

1 AN ACT concerning government.

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 40-25 as follows:

6 (30 ILCS 500/40-25)

7 Sec. 40-25. Length of leases.

8 (a) Maximum term. Except as otherwise provided under
9 subsection (a-5), leases ~~Leases~~ shall be for a term not to
10 exceed 10 years inclusive, beginning January, 1, 2010, of
11 proposed contract renewals and shall include a termination
12 option in favor of the State after 5 years. The length of
13 energy conservation program contracts or energy savings
14 contracts or leases shall be in accordance with the provisions
15 of Section 25-45.

16 (a-5) Extended term. A lease for real property owned by the
17 University of Illinois to be used by the University of Illinois
18 at Chicago for an ambulatory surgical center, which would
19 include both clinical services and retail space, may exceed 10
20 years in length where: (i) the lease requires the lessor to
21 make capital improvements in excess of \$100,000; and (ii) the
22 Board of Trustees of the University of Illinois determines a
23 term of more than 10 years is necessary and is in the best

1 interest of the University. A lease under this subsection (a-5)
2 may not exceed 30 years in length.

3 (b) Renewal. Leases may include a renewal option. An option
4 to renew may be exercised only when a State purchasing officer
5 determines in writing that renewal is in the best interest of
6 the State and notice of the exercise of the option is published
7 in the appropriate volume of the Procurement Bulletin at least
8 60 calendar days prior to the exercise of the option.

9 (c) Subject to appropriation. All leases shall recite that
10 they are subject to termination and cancellation in any year
11 for which the General Assembly fails to make an appropriation
12 to make payments under the terms of the lease.

13 (d) Holdover. Beginning January 1, 2010, no lease may
14 continue on a month-to-month or other holdover basis for a
15 total of more than 6 months. Beginning July 1, 2010, the
16 Comptroller shall withhold payment of leases beyond this
17 holdover period.

18 (Source: P.A. 100-23, eff. 7-6-17.)