



Rep. Kenneth Dunkin

**Filed: 4/23/2015**

09900HB2669ham002

LRB099 08034 SXM 34599 a

1 AMENDMENT TO HOUSE BILL 2669

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2669 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Chicago Vendor Diversity Commission Act.

6 Section 5. Definitions. For the purposes of this Act:

7 (a) "Minority person" means a person who is a citizen or  
8 lawful permanent resident of the United States and who is any  
9 of the following:

10 (1) American Indian or Alaska Native (a person having  
11 origins in any of the original peoples of North and South  
12 America, including Central America, and who maintains  
13 tribal affiliation or community attachment).

14 (2) Asian (a person having origins in any of the  
15 original peoples of the Far East, Southeast Asia, or the  
16 Indian subcontinent, including, but not limited to,

1 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
2 the Philippine Islands, Thailand, and Vietnam).

3 (3) Black or African-American (a person having origins  
4 in any of the black racial groups of Africa). Terms such as  
5 "Haitian" or "Negro" can be used in addition to "Black or  
6 African-American".

7 (4) Hispanic or Latino (a person of Cuban, Mexican,  
8 Puerto Rican, South or Central American, or other Spanish  
9 culture or origin, regardless of race).

10 (5) Native Hawaiian or Other Pacific Islander (a person  
11 having origins in any of the original peoples of Hawaii,  
12 Guam, Samoa, or other Pacific Islands).

13 (b) "Female" shall mean a person who is a citizen or lawful  
14 permanent resident of the United States and who is of the  
15 female gender.

16 (c) "Persons with disability" means a person who is a  
17 citizen or lawful resident of the United States and is a person  
18 qualifying as being disable under this subsection. "Disabled"  
19 means severe physical or mental disability that:

20 (1) results from: amputation, arthritis, autism,  
21 blindness, burn injury, cancer, cerebral palsy, Crohn's  
22 disease, cystic fibrosis, deafness, head injury, heart  
23 disease, hemiplegia, hemophilia, respiratory or pulmonary  
24 dysfunction, an intellectual disability, mental illness,  
25 multiple sclerosis, muscular dystrophy, musculoskeletal  
26 disorders, neurological disorders, including stroke and

1 epilepsy, paraplegia, quadriplegia and other spinal cord  
2 conditions, sickle cell anemia, ulcerative colitis,  
3 specific learning disabilities, or end stage renal failure  
4 disease; and

5 (2) substantially limits one or more of the person's  
6 major life activities.

7 Another disability or combination of disabilities may also  
8 be considered as severe disability for the purpose of the  
9 paragraph (1) if it is determined by an evaluation of  
10 rehabilitation potential to cause a comparable degree of  
11 substantial function limitation similar to the specific list of  
12 disabilities listed in paragraph (1).

13 (d) "Vendor" means any law firm, financial advisor, bank,  
14 asset manager, underwriter or borrower that: (i) has debt  
15 issued on its behalf; or (ii) provides any professional service  
16 to any governmental participant in connection with debt  
17 obligation transactions, auditing, banking services, asset  
18 management services, or brokerage services.

19 (e) "Governmental participant" means any State agency or  
20 State authority under the Governor that issues bonds, notes, or  
21 other evidences of indebtedness, State university, sanitary  
22 district, special district, non-home rule unit of local  
23 government, pension fund, or defined contribution plan that:  
24 (i) awards contracts to vendors, and (ii) whose principle place  
25 of business is located in a municipality of more than 1,000,000  
26 inhabitants. "Government participant" does not include the

1 General Assembly, judicial courts, or other executive offices.

2 (f) "Commission" means the Vendor Diversity Commission.

3 Section 10. Vendor Diversity Commission.

4 (a) There is created the Vendor Diversity Commission to  
5 promote and encourage the open access in the awarding of  
6 governmental contracts to businesses with diverse hiring  
7 practices. The State of Illinois further declares that it is  
8 the public policy of this State to promote and encourage the  
9 continuous economic development of businesses that hire and  
10 promote minorities. For this purpose, the Commission shall have  
11 the express authority to oversee all aspects of the diversity  
12 reporting initiative created by this Act. The Commission may  
13 adopt rules to fulfill its responsibilities under the Act. The  
14 Commission may seek administrative support from the Department  
15 of Central Management Services.

16 (b) The Commission shall be comprised of the following  
17 members serving without compensation:

18 (1) three members of the House of Representatives,  
19 appointed by the Speaker of the House of Representatives;

20 (2) three members of the Senate, appointed by the  
21 President of the Senate; and

22 (3) three members appointed by the Governor.

23 (c) The Speaker of the House of Representatives, the  
24 President of the Senate, and the Governor shall each make his  
25 or her appointments to the Commission within 45 days after the

1 effective date of this Act.

2 (d) No more than 6 members of the Commission shall be  
3 affiliated with the same political party.

4 (e) Meetings. As soon as practicable after the members of  
5 the Commission have been appointed, the members shall meet and  
6 select a chairperson and a secretary. The initial chairperson  
7 and secretary and their successors shall be selected by the  
8 Commission from among its members for a term of 2 years or for  
9 the remainder of their term of office as a member of the  
10 Commission, whichever is the shorter. The Commission shall  
11 comply with all aspects of the Illinois Open Meetings Act. The  
12 Commission shall hold regular quarterly meetings and such other  
13 meetings as may be called by the chairperson.

14 (f) Investigations by Commission. The Commission shall  
15 investigate the enforcement of this Act and rules made under  
16 this Act.

17 Section 15. Reporting Requirements.

18 (a) The Commission shall produce two forms requesting from  
19 vendors demographic information of those who will participate  
20 in the performance required under the contract: a front-end  
21 report of professionals, and a supplemental report of  
22 professionals. The vendor shall accurately report and file with  
23 the Commission both the front-end report upon receipt of the  
24 contract and the supplemental report upon completion of the  
25 contract.

1 (b) All vendors shall, at the time of executing the  
2 contract, complete the front-end form and submit the form to  
3 the Commission. The vendor shall disclose to the Commission  
4 those who are expected to participate in the performance of the  
5 contract and shall provide within the front-end report the  
6 following of each such person:

- 7 (1) racial and ethnic background;
- 8 (2) position within the company; and
- 9 (3) title.

10 (c) Within 30 days after the completion of performance  
11 under the contract, the vendor shall file with the Commission a  
12 supplemental report stating the following:

13 (1) the total time the vendor worked, per the terms of  
14 the contract;

15 (2) the racial and ethnic background of each  
16 professional who participated in the performance required  
17 under the contract; and

18 (3) the amount of time spent by each such professional  
19 to work on the performance required under the contract.

20 (d) Any vendor that fails to comply with this reporting  
21 requirement shall be declared ineligible to do any business  
22 with or provide any services to any governmental participant.

23 (e) The Commission shall compile data collected under  
24 subsections (b) and (c) and report the same together with its  
25 findings, if any, to the General Assembly on a quarterly basis.

26 (f) The reporting requirements under this Act shall begin

1 60 days after the Commission is appointed.

2 Section 20. Repealer. This Act is repealed on January 1,  
3 2025.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.".