



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

**HB6099**

Introduced 2/11/2016, by Rep. Ann Williams

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-21.3

from Ch. 122, par. 34-21.3

Amends the Chicago School District Article of the School Code. Provides that the competitive bidding requirement for contracts involving an expenditure in excess of \$25,000 (or such lower amount as required by school board policy) applies even if the contract is for the services of persons possessing a high degree of professional skill where the ability or fitness of the person plays an important part, unless that contract is an employment contract. Effective immediately.

LRB099 15508 NHT 39798 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 34-21.3 as follows:

6 (105 ILCS 5/34-21.3) (from Ch. 122, par. 34-21.3)

7 Sec. 34-21.3. Contracts. The board shall by record vote let  
8 all contracts (other than those excepted by Section 10-20.21 of  
9 this ~~The School~~ Code, unless otherwise provided in this  
10 Section) for supplies, materials, work, and contracts with  
11 private carriers for transportation of pupils, involving an  
12 expenditure in excess of \$25,000 or a lower amount as required  
13 by board policy by competitive bidding as provided in Section  
14 10-20.21 of this ~~The School~~ Code. This competitive bidding  
15 requirement applies even if the contract is for the services of  
16 persons possessing a high degree of professional skill where  
17 the ability or fitness of the person plays an important part,  
18 unless that contract is an employment contract.

19 The board may delegate to the general superintendent of  
20 schools, by resolution, the authority to approve contracts in  
21 amounts of \$25,000 or less.

22 For a period of one year from and after the expiration or  
23 other termination of his or her term of office as a member of

1 the board: (i) the former board member shall not be eligible  
2 for employment nor be employed by the board, a local school  
3 council, an attendance center, or any other subdivision or  
4 agent of the board or the school district governed by the  
5 board, and (ii) neither the board nor the chief purchasing  
6 officer shall let or delegate authority to let any contract for  
7 services, employment, or other work to the former board member  
8 or to any corporation, partnership, association, sole  
9 proprietorship, or other entity other than publicly traded  
10 companies from which the former board member receives an annual  
11 income, dividends, or other compensation in excess of \$1,500.  
12 Any contract that is entered into by or under a delegation of  
13 authority from the board or the chief purchasing officer shall  
14 contain a provision stating that the contract is not legally  
15 binding on the board if entered into in violation of the  
16 provisions of this paragraph.

17 In addition, the State Board of Education, in consultation  
18 with the board, shall (i) review existing conflict of interest  
19 and disclosure laws or regulations that are applicable to the  
20 executive officers and governing boards of school districts  
21 organized under this Article and school districts generally,  
22 (ii) determine what additional disclosure and conflict of  
23 interest provisions would enhance the reputation and fiscal  
24 integrity of the board and the procedure under which contracts  
25 for goods and services are let, and (iii) develop appropriate  
26 reporting forms and procedures applicable to the executive

1 officers, governing board, and other officials of the school  
2 district.

3 (Source: P.A. 95-990, eff. 10-3-08.)

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