



Rep. Lindsay Parkhurst

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10000HB0435ham001

LRB100 05669 MLM 22090 a

1 AMENDMENT TO HOUSE BILL 435

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 435 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by  
5 changing Section 50-13 as follows:

6 (30 ILCS 500/50-13)

7 Sec. 50-13. Conflicts of interest.

8 (a) Prohibition. It is unlawful for any person holding an  
9 elective office in this State, ~~holding a seat in the General~~  
10 ~~Assembly,~~ or appointed to or employed in any of the offices or  
11 agencies of State government and who receives compensation for  
12 such employment in excess of 60% of the salary of the Governor  
13 of the State of Illinois, or who is holding a seat in the  
14 General Assembly, or who is an officer or employee of the  
15 Capital Development Board or the Illinois Toll Highway  
16 Authority, or who is the spouse or minor child of any such

1 person to have or acquire any contract, or any direct pecuniary  
2 interest in any contract therein, whether for stationery,  
3 printing, paper, or any services, materials, or supplies, that  
4 will be wholly or partially satisfied by the payment of funds  
5 appropriated by the General Assembly of the State of Illinois  
6 or in any contract of the Capital Development Board or the  
7 Illinois Toll Highway Authority.

8 (b) Interests. It is unlawful for any firm, partnership,  
9 association, or corporation, in which any person listed in  
10 subsection (a) is entitled to receive (i) more than 7 1/2% of  
11 the total distributable income or (ii) an amount in excess of  
12 the salary of the Governor, to have or acquire any such  
13 contract or direct pecuniary interest therein.

14 (c) Combined interests. It is unlawful for any firm,  
15 partnership, association, or corporation, in which any person  
16 listed in subsection (a) together with his or her spouse or  
17 minor children is entitled to receive (i) more than 15%, in the  
18 aggregate, of the total distributable income or (ii) an amount  
19 in excess of 2 times the salary of the Governor, to have or  
20 acquire any such contract or direct pecuniary interest therein.

21 (c-5) Appointees and firms. In addition to any provisions  
22 of this Code, the interests of certain appointees and their  
23 firms are subject to Section 3A-35 of the Illinois Governmental  
24 Ethics Act.

25 (d) Securities. Nothing in this Section invalidates the  
26 provisions of any bond or other security previously offered or

1 to be offered for sale or sold by or for the State of Illinois.

2 (e) Prior interests. This Section does not affect the  
3 validity of any contract made between the State and an officer  
4 or employee of the State or member of the General Assembly, his  
5 or her spouse, minor child, or other immediate family member  
6 living in his or her residence or any combination of those  
7 persons if that contract was in existence before his or her  
8 election or employment as an officer, member, or employee. The  
9 contract is voidable, however, if it cannot be completed within  
10 365 calendar days after the officer, member, or employee takes  
11 office or is employed.

12 (f) Exceptions.

13 (1) Public aid payments. This Section does not apply to  
14 payments made for a public aid recipient.

15 (2) Teaching. This Section does not apply to a contract  
16 for personal services as a teacher or school administrator  
17 between a member of the General Assembly or his or her  
18 spouse, or a State officer or employee or his or her  
19 spouse, and any school district, public community college  
20 district, the University of Illinois, Southern Illinois  
21 University, Illinois State University, Eastern Illinois  
22 University, Northern Illinois University, Western Illinois  
23 University, Chicago State University, Governor State  
24 University, or Northeastern Illinois University.

25 (3) Ministerial duties. This Section does not apply to  
26 a contract for personal services of a wholly ministerial

1 character, including but not limited to services as a  
2 laborer, clerk, typist, stenographer, page, bookkeeper,  
3 receptionist, or telephone switchboard operator, made by a  
4 spouse or minor child of an elective or appointive State  
5 officer or employee or of a member of the General Assembly.

6 (4) Child and family services. This Section does not  
7 apply to payments made to a member of the General Assembly,  
8 a State officer or employee, his or her spouse or minor  
9 child acting as a foster parent, homemaker, advocate, or  
10 volunteer for or in behalf of a child or family served by  
11 the Department of Children and Family Services.

12 (5) Licensed professionals. Contracts with licensed  
13 professionals, provided they are competitively bid or part  
14 of a reimbursement program for specific, customary goods  
15 and services through the Department of Children and Family  
16 Services, the Department of Human Services, the Department  
17 of Healthcare and Family Services, the Department of Public  
18 Health, or the Department on Aging.

19 (g) Penalty. A person convicted of a violation of this  
20 Section is guilty of a business offense and shall be fined not  
21 less than \$1,000 nor more than \$5,000.

22 (Source: P.A. 98-1076, eff. 1-1-15.)".