



Rep. Edgar Gonzalez, Jr.

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10200HB3504ham001

LRB102 12778 CPF 23786 a

1 AMENDMENT TO HOUSE BILL 3504

2 AMENDMENT NO. _____. Amend House Bill 3504 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-431 as follows:

7 (20 ILCS 2310/2310-431 new)

8 Sec. 2310-431. Healthy Illinois Survey.

9 (a) The General Assembly finds the following:

10 (1) The Coronavirus pandemic that struck in 2020
11 caused more illness and death in Black, Latinx, and other
12 communities with people of color in Illinois.

13 (2) Many rural and other underserved communities in
14 Illinois experienced higher rates of COVID-19 illness and
15 death than higher-resourced communities.

16 (3) The structural racism and underlying health and

1 social disparities in communities of color and other
2 underserved communities that produced these COVID-19
3 disparities also produce disparities in chronic disease,
4 access to care, and social determinants of health, such as
5 overcrowded housing and prevalence of working in low-wage
6 essential jobs.

7 (4) Traditional public health data collected by
8 existing methods is insufficient to help State and local
9 governments, health care partners, and communities
10 understand local health concerns and social factors
11 associated with health. Nor does the data provide adequate
12 information to help identify policies and interventions
13 that address health inequities.

14 (5) Comprehensive, relevant, and current public health
15 data could be used to: identify health concerns for
16 communities across Illinois; understand environmental,
17 neighborhood, and social factors associated with health;
18 and support the development, implementation, and progress
19 of programs for public health interventions and addressing
20 health inequities.

21 (b) Subject to appropriation, the Department shall
22 administer an annual survey, which shall be named the Healthy
23 Illinois Survey. The Healthy Illinois Survey shall:

24 (1) include interviews of a sample of State residents
25 such that statistically reliable data for every county,
26 zip code groupings within more highly populated counties

1 and cities, suburban Cook County municipalities, and
2 Chicago community areas can be developed, as well as
3 statistically reliable data on racial, ethnic, gender,
4 age, and other demographic groups of State residents
5 important to inform health equity goals;

6 (2) be collected at the zip code level; and

7 (3) include questions on a range of topics designed to
8 establish an initial baseline public health data set and
9 annual updates, including:

10 (A) access to health services;

11 (B) civic engagement;

12 (C) childhood experiences;

13 (D) chronic health conditions;

14 (E) COVID-19;

15 (F) diet;

16 (G) financial security;

17 (H) food security;

18 (I) mental health;

19 (J) community conditions;

20 (K) physical activity;

21 (L) physical safety;

22 (M) substance abuse; and

23 (N) violence.

24 (c) In developing the Healthy Illinois Survey, the
25 Department shall consult with local public health departments
26 and stakeholders with expertise in health, mental health,

1 nutrition, physical activity, violence prevention, safety,
2 tobacco and drug use, and emergency preparedness with the goal
3 of developing a comprehensive survey that will assist the
4 State and other partners in developing the data to measure
5 public health and health equity.

6 (d) The Department shall provide the results of the
7 Healthy Illinois Survey in forms useful to cities,
8 communities, local health departments, hospitals, and other
9 potential users, including annually publishing on its website
10 data at the most granular geographic and demographic levels
11 possible while protecting identifying information. The
12 Department shall produce periodic special reports and analyses
13 relevant to ongoing and emerging health and social issues in
14 communities and the State. The Department shall use this data
15 to inform the development and monitoring of its State Health
16 Assessment. The Department shall provide the full relevant
17 jurisdictional data set to local health departments for their
18 local use and analysis each year.

19 (e) The identity, or any group of facts that tends to lead
20 to the identity, of any person whose condition or treatment is
21 submitted to the Healthy Illinois Survey is confidential and
22 shall not be open to public inspection or dissemination and is
23 exempt from disclosure under Section 7 of the Freedom of
24 Information Act. Information for specific research purposes
25 may be released in accordance with procedures established by
26 the Department.

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

3 (30 ILCS 500/1-10)

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

1 Section 20-80.

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

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

8 (5) Collective bargaining contracts.

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

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

26 (8) (Blank).

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

3 (10) (Blank).

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

10 (12) Contracts for legal, financial, and other
11 professional and artistic services entered into on or
12 before December 31, 2018 by the Illinois Finance Authority
13 in which the State of Illinois is not obligated. Such
14 contracts shall be awarded through a competitive process
15 authorized by the Board of the Illinois Finance Authority
16 and are subject to Sections 5-30, 20-160, 50-13, 50-20,
17 50-35, and 50-37 of this Code, as well as the final
18 approval by the Board of the Illinois Finance Authority of
19 the terms of the contract.

20 (13) Contracts for services, commodities, and
21 equipment to support the delivery of timely forensic
22 science services in consultation with and subject to the
23 approval of the Chief Procurement Officer as provided in
24 subsection (d) of Section 5-4-3a of the Unified Code of
25 Corrections, except for the requirements of Sections
26 20-60, 20-65, 20-70, and 20-160 and Article 50 of this

1 Code; however, the Chief Procurement Officer may, in
2 writing with justification, waive any certification
3 required under Article 50 of this Code. For any contracts
4 for services which are currently provided by members of a
5 collective bargaining agreement, the applicable terms of
6 the collective bargaining agreement concerning
7 subcontracting shall be followed.

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

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

13 (15) Contracts with a railroad or utility that
14 requires the State to reimburse the railroad or utilities
15 for the relocation of utilities for construction or other
16 public purpose. Contracts included within this paragraph
17 (15) shall include, but not be limited to, those
18 associated with: relocations, crossings, installations,
19 and maintenance. For the purposes of this paragraph (15),
20 "railroad" means any form of non-highway ground
21 transportation that runs on rails or electromagnetic
22 guideways and "utility" means: (1) public utilities as
23 defined in Section 3-105 of the Public Utilities Act, (2)
24 telecommunications carriers as defined in Section 13-202
25 of the Public Utilities Act, (3) electric cooperatives as
26 defined in Section 3.4 of the Electric Supplier Act, (4)

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

9 (16) Procurement expenditures necessary for the
10 Department of Public Health to provide the delivery of
11 timely newborn screening services in accordance with the
12 Newborn Metabolic Screening Act.

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

22 (18) This Code does not apply to any procurements
23 necessary for the Department of Agriculture, the
24 Department of Financial and Professional Regulation, the
25 Department of Human Services, the Department of Commerce
26 and Economic Opportunity, and the Department of Public

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

1 Procurement Officer immediately upon request. The Chief
2 Procurement Officer shall submit a report to the Governor
3 and General Assembly no later than November 1 of each year
4 that includes, at a minimum, an annual summary of the
5 monthly information reported to the Chief Procurement
6 Officer. This exemption becomes inoperative 5 years after
7 June 25, 2019 (the effective date of Public Act 101-27)
8 ~~this amendatory Act of the 101st General Assembly.~~

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

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. 100-43, eff. 8-9-17; 100-580, eff. 3-12-18;
22 100-757, eff. 8-10-18; 100-1114, eff. 8-28-18; 101-27, eff.
23 6-25-19; 101-81, eff. 7-12-19; 101-363, eff. 8-9-19; revised
24 9-17-19.)".