



**Filed: 03/04/04**

09300HB6983ham001

LRB093 21258 JAM 48522 a

1 AMENDMENT TO HOUSE BILL 6983

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6983 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Procurement of Domestic Products Act.

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

7 "Purchasing agency" means a State agency.

8 "State agency" means each agency, department authority,  
9 board, commission of the executive branch of State government,  
10 including each university, whether created by statute or by  
11 executive order of the Governor.

12 "United States" means the United States and any place  
13 subject to the jurisdiction of the United States.

14 Section 10. United States products.

15 (a) Each purchasing agency making purchases of  
16 manufactured articles, materials, and supplies shall promote  
17 the purchase of and give preference to manufactured articles,  
18 materials, and supplies that have been produced in the United  
19 States. Manufactured articles, materials, and supplies  
20 manufactured in the United States shall be specified and  
21 purchased unless the purchasing agency determines that any of  
22 the following applies:

23 (1) The manufactured articles, materials, and supplies

1 are not manufactured in the United States in reasonably  
2 available quantities.

3 (2) The price of the manufactured articles, materials,  
4 and supplies manufactured in the United States exceeds by  
5 an unreasonable amount the price of available and  
6 comparable manufactured articles, materials, and supplies  
7 manufactured outside the United States.

8 (3) The quality of the manufactured articles,  
9 materials, and supplies manufactured in the United States  
10 is substantially less than the quality of the comparably  
11 priced, available, and comparable manufactured articles,  
12 materials, and supplies manufactured outside the United  
13 States.

14 (4) The purchase of the manufactured articles,  
15 materials, and supplies manufactured in the United States  
16 is not in the public interest.

17 In determining the price of manufactured articles,  
18 materials, and supplies for purposes of this Section,  
19 consideration shall be given to the life-cycle cost of those  
20 manufactured articles, materials, and supplies.

21 (b) If an exception listed in paragraph (1), (2), (3), or  
22 (4) of subsection (a) applies and the manufactured article,  
23 material, or supply consists of assembled components,  
24 preference shall be given to the article, material, or supply  
25 that contains the highest percentage of components, based on  
26 the value of all components, that are manufactured in the  
27 United States.

28 Section 15. Source of content. Each bid to provide a  
29 purchasing agency with manufactured articles, materials, or  
30 supplies must identify the country in which each article,  
31 material, or supply was manufactured. If a manufactured  
32 article, material, or supply consists of assembled components,  
33 the source of each component must be identified.

1           Section 20. Contracts. Each contract awarded by a  
2 purchasing agency on or after the effective date of this Act  
3 through the use of the preference required under Section 10  
4 shall contain the contractor's certification that manufactured  
5 articles, materials, and supplies provided pursuant to the  
6 contract or a subcontract shall be manufactured within the  
7 United States.

8           Section 25. Federal and State law.

9           (a) Nothing in this Act is intended to contravene any  
10 existing treaty, law, agreement, or regulation of the United  
11 States. Contracts entered into in accordance with any treaty,  
12 law, agreement, or regulation of the United States shall not be  
13 in violation of this Act to the extent of that accordancy.

14           (b) The preference required by this Act is in addition to  
15 any other preference afforded by State law.

16           Section 90. The Illinois Procurement Code is amended by  
17 changing Section 45-65 as follows:

18           (30 ILCS 500/45-65)

19           Sec. 45-65. Additional preferences. This Code is subject to  
20 applicable provisions of:

21           (1) the Public Purchases in Other States Act;

22           (2) the Illinois Mined Coal Act;

23           (3) the Steel Products Procurement Act;

24           (4) the Veterans Preference Act; ~~and~~

25           (5) the Business Enterprise for Minorities, Females,  
26 and Persons with Disabilities Act; ~~and~~

27           (6) The Procurement of Domestic Products Act.

28           (Source: P.A. 90-572, eff. date - See Sec. 99-5.)".