



Sen. Martin A. Sandoval

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09800SB1354sam003

LRB098 05479 AMC 44156 a

1 AMENDMENT TO SENATE BILL 1354

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1354, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Illinois Horse Racing Act of 1975 is  
6 amended by adding Section 12.2 as follows:

7 (230 ILCS 5/12.2 new)

8 Sec. 12.2. Business enterprise program.

9 (a) For the purposes of this Section, the terms "minority",  
10 "minority owned business", "female", "female owned business",  
11 "person with a disability", and "business owned by a person  
12 with a disability" have the meaning ascribed to them in the  
13 Business Enterprise for Minorities, Females, and Persons with  
14 Disabilities Act.

15 (b) The Board shall, by rule, establish goals for the award  
16 of contracts by each organization licensee or inter-track

1 wagering licensee to businesses owned by minorities, females,  
2 and persons with disabilities, expressed as percentages of an  
3 organization licensee's or inter-track wagering licensee's  
4 total dollar amount of contracts awarded during each calendar  
5 year. Each organization licensee or inter-track wagering  
6 licensee must make every effort to meet the goals established  
7 by the Board pursuant to this Section. When setting the goals  
8 for the award of contracts, the Board shall not include  
9 contracts where: (1) licensees are purchasing goods or services  
10 from vendors or suppliers or in markets where there are no or a  
11 limited number of minority owned businesses, women owned  
12 businesses, or businesses owned by persons with disabilities  
13 that would be sufficient to satisfy the goal; (2) there are no  
14 or a limited number of suppliers licensed by the Board; (3) the  
15 licensee or its parent company owns a company that provides the  
16 goods or services; or (4) the goods or services are provided to  
17 the licensee by a publicly traded company.

18 (c) Each organization licensee or inter-track wagering  
19 licensee shall file with the Board an annual report of its  
20 utilization of minority owned businesses, female owned  
21 businesses, and businesses owned by persons with disabilities  
22 during the preceding calendar year. The reports shall include a  
23 self-evaluation of the efforts of the organization licensee or  
24 inter-track wagering licensee to meet its goals under this  
25 Section.

26 (d) The organization licensee or inter-track wagering

1 licensee shall have the right to request a waiver from the  
2 requirements of this Section. The Board shall grant the waiver  
3 where the organization licensee or inter-track wagering  
4 licensee demonstrates that there has been made a good faith  
5 effort to comply with the goals for participation by minority  
6 owned businesses, female owned businesses, and businesses  
7 owned by persons with disabilities.

8 (e) If the Board determines that its goals and policies are  
9 not being met by any organization licensee or inter-track  
10 wagering licensee, then the Board may:

11 (1) adopt remedies for such violations; and

12 (2) recommend that the organization licensee or  
13 inter-track wagering licensee provide additional  
14 opportunities for participation by minority owned  
15 businesses, female owned businesses, and businesses owned  
16 by persons with disabilities; such recommendations may  
17 include, but shall not be limited to:

18 (A) assurances of stronger and better focused  
19 solicitation efforts to obtain more minority owned  
20 businesses, female owned businesses, and businesses  
21 owned by persons with disabilities as potential  
22 sources of supply;

23 (B) division of job or project requirements, when  
24 economically feasible, into tasks or quantities to  
25 permit participation of minority owned businesses,  
26 female owned businesses, and businesses owned by

1 persons with disabilities;

2 (C) elimination of extended experience or  
3 capitalization requirements, when programmatically  
4 feasible, to permit participation of minority owned  
5 businesses, female owned businesses, and businesses  
6 owned by persons with disabilities;

7 (D) identification of specific proposed contracts  
8 as particularly attractive or appropriate for  
9 participation by minority owned businesses, female  
10 owned businesses, and businesses owned by persons with  
11 disabilities, such identification to result from and  
12 be coupled with the efforts of items (A) through (C);  
13 and

14 (E) implementation of regulations established for  
15 the use of the sheltered market process.

16 (f) The Board shall file, no later than March 1 of each  
17 year, an annual report that shall detail the level of  
18 achievement toward the goals specified in this Section over the  
19 3 most recent fiscal years. The annual report shall include,  
20 but need not be limited to:

21 (1) a summary detailing expenditures subject to the  
22 goals, the actual goals specified, and the goals attained  
23 by each organization licensee or inter-track wagering  
24 licensee;

25 (2) a summary of the number of contracts awarded and  
26 the average contract amount by each organization licensee

1 or inter-track wagering licensee;

2 (3) an analysis of the level of overall goal  
3 achievement concerning purchases from minority owned  
4 businesses, female owned businesses, and businesses owned  
5 by persons with disabilities;

6 (4) an analysis of the number of minority owned  
7 businesses, female owned businesses, and businesses owned  
8 by persons with disabilities that are certified under the  
9 program as well as the number of those businesses that  
10 received State procurement contracts; and

11 (5) a summary of the number of contracts awarded to  
12 businesses with annual gross sales of less than \$1,000,000;  
13 of \$1,000,000 or more, but less than \$5,000,000; of  
14 \$5,000,000 or more, but less than \$10,000,000; and of  
15 \$10,000,000 or more.

16 Section 10. The Riverboat Gambling Act is amended by adding  
17 Section 7.6 as follows:

18 (230 ILCS 10/7.6 new)

19 Sec. 7.6. Business enterprise program.

20 (a) For the purposes of this Section, the terms "minority",  
21 "minority owned business", "female", "female owned business",  
22 "person with a disability", and "business owned by a person  
23 with a disability" have the meaning ascribed to them in the  
24 Business Enterprise for Minorities, Females, and Persons with

1 Disabilities Act.

2 (b) The Board shall, by rule, establish goals for the award  
3 of contracts by each owners licensee to businesses owned by  
4 minorities, females, and persons with disabilities, expressed  
5 as percentages of an owners licensee's total dollar amount of  
6 contracts awarded during each calendar year. Each owners  
7 licensee must make every effort to meet the goals established  
8 by the Board pursuant to this Section. When setting the goals  
9 for the award of contracts, the Board shall not include  
10 contracts where: (1) any purchasing mandates would be dependent  
11 upon the availability of minority owned businesses, female  
12 owned businesses, and businesses owned by persons with  
13 disabilities ready, willing, and able with capacity to provide  
14 quality goods and services to a gaming operation at reasonable  
15 prices; (2) there are no or a limited number of licensed  
16 suppliers as defined by this Act for the goods or services  
17 provided to the licensee; (3) the licensee or its parent  
18 company owns a company that provides the goods or services; or  
19 (4) the goods or services are provided to the licensee by a  
20 publicly traded company.

21 (c) Each owners licensee shall file with the Board an  
22 annual report of its utilization of minority owned businesses,  
23 female owned businesses, and businesses owned by persons with  
24 disabilities during the preceding calendar year. The reports  
25 shall include a self-evaluation of the efforts of the owners  
26 licensee to meet its goals under this Section.

1       (d) The owners licensee shall have the right to request a  
2 waiver from the requirements of this Section. The Board shall  
3 grant the waiver where the owners licensee demonstrates that  
4 there has been made a good faith effort to comply with the  
5 goals for participation by minority owned businesses, female  
6 owned businesses, and businesses owned by persons with  
7 disabilities.

8       (e) If the Board determines that its goals and policies are  
9 not being met by any owners licensee, then the Board may:

10           (1) adopt remedies for such violations; and

11           (2) recommend that the owners licensee provide  
12 additional opportunities for participation by minority  
13 owned businesses, female owned businesses, and businesses  
14 owned by persons with disabilities; such recommendations  
15 may include, but shall not be limited to:

16           (A) assurances of stronger and better focused  
17 solicitation efforts to obtain more minority owned  
18 businesses, female owned businesses, and businesses  
19 owned by persons with disabilities as potential  
20 sources of supply;

21           (B) division of job or project requirements, when  
22 economically feasible, into tasks or quantities to  
23 permit participation of minority owned businesses,  
24 female owned businesses, and businesses owned by  
25 persons with disabilities;

26           (C) elimination of extended experience or

1           capitalization requirements, when programmatically  
2           feasible, to permit participation of minority owned  
3           businesses, female owned businesses, and businesses  
4           owned by persons with disabilities;

5           (D) identification of specific proposed contracts  
6           as particularly attractive or appropriate for  
7           participation by minority owned businesses, female  
8           owned businesses, and businesses owned by persons with  
9           disabilities, such identification to result from and  
10          be coupled with the efforts of items (A) through (C);  
11          and

12          (E) implementation of regulations established for  
13          the use of the sheltered market process.

14          (f) The Board shall file, no later than March 1 of each  
15          year, an annual report that shall detail the level of  
16          achievement toward the goals specified in this Section over the  
17          3 most recent fiscal years. The annual report shall include,  
18          but need not be limited to:

19               (1) a summary detailing expenditures subject to the  
20               goals, the actual goals specified, and the goals attained  
21               by each owners licensee; and

22               (2) an analysis of the level of overall goal  
23               achievement concerning purchases from minority owned  
24               businesses, female owned businesses, and businesses owned  
25               by persons with disabilities.



1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".