



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2393

Introduced 2/15/2023, by Rep. Eva-Dina Delgado

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/30-65 new

Amends the Illinois Procurement Code. Provides that, within 45 days after the date that a written request for a change order is submitted by a contractor to a State agency or within 45 days after the date that authorization for extra work is issued by a State agency to a contractor, the State agency shall either: (i) issue the change order with an agreement on price; (ii) agree on price for the authorization for extra work; (iii) counter on price in writing; (iv) give written notice to the contractor of the reasons why the change order is unreasonable; (v) accept a partial agreement on price on some of the terms of the change order or extra work; or (vi) explain in writing that an additional 30 days are necessary to make a determination. Provides that if an additional 30 days is requested, then, after the 30 additional days have elapsed, the State agency shall either: (i) issue the change order with an agreement on price; (ii) agree on price for the authorization for extra work; (iii) counter on price in writing; (iv) give written notice to the contractor of the reasons why the change order is unreasonable; (v) accept a partial agreement on price on some of the terms of the change order or extra work; or (vi) explain in writing that an additional 15 days are necessary to make a determination. Provides that if an additional 15 days is requested, then, after every 15 additional days that elapse, as necessary, the State agency shall perform one of the specified actions. Provides that the State agency shall report quarterly on its website the total number of times the State agency requested additional time to make a determination and the total number of times the State agency requested additional time for such determination for each contract. Effective immediately.

LRB103 25428 DTM 51776 b

1 AN ACT concerning finance.

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 adding Section 30-65 as follows:

6 (30 ILCS 500/30-65 new)

7 Sec. 30-65. Request for change orders.

8 (a) Within 45 days after the date that a written request  
9 for a change order is submitted by a contractor to a State  
10 agency or within 45 days after the date that authorization for  
11 extra work is issued by a State agency to a contractor, the  
12 State agency shall: (i) issue the change order with an  
13 agreement on price; (ii) agree on price for the authorization  
14 for extra work; (iii) counter on price in writing; (iv) give  
15 written notice to the contractor of the reasons why the change  
16 order is unreasonable; (v) accept a partial agreement on price  
17 on some of the terms of the change order or extra work; or (vi)  
18 explain in writing that an additional 30 days are necessary to  
19 make a determination.

20 (b) If an additional 30 days is requested under subsection  
21 (a), then, after the 30 additional days have elapsed, the  
22 State agency shall: (i) issue the change order with an  
23 agreement on price; (ii) agree on price for the authorization

1 for extra work; (iii) counter on price in writing; (iv) give  
2 written notice to the contractor of the reasons why the change  
3 order is unreasonable; (v) accept a partial agreement on price  
4 on some of the terms of the change order or extra work; or (vi)  
5 explain in writing that an additional 15 days are necessary to  
6 make a determination. If an additional 15 days is requested  
7 under this subsection (b), then, after every 15 additional  
8 days that elapse, as necessary, the State agency shall perform  
9 one of the actions specified in items (i) through (vi) of this  
10 subsection (b).

11 (c) The State agency shall report quarterly on its website  
12 the total number of times the State agency requested  
13 additional time to make a determination under this Section and  
14 the total number of times the State agency requested  
15 additional time for such determination for each contract.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.