

1 AN ACT concerning conservation.

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

4 Section 1. Short title. This Act may be cited as the Youth
5 and Young Adult Conservation Education Act.

6 Section 5. Declaration of intent. The General Assembly
7 finds that youth, representing all segments of society,
8 benefit from education and employment in the healthful outdoor
9 atmosphere of the State's park systems, recreational
10 facilities, and other public land and water areas and, through
11 those education and employment opportunities, will develop,
12 enhance, and maintain the natural resources of the State of
13 Illinois while gaining an understanding and appreciation of
14 the State's environment and heritage. The General Assembly,
15 therefore, creates this Act to establish the Youth and Young
16 Adult Conservation and Education Program to provide education
17 and employment opportunities for the youth and young adults of
18 this State to further the development and maintenance of the
19 natural resources by Illinois' youth and, in so doing, to
20 prepare them for the responsibility of maintaining and
21 managing these resources.

22 Section 10. Definitions.

1 As used in this Act:

2 "Department" means the Department of Natural Resources.

3 "Director" means the Director of Natural Resources.

4 Section 15. Cooperation. The Department of Natural
5 Resources shall have the full cooperation of the Illinois
6 State Board of Education, the Department of Commerce and
7 Economic Opportunity, the Illinois State Job Coordinating
8 Council created by the Federal Job Training Partnership Act
9 (Public Law 97-300), and the Department of Employment Security
10 in carrying out the purposes of this Act.

11 Section 20. Funding. Funding for this Act shall be from
12 any State or federal funds or grants or other funding so
13 received by the Department and any matching funds required by
14 the Department from local sponsors that choose to participate
15 in the Illinois Youth and Young Adult Conservation and
16 Education Program.

17 Section 25. Youth and Young Adult Conservation and
18 Education Program.

19 (a) The Youth and Young Adult Conservation and Education
20 Program shall be limited to residents of this State who at the
21 time of enrollment are 15 through 25 years of age.

22 (b) The Director shall designate suitable projects and
23 curriculum in which participants in the program shall

1 participate.

2 Projects and curriculum so designated by the Director
3 shall be for the purpose of any one or more of the following:

4 (1) development, enhancement, and maintenance of the
5 natural resources of the State of Illinois;

6 (2) environmental stewardship and civic
7 responsibility; or

8 (3) enhancement of public lands owned or leased by the
9 Department or developing and enhancing projects or
10 initiatives undertaken in whole or part by the Department.

11 Such projects and curriculum shall include improving the
12 habitat of fauna and flora; improving use of conservation or
13 recreation facilities and lands by the public; improving water
14 quality; and any other project deemed by the Department to
15 improve the environmental, economic, and recreational quality
16 of the State's natural resources.

17 All projects designated for activity by the Director shall
18 be within a reasonable commuting time for each enrollee. To
19 the extent possible, the Director shall designate areas where
20 a pool of enrollees may work. In no circumstance shall
21 enrollees be required to spend more than 1 1/2 hours of
22 commuting time to a project or a designated area; provided, an
23 enrollee may agree to spend more than 1 1/2 hours of commuting
24 time to a project or a designated area.

25 (c) When applicable, participants shall receive at least
26 the standard minimum wage as set by the State of Illinois and

1 shall work normal working hours as determined by the
2 Department. The enrollees shall not be classified as employees
3 of the State for purposes of contributions to the State
4 Employees' Retirement System of Illinois or any other public
5 employment retirement system of the State.

6 (d) The Department may enter into contracts,
7 intergovernmental agreements, grants, cooperative agreements,
8 memoranda of understanding, or other instruments as necessary
9 to implement the Youth and Young Adult Conservation Program.
10 The Illinois Procurement Code shall not apply to contracts
11 entered into for the purpose of fulfilling the purposes of
12 this Program with not-for-profit organizations that have a
13 documented commitment to addressing the barriers to employment
14 and education for minority youth and young adults, as
15 determined by the Department.

16 (e) The Department shall adopt administrative rules
17 pertaining to implementation and administration of the Youth
18 and Young Adult Conservation and Education Program.

19 Section 90. The Illinois Procurement Code is amended by
20 changing Section 1-10 as follows:

21 (30 ILCS 500/1-10)

22 Sec. 1-10. Application.

23 (a) This Code applies only to procurements for which
24 bidders, offerors, potential contractors, or contractors were

1 first solicited on or after July 1, 1998. This Code shall not
2 be construed to affect or impair any contract, or any
3 provision of a contract, entered into based on a solicitation
4 prior to the implementation date of this Code as described in
5 Article 99, including, but not limited to, any covenant
6 entered into with respect to any revenue bonds or similar
7 instruments. All procurements for which contracts are
8 solicited between the effective date of Articles 50 and 99 and
9 July 1, 1998 shall be substantially in accordance with this
10 Code and its intent.

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

14 (1) Contracts between the State and its political
15 subdivisions or other governments, or between State
16 governmental bodies, except as specifically provided in
17 this Code.

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

20 (3) Purchase of care, except as provided in Section
21 5-30.6 of the Illinois Public Aid Code and this Section.

22 (4) Hiring of an individual as an employee and not as
23 an independent contractor, whether pursuant to an
24 employment code or policy or by contract directly with
25 that individual.

26 (5) Collective bargaining contracts.

1 (6) Purchase of real estate, except that notice of
2 this type of contract with a value of more than \$25,000
3 must be published in the Procurement Bulletin within 10
4 calendar days after the deed is recorded in the county of
5 jurisdiction. The notice shall identify the real estate
6 purchased, the names of all parties to the contract, the
7 value of the contract, and the effective date of the
8 contract.

9 (7) Contracts necessary to prepare for anticipated
10 litigation, enforcement actions, or investigations,
11 provided that the chief legal counsel to the Governor
12 shall give his or her prior approval when the procuring
13 agency is one subject to the jurisdiction of the Governor,
14 and provided that the chief legal counsel of any other
15 procuring entity subject to this Code shall give his or
16 her prior approval when the procuring entity is not one
17 subject to the jurisdiction of the Governor.

18 (8) (Blank).

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

21 (10) (Blank).

22 (11) Public-private agreements entered into according
23 to the procurement requirements of Section 20 of the
24 Public-Private Partnerships for Transportation Act and
25 design-build agreements entered into according to the
26 procurement requirements of Section 25 of the

1 Public-Private Partnerships for Transportation Act.

2 (12) (A) Contracts for legal, financial, and other
3 professional and artistic services entered into by the
4 Illinois Finance Authority in which the State of Illinois
5 is not obligated. Such contracts shall be awarded through
6 a competitive process authorized by the members of the
7 Illinois Finance Authority and are subject to Sections
8 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
9 as well as the final approval by the members of the
10 Illinois Finance Authority of the terms of the contract.

11 (B) Contracts for legal and financial services entered
12 into by the Illinois Housing Development Authority in
13 connection with the issuance of bonds in which the State
14 of Illinois is not obligated. Such contracts shall be
15 awarded through a competitive process authorized by the
16 members of the Illinois Housing Development Authority and
17 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
18 and 50-37 of this Code, as well as the final approval by
19 the members of the Illinois Housing Development Authority
20 of the terms of the contract.

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

1 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
2 Code; however, the Chief Procurement Officer may, in
3 writing with justification, waive any certification
4 required under Article 50 of this Code. For any contracts
5 for services which are currently provided by members of a
6 collective bargaining agreement, the applicable terms of
7 the collective bargaining agreement concerning
8 subcontracting shall be followed.

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

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

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

1 defined in Section 3.4 of the Electric Supplier Act, (4)
2 telephone or telecommunications cooperatives as defined in
3 Section 13-212 of the Public Utilities Act, (5) rural
4 water or waste water systems with 10,000 connections or
5 less, (6) a holder as defined in Section 21-201 of the
6 Public Utilities Act, and (7) municipalities owning or
7 operating utility systems consisting of public utilities
8 as that term is defined in Section 11-117-2 of the
9 Illinois Municipal Code.

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

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

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

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

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

9 (19) Acquisition of modifications or adjustments,
10 limited to assistive technology devices and assistive
11 technology services, adaptive equipment, repairs, and
12 replacement parts to provide reasonable accommodations (i)
13 that enable a qualified applicant with a disability to
14 complete the job application process and be considered for
15 the position such qualified applicant desires, (ii) that
16 modify or adjust the work environment to enable a
17 qualified current employee with a disability to perform
18 the essential functions of the position held by that
19 employee, (iii) to enable a qualified current employee
20 with a disability to enjoy equal benefits and privileges
21 of employment as are enjoyed by other similarly situated
22 employees without disabilities, and (iv) that allow a
23 customer, client, claimant, or member of the public
24 seeking State services full use and enjoyment of and
25 access to its programs, services, or benefits.

26 For purposes of this paragraph (19):

1 "Assistive technology devices" means any item, piece
2 of equipment, or product system, whether acquired
3 commercially off the shelf, modified, or customized, that
4 is used to increase, maintain, or improve functional
5 capabilities of individuals with disabilities.

6 "Assistive technology services" means any service that
7 directly assists an individual with a disability in
8 selection, acquisition, or use of an assistive technology
9 device.

10 "Qualified" has the same meaning and use as provided
11 under the federal Americans with Disabilities Act when
12 describing an individual with a disability.

13 (20) Procurement expenditures necessary for the
14 Illinois Commerce Commission to hire third-party
15 facilitators pursuant to Sections 16-105.17 and 16-108.18
16 of the Public Utilities Act or an ombudsman pursuant to
17 Section 16-107.5 of the Public Utilities Act, a
18 facilitator pursuant to Section 16-105.17 of the Public
19 Utilities Act, or a grid auditor pursuant to Section
20 16-105.10 of the Public Utilities Act.

21 (21) Procurement expenditures for the purchase,
22 renewal, and expansion of software, software licenses, or
23 software maintenance agreements that support the efforts
24 of the Illinois State Police to enforce, regulate, and
25 administer the Firearm Owners Identification Card Act, the
26 Firearm Concealed Carry Act, the Firearms Restraining

1 Order Act, the Firearm Dealer License Certification Act,
2 the Law Enforcement Agencies Data System (LEADS), the
3 Uniform Crime Reporting Act, the Criminal Identification
4 Act, the Illinois Uniform Conviction Information Act, and
5 the Gun Trafficking Information Act, or establish or
6 maintain record management systems necessary to conduct
7 human trafficking investigations or gun trafficking or
8 other stolen firearm investigations. This paragraph (21)
9 applies to contracts entered into on or after January 10,
10 2023 (the effective date of Public Act 102-1116) and the
11 renewal of contracts that are in effect on January 10,
12 2023 (the effective date of Public Act 102-1116).

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

24 (23) Procurements necessary for the Department of
25 Insurance to implement the Illinois Health Benefits
26 Exchange Law if the Department of Insurance has made a

1 good faith determination that it is necessary and
2 appropriate for the expenditure to fall within this
3 exemption. The procurement process shall be conducted in a
4 manner substantially in accordance with the requirements
5 of Sections 20-160 and 25-60 and Article 50 of this Code. A
6 copy of these contracts shall be made available to the
7 Chief Procurement Officer immediately upon request. This
8 paragraph is inoperative 5 years after June 27, 2023 (the
9 effective date of Public Act 103-103).

10 (24) ~~(22)~~ Contracts for public education programming,
11 noncommercial sustaining announcements, public service
12 announcements, and public awareness and education
13 messaging with the nonprofit trade associations of the
14 providers of those services that inform the public on
15 immediate and ongoing health and safety risks and hazards.

16 (25) Contracts that are entered into by the Department
17 of Natural Resources and that are exempt from this Code
18 under subsection (d) of Section 25 of the Youth and Young
19 Adult Conservation Education Act.

20 Notwithstanding any other provision of law, for contracts
21 with an annual value of more than \$100,000 entered into on or
22 after October 1, 2017 under an exemption provided in any
23 paragraph of this subsection (b), except paragraph (1), (2),
24 or (5), each State agency shall post to the appropriate
25 procurement bulletin the name of the contractor, a description
26 of the supply or service provided, the total amount of the

1 contract, the term of the contract, and the exception to the
2 Code utilized. The chief procurement officer shall submit a
3 report to the Governor and General Assembly no later than
4 November 1 of each year that shall include, at a minimum, an
5 annual summary of the monthly information reported to the
6 chief procurement officer.

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

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

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

1 construction of clean coal SNG brownfield facility for the
2 full duration of construction.

3 (f) (Blank).

4 (g) (Blank).

5 (h) This Code does not apply to the process to procure or
6 contracts entered into in accordance with Sections 11-5.2 and
7 11-5.3 of the Illinois Public Aid Code.

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

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

17 (k) This Code does not apply to the process to procure
18 contracts, or contracts entered into, by the State Board of
19 Elections or the State Electoral Board for hearing officers
20 appointed pursuant to the Election Code.

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

1 (m) This Code shall apply regardless of the source of
2 funds with which contracts are paid, including federal
3 assistance moneys. Except as specifically provided in this
4 Code, this Code shall not apply to procurement expenditures
5 necessary for the Department of Public Health to conduct the
6 Healthy Illinois Survey in accordance with Section 2310-431 of
7 the Department of Public Health Powers and Duties Law of the
8 Civil Administrative Code of Illinois.

9 (Source: P.A. 102-175, eff. 7-29-21; 102-483, eff. 1-1-22;
10 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff.
11 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
12 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff.
13 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; revised
14 1-2-24.)