



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3581

Introduced 2/17/2023, by Rep. Blaine Wilhour

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 500/50-36.5 new

Creates the Prairie State Infrastructure Protection Act. Provides that a business entity in the State may not enter into a contract or other agreement relating to critical infrastructure in the State with a company if the company, under the contract or agreement, would be able to directly or remotely access or control critical infrastructure in the State and is associated with China, Iran, North Korea, Russia, or another designated county. Provides that the Governor may designate a country as a threat to critical infrastructure in consultation with the Director of the Illinois State Police. Provides that the Governor may consult with the Director of the Illinois Emergency Management Agency to assess a threat to critical infrastructure under the Act. Amends the Illinois Procurement Code. Provides that a governmental entity may not enter into a contract or other agreement relating to critical infrastructure in the State with a company that is associated with China, Iran, North Korea, Russia, or another designated county.

LRB103 25410 SPS 51757 b

1 AN ACT concerning business.

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
5 Prairie State Infrastructure Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Company" means a for-profit sole proprietorship,
8 organization, association, corporation, partnership, joint
9 venture, limited partnership, limited liability partnership,
10 or limited liability company, including a wholly owned
11 subsidiary, majority-owned subsidiary, parent company, or
12 affiliate of those entities or business associations that
13 exists to make a profit.

14 "Critical infrastructure" means a communication
15 infrastructure system, cybersecurity system, electric grid,
16 hazardous waste treatment system, or water treatment facility.

17 "Cybersecurity" means the measures taken to protect a
18 computer, computer network, computer system, or other
19 technology infrastructure against unauthorized use or access.

20 Section 10. Designation of a threat to critical
21 infrastructure.

22 (a) The Governor may designate a country as a threat to

1 critical infrastructure in consultation with the Director of
2 the Illinois State Police.

3 (b) The Governor may consult with the Director of the
4 Illinois Emergency Management Agency to assess a threat to
5 critical infrastructure under this Act.

6 Section 15. Prohibition on contracts with certain
7 foreign-owned companies in connection with critical
8 infrastructure.

9 (a) A business entity in this State may not enter into a
10 contract or other agreement relating to critical
11 infrastructure in this State with a company if:

12 (1) the company, under the contract or agreement,
13 would be able to directly or remotely access or control
14 critical infrastructure in this State; and

15 (2) the company is:

16 (A) owned by or the majority of stock or other
17 ownership interest of the company is held or
18 controlled by:

19 (i) individuals who are citizens of China,
20 Iran, North Korea, Russia, or a country designated
21 as a threat under Section 10; or

22 (ii) a company or other entity, including a
23 governmental entity, that is owned or controlled
24 by citizens of or is directly controlled by the
25 government of China, Iran, North Korea, Russia, or

1 a country designated as a threat under 10; or
2 (B) headquartered in China, Iran, North Korea,
3 Russia, or a country designated as a threat under
4 Section 10.

5 (b) The prohibition described in subsection (a) applies
6 regardless of whether:

7 (1) the company's or its parent company's securities
8 are publicly traded; or

9 (2) the company or its parent company is listed as a
10 Chinese, Iranian, North Korean, or Russian company on a
11 public stock exchange.

12 Section 90. The Illinois Procurement Code is amended by
13 adding Section 50-36.5 as follows:

14 (30 ILCS 500/50-36.5 new)

15 Sec. 50-36.5. Prohibition on contracts with certain
16 foreign-owned companies in connection with critical
17 infrastructure.

18 (a) As used in this Section:

19 "Company" means a for-profit sole proprietorship,
20 organization, association, corporation, partnership, joint
21 venture, limited partnership, limited liability partnership,
22 or limited liability company, including a wholly owned
23 subsidiary, majority-owned subsidiary, parent company, or
24 affiliate of those entities or business associations that

1 exists to make a profit.

2 "Critical infrastructure" means a communication
3 infrastructure system, cybersecurity system, electric grid,
4 hazardous waste treatment system, or water treatment facility.

5 "Cybersecurity" means the measures taken to protect a
6 computer, computer network, computer system, or other
7 technology infrastructure against unauthorized use or access.

8 "Governmental entity" means a State agency or political
9 subdivision of this State.

10 (b) A governmental entity may not enter into a contract or
11 other agreement relating to critical infrastructure in this
12 State with a company that is:

13 (1) owned by or the majority of stock or other
14 ownership interest of the company is held or controlled
15 by:

16 (A) individuals who are citizens of China, Iran,
17 North Korea, Russia, or a country designated as a
18 threat under Section 10 of the Prairie State
19 Infrastructure Protection Act; or

20 (B) a company or other entity, including a
21 governmental entity, that is owned or controlled by
22 citizens of or is directly controlled by the
23 government of China, Iran, North Korea, Russia, or a
24 country designated as a threat under Section 10 of the
25 Prairie State Infrastructure Protection Act; or

26 (2) headquartered in China, Iran, North Korea, Russia,

1 or a country designated as a threat under Section 10 of the
2 Prairie State Infrastructure Protection Act.

3 (c) The prohibition described in subsection (b) applies
4 regardless of whether:

5 (1) the company's or its parent company's securities
6 are publicly traded; or

7 (2) the company or its parent company is listed as a
8 Chinese, Iranian, North Korean, or Russian company on a
9 public stock exchange.