



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2878

Introduced 2/16/2023, by Rep. Jay Hoffman

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-110 new

Amends the Illinois Procurement Code. Provides that in awarding contracts for Abandoned Mined Land Reclamation Projects with a total value of more than \$100,000, preference shall be given to an otherwise qualified bidder who either (1) provides proof that at least 2 current employees of the bidder are former coal mine employees and that all such declared former coal mine employees in the bid shall be utilized in the fulfillment of an awarded Abandoned Mined Land Reclamation Project or (2) commits to employing at least 2 former coal mine employees hired out of a union hall in the fulfillment of the Abandoned Mined Land Reclamation Project (requiring the bidder to provide proof that at least 2 former coal mine employees have been hired out of a union hall within 60 days after the start of construction and to declare that the former coal mine employees, after being hired, shall be utilized in the fulfillment of an awarded Abandoned Mined Land Reclamation Project). Provides that when the Department of Natural Resources is to award a contract to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of former coal mine employees may be given preference over other bidders unable to do so, if the bid is not more than 2% greater than the low bid.

LRB103 30786 RJT 57276 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 45-110 as follows:

6 (30 ILCS 500/45-110 new)

7 Sec. 45-110. Former coal mining employees.

8 (a) In this Section:

9 "Abandoned Mined Land Reclamation Project" means  
10 construction or construction-related professional services  
11 that are utilized for reclamation projects awarded by the  
12 Department of Natural Resources pursuant to the Abandoned  
13 Mined Lands and Water Reclamation Act.

14 "Former coal mine employee" means a individual who was  
15 previously employed in any capacity by a coal mining company  
16 in which the company engaged in the extraction of coal  
17 deposits or was previously employed in any capacity by a  
18 coal-fired power plant.

19 (b) In awarding contracts for Abandoned Mined Land  
20 Reclamation Projects with a total value of more than \$100,000,  
21 preference shall be given to an otherwise qualified bidder  
22 who:

23 (1) provides proof that at least 2 current employees

1 of the bidder are former coal mine employees and that all  
2 such declared former coal mine employees in the bid shall  
3 be utilized in the fulfillment of an awarded Abandoned  
4 Mined Land Reclamation Project; or

5 (2) commits to employing at least 2 former coal mine  
6 employees hired out of a union hall in the fulfillment of  
7 the Abandoned Mined Land Reclamation Project. Under this  
8 paragraph (2), the bidder shall provide proof that at  
9 least 2 former coal mine employees have been hired out of a  
10 union hall within 60 days after the start of construction,  
11 and the bidder shall declare that the former coal mine  
12 employees, after being hired, shall be utilized in the  
13 fulfillment of an awarded Abandoned Mined Land Reclamation  
14 Project.

15 When the Department of Natural Resources is to award a  
16 contract to the lowest responsible bidder, an otherwise  
17 qualified bidder who will fulfill the contract through the use  
18 of former coal mine employees may be given preference over  
19 other bidders unable to do so, if the bid is not more than 2%  
20 greater than the low bid.

21 (c) This Section does not apply to any contract for any  
22 project for which federal funds are available for expenditure  
23 when its provisions may be in conflict with federal law or  
24 federal regulation.