



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5311

Introduced 2/10/2026, by Rep. Nicolle Grasse

#### SYNOPSIS AS INTRODUCED:

30 ILCS 500/10-10  
30 ILCS 500/10-15

Amends the Illinois Procurement Code. Provides that a State agency may exercise, without prior procurement compliance monitor review, administrative actions that are specifically provided for in a contract that has been entered into in accordance with this Code. Removes provisions that provide that each State purchasing officer owes a fiduciary duty to the State.

LRB104 20064 HLH 33515 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 Illinois Procurement Code is amended by  
5 changing Sections 10-10 and 10-15 as follows:

6 (30 ILCS 500/10-10)

7 Sec. 10-10. Independent State purchasing officers.

8 (a) The chief procurement officer shall appoint and  
9 determine the salary of a State purchasing officer for each  
10 agency that the chief procurement officer is responsible for  
11 under Section 1-15.15. A State purchasing officer shall be  
12 located in the State agency that the officer serves but shall  
13 report to his or her respective chief procurement officer. The  
14 State purchasing officer shall have direct communication with  
15 agency staff assigned to assist with any procurement process.  
16 At the direction of his or her respective chief procurement  
17 officer, a State purchasing officer shall have the authority  
18 to (i) review any contract or contract amendment prior to  
19 execution to ensure that applicable procurement and  
20 contracting standards were followed and (ii) approve or reject  
21 contracts for a purchasing agency. If the State purchasing  
22 officer provides written approval of the contract, the head of  
23 the applicable State agency shall have the authority to sign

1 and enter into that contract. All actions of a State  
2 purchasing officer are subject to review by a chief  
3 procurement officer in accordance with procedures and policies  
4 established by the chief procurement officer.

5 (a-5) A State purchasing officer may (i) attend any  
6 procurement meetings; (ii) access any records or files related  
7 to procurement; (iii) submit reports to the chief procurement  
8 officer on procurement issues; (iv) ensure the State agency is  
9 maintaining appropriate records; and (v) ensure transparency  
10 of the procurement process.

11 (a-10) If a State purchasing officer is aware of  
12 misconduct, waste, or inefficiency with respect to State  
13 procurement, the State purchasing officer shall advise the  
14 State agency of the issue in writing. If the State agency does  
15 not correct the issue, the State purchasing officer shall  
16 report the problem, in writing, to the chief procurement  
17 officer and appropriate Inspector General.

18 (b) In addition to any other requirement or qualification  
19 required by State law, within 30 months after appointment, a  
20 State purchasing officer must be a Certified Professional  
21 Public Buyer or a Certified Public Purchasing Officer,  
22 pursuant to certification by the Universal Public Purchasing  
23 Certification Council or the Institute for Supply Management.  
24 A State purchasing officer shall serve a term of 5 years  
25 beginning on the date of the officer's appointment. A State  
26 purchasing officer shall have an office located in the State

1 agency that the officer serves but shall report to the chief  
2 procurement officer. A State purchasing officer may be removed  
3 by a chief procurement officer for cause after a hearing by the  
4 Executive Ethics Commission. The chief procurement officer or  
5 executive officer of the State agency housing the State  
6 purchasing officer may institute a complaint against the State  
7 purchasing officer by filing such a complaint with the  
8 Commission and the Commission shall have a public hearing  
9 based on the complaint. The State purchasing officer, chief  
10 procurement officer, and executive officer of the State agency  
11 shall receive notice of the hearing and shall be permitted to  
12 present their respective arguments on the complaint. After the  
13 hearing, the Commission shall make a non-binding  
14 recommendation on whether the State purchasing officer shall  
15 be removed. The salary of a State purchasing officer shall be  
16 established by the chief procurement officer and may not be  
17 diminished during the officer's term. In the absence of an  
18 appointed State purchasing officer, the applicable chief  
19 procurement officer shall exercise the procurement authority  
20 created by this Code and may appoint a temporary acting State  
21 purchasing officer.

22 (c) A State agency may exercise, without prior State  
23 purchasing officer review, administrative actions that are  
24 specifically provided for in a contract that has been entered  
25 into in accordance with this Code. Those administrative  
26 actions include, but are not limited to, adjustments to

1 minimum or prevailing wages, price adjustments made in  
2 accordance with the Consumer Price Index or other schedule,  
3 and product substitutions that do not affect pricing. ~~Each~~  
4 ~~State purchasing officer owes a fiduciary duty to the State.~~

5 (Source: P.A. 103-8, eff. 6-7-23.)

6 (30 ILCS 500/10-15)

7 Sec. 10-15. Procurement compliance monitors.

8 (a) The Executive Ethics Commission may appoint  
9 procurement compliance monitors to oversee and review the  
10 procurement processes. Each procurement compliance monitor  
11 shall serve a term of 5 years beginning on the date of the  
12 officer's appointment. Each procurement compliance monitor  
13 appointed pursuant to this Section and serving a 5-year term  
14 on the effective date of this amendatory Act of the 100th  
15 General Assembly shall report to the chief procurement officer  
16 in the performance of his or her duties until the expiration of  
17 the monitor's term. The compliance monitor shall have direct  
18 communications with the executive officer of a State agency in  
19 exercising duties. A procurement compliance monitor may be  
20 removed only for cause after a hearing by the Executive Ethics  
21 Commission. The appropriate chief procurement officer or  
22 executive officer of the State agency served by the  
23 procurement compliance monitor may institute a complaint  
24 against the procurement compliance monitor with the Commission  
25 and the Commission shall hold a public hearing based on the

1 complaint. The procurement compliance monitor, State  
2 purchasing officer, appropriate chief procurement officer, and  
3 executive officer of the State agency shall receive notice of  
4 the hearing and shall be permitted to present their respective  
5 arguments on the complaint. After the hearing, the Commission  
6 shall determine whether the procurement compliance monitor  
7 shall be removed. The salary of a procurement compliance  
8 monitor shall be established by the Executive Ethics  
9 Commission and may not be diminished during the officer's  
10 term.

11 (b) The procurement compliance monitor shall: (i) review  
12 any procurement, contract, or contract amendment as directed  
13 by the Executive Ethics Commission or a chief procurement  
14 officer; and (ii) report any findings of the review, in  
15 writing, to the Commission, the affected agency, the chief  
16 procurement officer responsible for the affected agency, and  
17 any entity requesting the review. The procurement compliance  
18 monitor may: (i) review each contract or contract amendment  
19 prior to execution to ensure that applicable procurement and  
20 contracting standards were followed; (ii) attend any  
21 procurement meetings; (iii) access any records or files  
22 related to procurement; (iv) issue reports to the chief  
23 procurement officer on procurement issues that present issues  
24 or that have not been corrected after consultation with  
25 appropriate State officials; (v) ensure the State agency is  
26 maintaining appropriate records; and (vi) ensure transparency

1 of the procurement process.

2 (c) If the procurement compliance monitor is aware of  
3 misconduct, waste, or inefficiency with respect to State  
4 procurement, the procurement compliance monitor shall advise  
5 the State agency of the issue in writing. If the State agency  
6 does not correct the issue, the monitor shall report the  
7 problem, in writing, to the chief procurement officer and  
8 Inspector General.

9 (d) A State agency may exercise, without prior procurement  
10 compliance monitor review, administrative actions that are  
11 specifically provided for in a contract that has been entered  
12 into in accordance with this Code. Those administrative  
13 actions include, but are not limited to, adjustments to  
14 minimum or prevailing wages, price adjustments made in  
15 accordance with the Consumer Price Index or other schedule,  
16 and product substitutions that do not affect pricing. Each  
17 ~~procurement compliance monitor owes a fiduciary duty to the~~  
18 ~~State.~~

19 (Source: P.A. 100-43, eff. 8-9-17.)