**Section 4.5017 Expatriated Entities**

a) Except as provided in subsection (c), a university may not enter a contract with an expatriated entity or with any subsidiary of such an entity.

b) *Except as provided in* subsection (c)*, no business or member of a unitary business group, as defined in the Illinois Income Tax Act* [35 ILCS 5]*, shall submit a bid or offer or enter a contract with a university if that business or any member of the unitary business group is an expatriated entity.*

c) *An expatriated entity or a member of a unitary business group with an expatriated entity as a member may enter a contract with a* university *if the CPO-HE determines:*

1) *the contract is awarded as a sole source procurement under Section 20-25 of the Code, and the CPO-HE:*

A) *includes in the notice of intent to enter a sole source contract a prominent statement that the intended sole source contractor is an expatriated entity; and*

B) *holds a public hearing at which the CPO-HE and university present written justification for the use of a sole source contract with an expatriated entity and at which any member of the public may present testimony; or*

2) *the purchase is of pharmaceutical products, drugs, biologics, vaccines, medical supplies, or devices used to provide medical and health care or treat disease or used in medical or research diagnostic tests, and medical nutritionals regulated by the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act* (21 USC 301 et seq.)*.* [30 ILCS 500/50-17]

(Source: Added at 43 Ill. Reg. 1781, effective February 15, 2019)