members of the Illinois Housing Development Authority
7 of the terms of the contract.

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

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

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

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

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

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

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

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

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

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

13 For purposes of this paragraph (19):

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

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

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

26 (20) Procurement expenditures necessary for the

1 Illinois Commerce Commission to hire third-party
2 facilitators pursuant to Sections 16-105.17 and 16-108.18
3 of the Public Utilities Act, ~~or~~ an ombudsman pursuant to
4 Section 16-107.5 of the Public Utilities Act, a
5 facilitator pursuant to Section 16-105.17 of the Public
6 Utilities Act, or a grid auditor pursuant to Section
7 16-105.10 of the Public Utilities Act.

8 (21) Procurement expenditures for the purchase,
9 renewal, and expansion of software, software licenses, or
10 software maintenance agreements that support the efforts
11 of the Illinois State Police to enforce, regulate, and
12 administer the Firearm Owners Identification Card Act, the
13 Firearm Concealed Carry Act, the Firearms Restraining
14 Order Act, the Firearm Dealer License Certification Act,
15 the Law Enforcement Agencies Data System (LEADS), the
16 Uniform Crime Reporting Act, the Criminal Identification
17 Act, the Illinois Uniform Conviction Information Act, and
18 the Gun Trafficking Information Act, or establish or
19 maintain record management systems necessary to conduct
20 human trafficking investigations or gun trafficking or
21 other stolen firearm investigations. This paragraph (21)
22 applies to contracts entered into on or after January 10,
23 2023 (the effective date of Public Act 102-1116) and the
24 renewal of contracts that are in effect on January 10,
25 2023 (the effective date of Public Act 102-1116).

26 (22) Contracts for project management services and

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

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

23 (24) Contracts for public education programming,
24 noncommercial sustaining announcements, public service
25 announcements, and public awareness and education
26 messaging with the nonprofit trade associations of the

1 providers of those services that inform the public on
2 immediate and ongoing health and safety risks and hazards.

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

1 (prevailing wage), and 25-90 (prohibited and authorized
2 cybersecurity) of this Code. Beginning January 1, 2025,
3 the Department of Early Childhood shall provide a
4 quarterly report to the General Assembly detailing a list
5 of expenditures and contracts for which the Department
6 uses this exemption. This paragraph is inoperative on and
7 after July 1, 2027.

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

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

14 (B) production of recruitment materials; and

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

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

1 or diminishment of State responsibilities in hiring or the
2 positions that effectuate that hiring. This paragraph (26)
3 is inoperative on and after June 30, 2029.

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

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

25 (c) This Code does not apply to the electric power
26 procurement process provided for under Section 1-75 of the

1 Illinois Power Agency Act and Section 16-111.5 of the Public
2 Utilities Act. This Code does not apply to the procurement of
3 technical and policy experts pursuant to Section 1-129 of the
4 Illinois Power Agency Act.

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

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

21 (f) (Blank).

22 (g) (Blank).

23 (h) This Code does not apply to the process to procure or
24 contracts entered into in accordance with Sections 11-5.2 and
25 11-5.3 of the Illinois Public Aid Code.

26 (i) Each chief procurement officer may access records

1 necessary to review whether a contract, purchase, or other
2 expenditure is or is not subject to the provisions of this
3 Code, unless such records would be subject to attorney-client
4 privilege.

5 (j) This Code does not apply to the process used by the
6 Capital Development Board to retain an artist or work or works
7 of art as required in Section 14 of the Capital Development
8 Board Act.

9 (k) This Code does not apply to the process to procure
10 contracts, or contracts entered into, by the State Board of
11 Elections or the State Electoral Board for hearing officers
12 appointed pursuant to the Election Code.

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

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

1 (Source: P.A. 103-8, eff. 6-7-23; 103-103, eff. 6-27-23;
2 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594, eff.
3 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25; 104-2,
4 eff. 6-16-25; 104-417, eff. 8-15-25)

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

6 Sec. 1-10. Application.

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

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

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

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

3 (3) Purchase of care, except as provided in Section
4 5-30.6 of the Illinois Public Aid Code and this Section.

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

9 (5) Collective bargaining contracts.

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

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

1 (8) (Blank).

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

4 (10) (Blank).

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6 to the procurement requirements of Section 20 of the
7 Public-Private Partnerships for Transportation Act and
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14 is not obligated. Such contracts shall be awarded through
15 a competitive process authorized by the members of the
16 Illinois Finance Authority and are subject to Sections
17 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
18 as well as the final approval by the members of the
19 Illinois Finance Authority of the terms of the contract.

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

1 and 50-37 of this Code, as well as the final approval by
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3 of the terms of the contract.

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

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19 except for this sentence, is inoperative.

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21 by a domestic or international trade show or exhibition of
22 an exhibitor, member, or sponsor.

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24 requires the State to reimburse the railroad or utilities
25 for the relocation of utilities for construction or other
26 public purpose. Contracts included within this paragraph

1 (15) shall include, but not be limited to, those
2 associated with: relocations, crossings, installations,
3 and maintenance. For the purposes of this paragraph (15),
4 "railroad" means any form of non-highway ground
5 transportation that runs on rails or electromagnetic
6 guideways and "utility" means: (1) public utilities as
7 defined in Section 3-105 of the Public Utilities Act, (2)
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2 Alternative Pilot Program requirements and ensure access
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4 conditions in accordance with the Compassionate Use of
5 Medical Cannabis Program Act.

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10 and Economic Opportunity, and the Department of Public
11 Health to implement the Cannabis Regulation and Tax Act if
12 the applicable agency has made a good faith determination
13 that it is necessary and appropriate for the expenditure
14 to fall within this exemption and if the process is
15 conducted in a manner substantially in accordance with the
16 requirements of Sections 20-160, 25-60, 30-22, 50-5,
17 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
18 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
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9 exception to this Code utilized. A copy of any or all of
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11 Procurement Officer immediately upon request. The Chief
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19 limited to assistive technology devices and assistive
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22 that enable a qualified applicant with a disability to
23 complete the job application process and be considered for
24 the position such qualified applicant desires, (ii) that
25 modify or adjust the work environment to enable a
26 qualified current employee with a disability to perform

1 the essential functions of the position held by that
2 employee, (iii) to enable a qualified current employee
3 with a disability to enjoy equal benefits and privileges
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26 Section 16-107.5 of the Public Utilities Act, a

1 facilitator pursuant to Section 16-105.17 of the Public
2 Utilities Act, a grid auditor pursuant to Section
3 16-105.10 of the Public Utilities Act, a facilitator,
4 expert, or consultant pursuant to Sections 16-126.2 and
5 16-202 of the Public Utilities Act, a facilitator, expert,
6 or consultant pursuant to Section 8-512 of the Public
7 Utilities Act, a procurement monitor pursuant to Section
8 16-111.5 of the Public Utilities Act, an ombudsperson
9 pursuant to Section 20-145 of the Public Utilities Act, or
10 consultants and experts pursuant to Section 5-15 of the
11 Utility Data Access Act.

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

1 2023 (the effective date of Public Act 102-1116) and the
2 renewal of contracts that are in effect on January 10,
3 2023 (the effective date of Public Act 102-1116).

4 (22) Contracts for project management services and
5 system integration services required for the completion of
6 the State's enterprise resource planning project. This
7 exemption becomes inoperative 5 years after June 7, 2023
8 (the effective date of the changes made to this Section by
9 Public Act 103-8). This paragraph (22) applies to
10 contracts entered into on or after June 7, 2023 (the
11 effective date of the changes made to this Section by
12 Public Act 103-8) and the renewal of contracts that are in
13 effect on June 7, 2023 (the effective date of the changes
14 made to this Section by Public Act 103-8).

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

1 (24) Contracts for public education programming,
2 noncommercial sustaining announcements, public service
3 announcements, and public awareness and education
4 messaging with the nonprofit trade associations of the
5 providers of those services that inform the public on
6 immediate and ongoing health and safety risks and hazards.

7 (25) Procurements necessary for the Department of
8 Early Childhood to implement the Department of Early
9 Childhood Act if the Department has made a good faith
10 determination that it is necessary and appropriate for the
11 expenditure to fall within this exemption. This exemption
12 shall only be used for products and services procured
13 solely for use by the Department of Early Childhood. The
14 procurements may include those necessary to design and
15 build integrated, operational systems of programs and
16 services. The procurements may include, but are not
17 limited to, those necessary to align and update program
18 standards, integrate funding systems, design and establish
19 data and reporting systems, align and update models for
20 technical assistance and professional development, design
21 systems to manage grants and ensure compliance, design and
22 implement management and operational structures, and
23 establish new means of engaging with families, educators,
24 providers, and stakeholders. The procurement processes
25 shall be conducted in a manner substantially in accordance
26 with the requirements of Article 50 (ethics) and Sections

1 5-5 (Procurement Policy Board), 5-7 (Commission on Equity
2 and Inclusion), 20-80 (contract files), 20-120
3 (subcontractors), 20-155 (paperwork), 20-160
4 (ethics/campaign contribution prohibitions), 25-60
5 (prevailing wage), and 25-90 (prohibited and authorized
6 cybersecurity) of this Code. Beginning January 1, 2025,
7 the Department of Early Childhood shall provide a
8 quarterly report to the General Assembly detailing a list
9 of expenditures and contracts for which the Department
10 uses this exemption. This paragraph is inoperative on and
11 after July 1, 2027.

12 (26) Procurements that are necessary for increasing
13 the recruitment and retention of State employees,
14 particularly minority candidates for employment,
15 including:

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

18 (B) production of recruitment materials; and

19 (C) other services related to recruitment and
20 retention of State employees.

21 The exemption under this paragraph (26) applies only
22 if the State agency has made a good faith determination
23 that it is necessary and appropriate for the expenditure
24 to fall within this paragraph (26). The procurement
25 process under this paragraph (26) shall be conducted in a
26 manner substantially in accordance with the requirements

1 of Sections 20-160 and 25-60 and Article 50 of this Code. A
2 copy of these contracts shall be made available to the
3 Chief Procurement Officer immediately upon request.
4 Nothing in this paragraph (26) authorizes the replacement
5 or diminishment of State responsibilities in hiring or the
6 positions that effectuate that hiring. This paragraph (26)
7 is inoperative on and after June 30, 2029.

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

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

1 annual summary of the monthly information reported to the
2 chief procurement officer.

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

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

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

25 (f) (Blank).

26 (g) (Blank).

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

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

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

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

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

23 (m) This Code shall apply regardless of the source of
24 funds with which contracts are paid, including federal
25 assistance moneys. Except as specifically provided in this
26 Code, this Code shall not apply to procurement expenditures

1 necessary for the Department of Public Health to conduct the
2 Healthy Illinois Survey in accordance with Section 2310-431 of
3 the Department of Public Health Powers and Duties Law of the
4 Civil Administrative Code of Illinois.

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

10 Section 10. The Public Utilities Act is amended by
11 changing Section 8-512 as follows:

12 (220 ILCS 5/8-512)

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

14 Sec. 8-512. Renewable energy access plan.

15 (a) It is the policy of this State to promote
16 cost-effective transmission system development that ensures
17 reliability of the electric transmission system, lowers carbon
18 emissions, minimizes long-term costs for consumers, and
19 supports the electric policy goals of this State. The General
20 Assembly finds that:

21 (1) Transmission planning, primarily for reliability
22 purposes, but also for economic and public policy reasons
23 is conducted by regional transmission organizations in
24 which transmission-owning Illinois utilities and other

1 stakeholders are members.

2 (2) Order No. 1000 of the Federal Energy Regulatory
3 Commission requires regional transmission organizations to
4 plan for transmission system needs in light of State
5 public policies and to accept input from states during the
6 transmission system planning processes.

7 (3) The State of Illinois does not currently have a
8 comprehensive power and environmental policy planning
9 process to identify transmission infrastructure needs that
10 can serve as a vital input into the regional and
11 interregional transmission organization planning
12 processes conducted under Order No. 1000 and other laws
13 and regulations.

14 (4) This State is an electricity generation and power
15 transmission hub, and can leverage that position to invest
16 in infrastructure that enables new and existing Illinois
17 generators to meet the public policy goals of the State of
18 Illinois and of interconnected states while
19 cost-effectively supporting tens of thousands of jobs in
20 the renewable energy sector in this State.

21 (5) The nation has a need to readily access this
22 State's low-cost, clean electric power, and this State
23 also desires access to clean energy resources in other
24 states to develop and support its low-carbon economy and
25 keep electricity prices low in Illinois and interconnected
26 States.

1 (6) Existing transmission infrastructure may constrain
2 the State's achievement of 100% renewable energy by 2050,
3 the accelerated adoption of electric vehicles in a just
4 and equitable way, and electrification of additional
5 sectors of the Illinois economy.

6 (7) Transmission system congestion within this State
7 and the regional transmission organizations serving this
8 State limits the ability of this State's existing and new
9 electric generation facilities that do not emit carbon
10 dioxide, including renewable energy resources and zero
11 emission facilities, to serve the public policy goals of
12 this State and other states, which constrains investment
13 in this State.

14 (8) Investment in infrastructure to support existing
15 and new electric generation facilities that do not emit
16 carbon dioxide, including renewable energy resources and
17 zero emission facilities, stimulates significant economic
18 development and job growth in this State, as well as
19 creates environmental and public health benefits in this
20 State.

21 (9) Creating a forward-looking plan for this State's
22 electric transmission infrastructure, as opposed to
23 relying on case-by-case development and repeated marginal
24 upgrades, will achieve a lower-cost system for Illinois'
25 electricity customers. A forward-looking plan can also
26 help integrate and achieve a comprehensive set of

1 objectives and multiple state, regional, and national
2 policy goals.

3 (10) Alternatives to overhead electric transmission
4 lines can achieve cost-effective resolution of system
5 impacts and warrant investigation of the circumstances
6 under which those alternatives should be considered and
7 approved. The alternatives are likely to be beneficial as
8 investment in electric transmission infrastructure moves
9 forward.

10 (11) Because transmission planning is conducted
11 primarily by the regional transmission organizations, the
12 Commission should be advocating for the State's interests
13 at the regional transmission organizations to ensure that
14 such planning facilitates the State's policies and goals,
15 including overall consumer savings, power system
16 reliability, economic development, environmental
17 improvement, and carbon reduction.

18 (b) Consistent with the findings identified in subsection
19 (a), the Commission shall open an investigation to develop and
20 adopt a renewable energy access plan no later than December
21 31, 2022. To assist and support the Commission in the
22 development of the plan, the Commission shall retain the
23 services of technical and policy experts with relevant fields
24 of expertise, solicit technical and policy analysis from the
25 public, and provide for a 120-day open public comment period
26 after publication of a draft report, which shall be published

1 no later than 90 days after the comment period ends. The plan
2 shall, at a minimum, do the following:

3 (1) designate renewable energy access plan zones
4 throughout this State in areas in which renewable energy
5 resources and suitable land areas are sufficient for
6 developing generating capacity from renewable energy
7 technologies;

8 (2) develop a plan to achieve transmission capacity
9 necessary to deliver the electric output from renewable
10 energy technologies in the renewable energy access plan
11 zones to customers in Illinois and other states in a
12 manner that is most beneficial and cost-effective to
13 customers;

14 (3) use this State's position as an electricity
15 generation and power transmission hub to create new
16 investment in this State's renewable energy resources;

17 (4) consider programs, policies, and electric
18 transmission projects that can be adopted within this
19 State that promote the cost-effective delivery of power
20 from renewable energy resources interconnected to the bulk
21 electric system to meet the renewable portfolio standard
22 targets under subsection (c) of Section 1-75 of the
23 Illinois Power Agency Act;

24 (5) consider proposals to improve regional
25 transmission organizations' regional and interregional
26 system planning processes, especially proposals that

1 reduce costs and emissions, create jobs, and increase
2 State and regional power system reliability to prevent
3 high-cost outages that can endanger lives, and analyze of
4 how those proposals would improve reliability and
5 cost-effective delivery of electricity in Illinois and the
6 region;

7 (6) make findings and policy recommendations based on
8 technical and policy analysis regarding locations of
9 renewable energy access plan zones and the transmission
10 system developments needed to cost-effectively achieve the
11 public policy goals identified herein;

12 (6.5) make findings and policy recommendations based
13 on analysis regarding the impact of converting non-powered
14 dams to hydropower dams relative to the alternative
15 renewable energy resources; and

16 (7) present the Commission's conclusions and proposed
17 recommendations based on its analysis and use the findings
18 and policy recommendations to determine actions that the
19 Commission should take.

20 (c) No later than December 31, 2025, and every other year
21 thereafter, the Commission shall open an investigation to
22 develop and adopt an updated renewable energy access plan
23 that, at a minimum, evaluates the implementation and
24 effectiveness of the renewable energy access plan, recommends
25 improvements to the renewable energy access plan, and provides
26 changes to transmission capacity necessary to deliver electric

1 output from the renewable energy access plan zones.

2 (Source: P.A. 102-662, eff. 9-15-21; 103-380, eff. 1-1-24.)

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

4 Sec. 8-512. Renewable energy access plan.

5 (a) It is the policy of this State to promote
6 cost-effective transmission system development that ensures
7 reliability of the electric transmission system, lowers carbon
8 emissions, minimizes long-term costs for consumers, and
9 supports the electric policy goals of this State. The General
10 Assembly finds that:

11 (1) Transmission planning, primarily for reliability
12 purposes, but also for economic and public policy reasons
13 is conducted by regional transmission organizations in
14 which transmission-owning Illinois utilities and other
15 stakeholders are members.

16 (2) Order No. 1000 of the Federal Energy Regulatory
17 Commission requires regional transmission organizations to
18 plan for transmission system needs in light of State
19 public policies and to accept input from states during the
20 transmission system planning processes.

21 (3) The State of Illinois does not currently have a
22 comprehensive power and environmental policy planning
23 process to identify transmission infrastructure needs that
24 can serve as a vital input into the regional and
25 interregional transmission organization planning

1 processes conducted under Order No. 1000 and other laws
2 and regulations.

3 (4) This State is an electricity generation and power
4 transmission hub, and can leverage that position to invest
5 in infrastructure that enables new and existing Illinois
6 generators to meet the public policy goals of the State of
7 Illinois and of interconnected states while
8 cost-effectively supporting tens of thousands of jobs in
9 the renewable energy sector in this State.

10 (5) The nation has a need to readily access this
11 State's low-cost, clean electric power, and this State
12 also desires access to clean energy resources in other
13 states to develop and support its low-carbon economy and
14 keep electricity prices low in Illinois and interconnected
15 States.

16 (6) Existing transmission infrastructure may constrain
17 the State's achievement of 100% renewable energy by 2050,
18 the accelerated adoption of electric vehicles in a just
19 and equitable way, and electrification of additional
20 sectors of the Illinois economy.

21 (7) Transmission system congestion within this State
22 and the regional transmission organizations serving this
23 State limits the ability of this State's existing and new
24 electric generation facilities that do not emit carbon
25 dioxide, including renewable energy resources and zero
26 emission facilities, to serve the public policy goals of

1 this State and other states, which constrains investment
2 in this State.

3 (8) Investment in infrastructure to support existing
4 and new electric generation facilities that do not emit
5 carbon dioxide, including renewable energy resources and
6 zero emission facilities, stimulates significant economic
7 development and job growth in this State, as well as
8 creates environmental and public health benefits in this
9 State.

10 (9) Creating a forward-looking plan for this State's
11 electric transmission infrastructure, as opposed to
12 relying on case-by-case development and repeated marginal
13 upgrades, will achieve a lower-cost system for Illinois'
14 electricity customers. A forward-looking plan can also
15 help integrate and achieve a comprehensive set of
16 objectives and multiple state, regional, and national
17 policy goals.

18 (10) Alternatives to overhead electric transmission
19 lines can achieve cost-effective resolution of system
20 impacts and warrant investigation of the circumstances
21 under which those alternatives should be considered and
22 approved. The alternatives are likely to be beneficial as
23 investment in electric transmission infrastructure moves
24 forward.

25 (11) Because transmission planning is conducted
26 primarily by the regional transmission organizations, the

1 Commission should be advocating for the State's interests
2 at the regional transmission organizations to ensure that
3 such planning facilitates the State's policies and goals,
4 including overall consumer savings, power system
5 reliability, economic development, environmental
6 improvement, and carbon reduction.

7 (12) Advanced transmission technologies have an
8 important role to play in meeting the State's clean energy
9 goals. For the purposes of this Section, "advanced
10 transmission technology" is hardware or software that
11 provides cost-effective increases to the capacity,
12 efficiency, or reliability of existing transmission
13 infrastructure, and includes, but is not limited to: (i)
14 technology that dynamically adjusts the rated capacity of
15 transmission lines based on real-time conditions; (ii)
16 advanced power flow controls used to actively control the
17 flow of electricity across transmission lines to optimize
18 usage or relieve congestion; (iii) software or hardware
19 used to identify optimal transmission grid configurations
20 or enable routing power flows around congestion points;
21 and (iv) advanced transmission line conductors that have a
22 direct current electrical resistance at least 10% lower
23 than existing conductors of a similar diameter on the
24 transmission system.

25 (b) Consistent with the findings identified in subsection
26 (a), the Commission shall open an investigation to develop and

1 adopt an initial renewable energy access plan no later than
2 December 31, 2022. To assist and support the Commission in the
3 development of the plan, the Commission shall retain the
4 services of technical and policy experts with relevant fields
5 of expertise, solicit technical and policy analysis from the
6 public, and provide for a 120-day open public comment period
7 after publication of a draft report, which shall be published
8 no later than 90 days after the comment period ends. The plan
9 shall, at a minimum, do the following:

10 (1) designate renewable energy access plan zones
11 throughout this State in areas in which renewable energy
12 resources and suitable land areas are sufficient for
13 developing generating capacity from renewable energy
14 technologies;

15 (2) develop a plan to achieve transmission capacity
16 necessary to deliver the electric output from renewable
17 energy technologies in the renewable energy access plan
18 zones to customers in Illinois and other states in a
19 manner that is most beneficial and cost-effective to
20 customers;

21 (3) use this State's position as an electricity
22 generation and power transmission hub to create new
23 investment in this State's renewable energy resources;

24 (4) consider programs, policies, and electric
25 transmission projects that can be adopted within this
26 State that promote the cost-effective delivery of power

1 from renewable energy resources interconnected to the bulk
2 electric system to meet the renewable portfolio standard
3 targets under subsection (c) of Section 1-75 of the
4 Illinois Power Agency Act;

5 (5) consider proposals to improve regional
6 transmission organizations' regional and interregional
7 system planning processes, especially proposals that
8 reduce costs and emissions, create jobs, and increase
9 State and regional power system reliability to prevent
10 high-cost outages that can endanger lives, and analyze of
11 how those proposals would improve reliability and
12 cost-effective delivery of electricity in Illinois and the
13 region;

14 (6) make findings and policy recommendations based on
15 technical and policy analysis regarding locations of
16 renewable energy access plan zones and the transmission
17 system developments needed to cost-effectively achieve the
18 public policy goals identified herein;

19 (6.5) make findings and policy recommendations based
20 on analysis regarding the impact of converting non-powered
21 dams to hydropower dams relative to the alternative
22 renewable energy resources; and

23 (7) present the Commission's conclusions and proposed
24 recommendations based on its analysis and use the findings
25 and policy recommendations to determine actions that the
26 Commission should take.

1 (c) No later than December 31, 2025, and updated no later
2 than 180 days after the effective date of this amendatory Act
3 of the 104th General Assembly to incorporate changes pursuant
4 to this amendatory Act of the 104th General Assembly, and
5 every other year thereafter starting in 2028, the Commission
6 shall open an investigation to develop and adopt a renewable
7 energy access plan update that considers electric transmission
8 projects, transmission policies, transmission alternatives,
9 advanced transmission technologies, other ways to expand
10 capacity on existing or future transmission, and transmission
11 headroom and, at a minimum:

12 (1) evaluates the implementation and effectiveness of
13 the renewable energy access plan;

14 (2) recommends improvements to the renewable energy
15 access plan;

16 (3) includes updated inputs and assumptions developed
17 under the integrated resource plan developed and approved
18 pursuant to Section 16-201 and Section 16-202;

19 (4) may request utilities and other parties to
20 specifically identify all elements of the existing
21 transmission system where advanced transmission
22 technologies are likely to achieve enhanced system
23 resilience or reliability, reduce potential siting
24 conflicts or land impacts from the development of new
25 transmission lines, promote the cost-effective delivery of
26 power from renewable energy resources interconnected to

1 the bulk electric system, enable the interconnection of
2 renewable energy resources, or reduce curtailment of
3 renewable energy resources. The plan must identify all
4 elements of the existing transmission system which have
5 experienced capacity constraints or congestion within the
6 prior 2 years and explain whether any advanced
7 transmission technology could reduce or resolve the
8 capacity constraint or congestion;

9 (5) includes an evaluation of identified and proposed
10 transmission projects, including proposed advanced
11 transmission technology projects, based on independent
12 analysis of costs and benefits, including customer bill
13 impacts over the life of the project and achievement of
14 State clean energy goals. Projects shall be evaluated in
15 coordination with other proposals, and may include a
16 combined evaluation of portfolios of projects;

17 (6) develops a recommended list of transmission
18 projects and advanced transmission technology projects
19 that achieve the clean energy public policy objectives of
20 the State. Nothing in this Section shall limit the
21 recommended list of transmission projects to those
22 initially proposed. However, no transmission or advanced
23 transmission technology project can be included in the
24 recommended list unless evaluated; and

25 (7) considers additional mechanisms designed to
26 capture the potential value of geographically diverse

1 resources that proposed interregional transmission
2 projects may provide.

3 The Commission may evaluate options for implementation of
4 the recommended list of transmission projects and advanced
5 transmission technology projects that achieve the clean energy
6 public policy objectives of the State, including through the
7 use of a state agreement approach or a similar structure made
8 available through the relevant regional transmission
9 organizations, and approves final recommendations on
10 implementation.

11 The Commission may invite any interested party to identify
12 transmission projects, including any associated network
13 upgrades, necessary to facilitate achievement of the goals of
14 the plan and the most recently approved integrated resource
15 plan. Proposals for projects shall include a description of
16 each project; a proposed target date for completion; an
17 estimated timeline for development; the energy, capacity, and
18 generation profile of renewable generation and energy storage
19 enabled by the project; anticipated new loads served by the
20 project; the proposed technology used, including the use of
21 any advanced transmission technologies; and the status of any
22 permits or approvals necessary. For projects with a target
23 completion date of within 5 years from the date of proposal,
24 the proposal must also include an estimated cost of the
25 project and the proposed routing corridor. The Commission
26 shall aim to complete the updated plan investigation within 12

1 months of opening.

2 (d) Each transmission-owning State utility serving more
3 than 200,000 customers in this State may prepare a plan for
4 integrating advanced transmission technologies into the
5 utility's existing transmission system. The plan must identify
6 all elements of the existing transmission system where
7 advanced transmission technologies are likely to achieve any
8 of the following purposes:

9 (1) enhance system resilience or reliability;

10 (2) reduce potential siting conflicts or land impacts
11 from the development of new transmission lines;

12 (3) promote the cost-effective delivery of power from
13 renewable energy resources interconnected to the bulk
14 electric system to meet the renewable portfolio standard
15 targets under subsection (c) of Section 1-75 of the
16 Illinois Power Agency Act;

17 (4) enable the interconnection of renewable energy
18 resources to meet the renewable portfolio standard targets
19 under subsection (c) of Section 1-75 of the Illinois Power
20 Agency Act; or

21 (5) reduce curtailment of renewable or zero-carbon
22 resources.

23 The plan must identify all elements of the existing
24 transmission system which have experienced capacity
25 constraints or congestion within the prior 2 years and explain
26 whether any advanced transmission technology could reduce or

1 resolve the capacity constraint or congestion. Each
2 transmission-owning State utility may submit an advanced
3 transmission technology integration plan to the Commission for
4 consideration as part of the Commission's updated renewable
5 energy access plan investigation under subsection (c). In the
6 Commission's updated renewable energy access plan, the
7 Commission may evaluate, request modifications for, change the
8 timelines of implementation for, and determine the next steps
9 for each advanced transmission integration plan.

10 (e) Each transmission-owning State utility serving more
11 than 200,000 customers in this State may conduct a
12 comprehensive Transmission Headroom Study that shall identify,
13 at a minimum, the points of interconnection with unused,
14 existing transmission headroom on the State system, including
15 available capacity behind existing, underutilized points of
16 interconnection, and the amount of available headroom in
17 megawatts at each identified point of interconnection. Each
18 transmission-owning State utility may submit a Transmission
19 Headroom Study to the Commission for consideration as part of
20 the Commission's updated renewable energy access plan
21 investigation under subsection (c).

22 (f) The Commission shall approve an updated renewable
23 energy access plan if it finds that, at a minimum, the evidence
24 in the investigation meets the criteria outlined in subsection
25 (c) and demonstrates that the updated plan will support the
26 clean energy public policy objectives of the State.

1 (g) The Commission shall notify the applicable regional
2 transmission organizations and utilities of any final
3 recommendations to support the clean energy public policy
4 objectives of the State.

5 (h) Nothing in this Section alters the rights of
6 transmission utilities (i) under rates on file with the
7 Federal Energy Regulatory Commission or the Illinois Commerce
8 Commission, (ii) under orders and determinations of the
9 Federal Energy Regulatory Commission or a regional
10 transmission organization, or (iii) under applicable State
11 laws and policies.

12 (i) To assist and support the Commission in the
13 development of renewable energy access plan updates, the
14 Commission may retain the services of technical and policy
15 experts with relevant expertise and experience. Such
16 procurement is exempt from the requirements of the Illinois
17 Procurement Code under Section 1-10 of the Illinois
18 Procurement Code. The procurement process shall be conducted
19 in a manner that is substantially in accordance with the
20 requirements of Article 50 of the Illinois Procurement Code.

21 (Source: P.A. 103-380, eff. 1-1-24; 104-458, eff. 6-1-26.)

22 Section 95. No acceleration or delay. Where this Act makes
23 changes in a statute that is represented in this Act by text
24 that is not yet or no longer in effect (for example, a Section
25 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.

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