



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2679

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

30 ILCS 575/10 new
330 ILCS 55/1

from Ch. 126 1/2, par. 23

Amends the Business Enterprise for Minorities, Females and Persons with Disabilities Act. Provides that in the employment and appointment to fill positions in the construction, addition to, or alteration of all public works undertaken or contracted for by the State, or by any political subdivision thereof, preference shall be given to Black or African-American persons. Provides that every contract for such work shall contain a term providing for this preference. Provides that any person who knowingly and willfully violates the provisions of this Act, is guilty of a petty offense and shall be fined not less than \$75, nor more than \$300 for each offense. Amends the Veterans Preference Act. Makes a related change.

LRB099 07331 SXM 27441 b

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 Business Enterprise for Minorities,
5 Females, and Persons with Disabilities Act is amended by adding
6 Section 10 as follows:

7 (30 ILCS 575/10 new)

8 Sec. 10. African-American employment opportunities.

9 (a) In the employment and appointment to fill positions in
10 the construction, addition to, or alteration of all public
11 works undertaken or contracted for by the State, or by any
12 political subdivision thereof, preference shall be given to
13 Black or African American persons, as defined in Section 2 of
14 this Act, as well as persons who have served in the armed
15 forces under Section 55 of the Veterans Preference Act.

16 (b) Every contract for such work shall contain a term
17 providing for the preference given in subsection (a).

18 (c) Any person who knowingly and willfully violates the
19 provisions of this Act, is guilty of a petty offense and shall
20 be fined not less than \$75, nor more than \$300 for each
21 offense.

22 Section 10. The Veterans Preference Act is amended by

1 changing Section 1 as follows:

2 (330 ILCS 55/1) (from Ch. 126 1/2, par. 23)

3 Sec. 1. In the employment and appointment to fill positions
4 in the construction, addition to, or alteration of all public
5 works undertaken or contracted for by the State, or by any
6 political subdivision thereof, preference shall be given to
7 persons of Black or African American origins under Section 10
8 of the Business Enterprise for Minorities, Females, and Persons
9 with Disabilities Act, and persons who have been members of the
10 armed forces of the United States or who, while citizens of the
11 United States, were members of the armed forces of allies of
12 the United States in time of hostilities with a foreign
13 country, and have served under one or more of the following
14 conditions:

15 (1) The veteran served a total of at least 6 months, or

16 (2) The veteran served for the duration of hostilities
17 regardless of the length of engagement, or

18 (3) The veteran served in the theater of operations but
19 was discharged on the basis of a hardship, or

20 (4) The veteran was released from active duty because
21 of a service connected disability and was honorably
22 discharged. But such preference shall be given only to
23 those persons who are found to possess the business
24 capacity necessary for the proper discharge of the duties
25 of such employment. No political subdivision or person

1 contracting for such public works is required to give
2 preference to veterans, not residents of such district,
3 over residents thereof, who are not veterans.

4 As used in this Section:

5 "Time of hostilities with a foreign country" means any
6 period of time in the past, present, or future during which a
7 declaration of war by the United States Congress has been or is
8 in effect or during which an emergency condition has been or is
9 in effect that is recognized by the issuance of a Presidential
10 proclamation or a Presidential executive order and in which the
11 armed forces expeditionary medal or other campaign service
12 medals are awarded according to Presidential executive order.

13 "Armed forces of the United States" means the United States
14 Army, Navy, Air Force, Marine Corps, or Coast Guard, United
15 States Reserve Forces, or Illinois National Guard. Service in
16 the Merchant Marine that constitutes active duty under Section
17 401 of federal Public Law 95-202 shall also be considered
18 service in the Armed Forces of the United States for purposes
19 of this Section.

20 (Source: P.A. 95-566, eff. 8-31-07.)