



Sen. Don Harmon

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10300HB2878sam001

LRB103 30786 RJT 61684 a

1 AMENDMENT TO HOUSE BILL 2878

2 AMENDMENT NO. _____. Amend House Bill 2878 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Section 45-10 as follows:

6 (30 ILCS 500/45-10)

7 Sec. 45-10. Resident bidders and offerors.

8 (a) Amount of preference. When a contract is to be awarded
9 to the ~~the~~ lowest responsible bidder or offeror, a resident
10 bidder or offeror shall be allowed a preference as against a
11 non-resident bidder or offeror from any state that gives or
12 requires a preference to bidders or offerors from that state.
13 The preference shall be equal to the preference given or
14 required by the state of the non-resident bidder or offeror.
15 Further, if only non-resident bidders or offerors are bidding,
16 the purchasing agency is within its right to specify that

1 Illinois labor and manufacturing locations be used as a part
2 of the manufacturing process, if applicable. This
3 specification may be negotiated as part of the solicitation
4 process.

5 (b) Residency. A resident bidder or offeror is a person
6 authorized to transact business in this State and having a
7 bona fide establishment for transacting business within this
8 State where it was actually transacting business on the date
9 when any bid for a public contract is first advertised or
10 announced. A resident bidder or offeror includes a foreign
11 corporation duly authorized to transact business in this State
12 that has a bona fide establishment for transacting business
13 within this State where it was actually transacting business
14 on the date when any bid for a public contract is first
15 advertised or announced.

16 (c) Federal funds. This Section does not apply to any
17 contract for any project as to which federal funds are
18 available for expenditure when its provisions may be in
19 conflict with federal law or federal regulation.

20 (Source: P.A. 98-1076, eff. 1-1-15.)".