



Rep. Jay Hoffman

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10000HB0813ham001

LRB100 06923 JLS 37117 a

1 AMENDMENT TO HOUSE BILL 813

2 AMENDMENT NO. _____. Amend House Bill 813 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Prevailing Wage Act is amended by changing
5 Section 2 as follows:

6 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

7 Sec. 2. This Act applies to the wages of laborers,
8 mechanics and other workers employed in any public works, as
9 hereinafter defined, by any public body and to anyone under
10 contracts for public works. This includes any maintenance,
11 repair, assembly, or disassembly work performed on equipment
12 whether owned, leased, or rented.

13 As used in this Act, unless the context indicates
14 otherwise:

15 "Public works" means all fixed works constructed or
16 demolished by any public body, or paid for wholly or in part

1 out of public funds. "Public works" as defined herein includes
2 all projects financed in whole or in part with bonds, grants,
3 loans, or other funds made available by or through the State or
4 any of its political subdivisions, including but not limited
5 to: bonds issued under the Industrial Project Revenue Bond Act
6 (Article 11, Division 74 of the Illinois Municipal Code), the
7 Industrial Building Revenue Bond Act, the Illinois Finance
8 Authority Act, the Illinois Sports Facilities Authority Act, or
9 the Build Illinois Bond Act; loans or other funds made
10 available pursuant to the Build Illinois Act; loans or other
11 funds made available pursuant to the Riverfront Development
12 Fund under Section 10-15 of the River Edge Redevelopment Zone
13 Act; or funds from the Fund for Illinois' Future under Section
14 6z-47 of the State Finance Act, funds for school construction
15 under Section 5 of the General Obligation Bond Act, funds
16 authorized under Section 3 of the School Construction Bond Act,
17 funds for school infrastructure under Section 6z-45 of the
18 State Finance Act, and funds for transportation purposes under
19 Section 4 of the General Obligation Bond Act. "Public works"
20 also includes (i) all projects financed in whole or in part
21 with funds from the Department of Commerce and Economic
22 Opportunity under the Illinois Renewable Fuels Development
23 Program Act for which there is no project labor agreement; (ii)
24 all work performed pursuant to a public private agreement under
25 the Public Private Agreements for the Illiana Expressway Act or
26 the Public-Private Agreements for the South Suburban Airport

1 Act; ~~and~~ (iii) all projects undertaken under a public-private
2 agreement under the Public-Private Partnerships for
3 Transportation Act; and (iv) all projects financed in whole or
4 in part with revenues received under the Tax Increment
5 Allocation Redevelopment Act, the County Economic Development
6 Project Area Property Tax Allocation Act, or the County
7 Economic Development Project Area Tax Increment Allocation Act
8 of 1991. "Public works" also includes all projects at leased
9 facility property used for airport purposes under Section 35 of
10 the Local Government Facility Lease Act. "Public works" also
11 includes the construction of a new wind power facility by a
12 business designated as a High Impact Business under Section
13 5.5(a)(3)(E) of the Illinois Enterprise Zone Act. "Public
14 works" does not include work done directly by any public
15 utility company, whether or not done under public supervision
16 or direction, or paid for wholly or in part out of public
17 funds. "Public works" also includes any corrective action
18 performed pursuant to Title XVI of the Environmental Protection
19 Act for which payment from the Underground Storage Tank Fund is
20 requested. "Public works" does not include projects undertaken
21 by the owner at an owner-occupied single-family residence or at
22 an owner-occupied unit of a multi-family residence. "Public
23 works" does not include work performed for soil and water
24 conservation purposes on agricultural lands, whether or not
25 done under public supervision or paid for wholly or in part out
26 of public funds, done directly by an owner or person who has

1 legal control of those lands.

2 "Construction" means all work on public works involving
3 laborers, workers or mechanics. This includes any maintenance,
4 repair, assembly, or disassembly work performed on equipment
5 whether owned, leased, or rented.

6 "Locality" means the county where the physical work upon
7 public works is performed, except (1) that if there is not
8 available in the county a sufficient number of competent
9 skilled laborers, workers and mechanics to construct the public
10 works efficiently and properly, "locality" includes any other
11 county nearest the one in which the work or construction is to
12 be performed and from which such persons may be obtained in
13 sufficient numbers to perform the work and (2) that, with
14 respect to contracts for highway work with the Department of
15 Transportation of this State, "locality" may at the discretion
16 of the Secretary of the Department of Transportation be
17 construed to include two or more adjacent counties from which
18 workers may be accessible for work on such construction.

19 "Public body" means the State or any officer, board or
20 commission of the State or any political subdivision or
21 department thereof, or any institution supported in whole or in
22 part by public funds, and includes every county, city, town,
23 village, township, school district, irrigation, utility,
24 reclamation improvement or other district and every other
25 political subdivision, district or municipality of the state
26 whether such political subdivision, municipality or district

1 operates under a special charter or not.

2 The terms "general prevailing rate of hourly wages",
3 "general prevailing rate of wages" or "prevailing rate of
4 wages" when used in this Act mean the hourly cash wages plus
5 annualized fringe benefits for training and apprenticeship
6 programs approved by the U.S. Department of Labor, Bureau of
7 Apprenticeship and Training, health and welfare, insurance,
8 vacations and pensions paid generally, in the locality in which
9 the work is being performed, to employees engaged in work of a
10 similar character on public works.

11 (Source: P.A. 97-502, eff. 8-23-11; 98-109, eff. 7-25-13;
12 98-482, eff. 1-1-14; 98-740, eff. 7-16-14; 98-756, eff.
13 7-16-14.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."