



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5110

Introduced 2/8/2012, by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

30 ILCS 500/40-15
30 ILCS 500/40-25

Amends the Illinois Procurement Code. Provides that a request for information need not be used in procuring the lease of a comprehensive physical center required for a local workforce investment area pursuant to federal law. Provides that the lease of a comprehensive physical center for a local workforce investment area is exempt from provisions concerning limits on the length of leases.

LRB097 18223 PJG 63447 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing Sections 40-15 and 40-25 as follows:

6 (30 ILCS 500/40-15)

7 Sec. 40-15. Method of source selection.

8 (a) Request for information. Except as provided in
9 subsections (b) and (c), all State contracts for leases of real
10 property or capital improvements shall be awarded by a request
11 for information process in accordance with Section 40-20.

12 (b) Other methods. A request for information process need
13 not be used in procuring any of the following leases:

14 (1) Property of less than 10,000 square feet with rent
15 of less than \$100,000 per year.

16 (2) (Blank).

17 (3) Duration of less than one year that cannot be
18 renewed.

19 (4) Specialized space available at only one location,
20 including but not limited to a comprehensive physical
21 center required for a local workforce investment area
22 pursuant to the federal Workforce Investment Act of 1998
23 and applicable regulations.

1 (5) Renewal or extension of a lease; provided that: (i)
2 the chief procurement officer determines in writing that
3 the renewal or extension is in the best interest of the
4 State; (ii) the chief procurement officer submits his or
5 her written determination and the renewal or extension to
6 the Board; (iii) the Board does not object in writing to
7 the renewal or extension within 30 days after its
8 submission; and (iv) the chief procurement officer
9 publishes the renewal or extension in the appropriate
10 volume of the Procurement Bulletin.

11 (c) Leases with governmental units. Leases with other
12 governmental units may be negotiated without using the request
13 for information process when deemed by the chief procurement
14 officer to be in the best interest of the State.

15 (Source: P.A. 95-647, eff. 10-11-07; 96-920, eff. 7-1-10.)

16 (30 ILCS 500/40-25)

17 Sec. 40-25. Length of leases.

18 (a) Maximum term. Leases shall be for a term not to exceed
19 10 years inclusive, beginning January, 1, 2010, of proposed
20 contract renewals and shall include a termination option in
21 favor of the State after 5 years.

22 (b) Renewal. Leases may include a renewal option. An option
23 to renew may be exercised only when a State purchasing officer
24 determines in writing that renewal is in the best interest of
25 the State and notice of the exercise of the option is published

1 in the appropriate volume of the Procurement Bulletin at least
2 60 days prior to the exercise of the option.

3 (c) Subject to appropriation. All leases shall recite that
4 they are subject to termination and cancellation in any year
5 for which the General Assembly fails to make an appropriation
6 to make payments under the terms of the lease.

7 (d) Holdover. Beginning January 1, 2010, no lease may
8 continue on a month-to-month or other holdover basis for a
9 total of more than 6 months. Beginning July 1, 2010, the
10 Comptroller shall withhold payment of leases beyond this
11 holdover period.

12 (e) Subsections (a) and (d) do not apply to leases of space
13 within a comprehensive physical center required for a local
14 workforce investment area pursuant to the federal Workforce
15 Investment Act of 1998 and applicable regulations.

16 (Source: P.A. 96-15, eff. 6-22-09; 96-795, eff. 7-1-10 (see
17 Section 5 of P.A. 96-793 for the effective date of changes made
18 by P.A. 96-795).)