



Sen. Michael E. Hastings

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10200HB3666sam006

LRB102 13525 SPS 30199 a

1 AMENDMENT TO HOUSE BILL 3666

2 AMENDMENT NO. _____. Amend House Bill 3666 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Electric Vehicle Act is amended by
5 changing Sections 55 and 60 as follows:

6 (20 ILCS 627/55)

7 Sec. 55. Charging rebate program.

8 (a) In order to substantially offset the installation
9 costs of electric vehicle charging infrastructure, beginning
10 July 1, 2022, and continuing as long as funds are available,
11 the Agency shall issue rebates, consistent with the
12 Commission-approved Beneficial Electrification Plans in
13 accordance with Section 45, to public and private
14 organizations and companies to install and maintain Level 2 or
15 Level 3 charging stations.

16 (b) The Agency shall award rebates or grants that fund up

1 to 80% of the cost of the installation of charging stations.
2 The Agency shall award additional incentives per port for
3 every charging station installed in an eligible community and
4 every charging station located to support eligible persons. In
5 order to be eligible to receive a rebate or grant, the
6 organization or company must submit an application to the
7 Agency and commit to paying the prevailing wage for the
8 installation project. The Agency shall by rule provide
9 application and other programmatic details and requirements,
10 including additional incentives for eligible communities. The
11 Agency may determine per port or project caps based on a review
12 of best practices and stakeholder engagement. The Agency shall
13 accept applications on a rolling basis and shall award rebates
14 or grants within 60 days of each application. The Agency must
15 require that any grant or rebate applicant comply with the
16 requirements of the Prevailing Wage Act for any ~~may not award~~
17 ~~rebates or grants to an organization or company that does not~~
18 ~~pay the prevailing wage for the~~ installation of a charging
19 station for which it seeks a rebate or grant.

20 (Source: P.A. 102-662, eff. 9-15-21.)

21 (20 ILCS 627/60)

22 (Section scheduled to be repealed on January 1, 2024)

23 Sec. 60. Study on loss of infrastructure funds and
24 replacement options. The Illinois Department of Transportation
25 shall conduct a study to be delivered to the members of the

1 Illinois General Assembly and made available to the public no
2 later than September 30, 2022. The study shall consider how
3 the proliferation of electric vehicles will adversely affect
4 resources needed for transportation infrastructure and take
5 into consideration any relevant federal actions. The study
6 shall identify the potential revenue loss and offer multiple
7 options for replacing those lost revenues. The Illinois
8 Department of Transportation shall collaborate with
9 organizations representing businesses involved in designing
10 and building transportation infrastructure, organized labor,
11 the general business community, and users of the system. In
12 addition, the Illinois Department of Transportation may
13 collaborate with other state agencies, including but not
14 limited to the Illinois Secretary of State and the Illinois
15 Department of Revenue.

16 This Section is repealed on January 1, 2024.

17 (Source: P.A. 102-662, eff. 9-15-21.)

18 Section 10. The Illinois Enterprise Zone Act is amended by
19 changing Section 5.5 as follows:

20 (20 ILCS 655/5.5) (from Ch. 67 1/2, par. 609.1)

21 Sec. 5.5. High Impact Business.

22 (a) In order to respond to unique opportunities to assist
23 in the encouragement, development, growth, and expansion of
24 the private sector through large scale investment and

1 development projects, the Department is authorized to receive
2 and approve applications for the designation of "High Impact
3 Businesses" in Illinois subject to the following conditions:

4 (1) such applications may be submitted at any time
5 during the year;

6 (2) such business is not located, at the time of
7 designation, in an enterprise zone designated pursuant to
8 this Act;

9 (3) the business intends to do one or more of the
10 following:

11 (A) the business intends to make a minimum
12 investment of \$12,000,000 which will be placed in
13 service in qualified property and intends to create
14 500 full-time equivalent jobs at a designated location
15 in Illinois or intends to make a minimum investment of
16 \$30,000,000 which will be placed in service in
17 qualified property and intends to retain 1,500
18 full-time retained jobs at a designated location in
19 Illinois. The business must certify in writing that
20 the investments would not be placed in service in
21 qualified property and the job creation or job
22 retention would not occur without the tax credits and
23 exemptions set forth in subsection (b) of this
24 Section. The terms "placed in service" and "qualified
25 property" have the same meanings as described in
26 subsection (h) of Section 201 of the Illinois Income

1 Tax Act; or

2 (B) the business intends to establish a new
3 electric generating facility at a designated location
4 in Illinois. "New electric generating facility", for
5 purposes of this Section, means a newly-constructed
6 electric generation plant or a newly-constructed
7 generation capacity expansion at an existing electric
8 generation plant, including the transmission lines and
9 associated equipment that transfers electricity from
10 points of supply to points of delivery, and for which
11 such new foundation construction commenced not sooner
12 than July 1, 2001. Such facility shall be designed to
13 provide baseload electric generation and shall operate
14 on a continuous basis throughout the year; and (i)
15 shall have an aggregate rated generating capacity of
16 at least 1,000 megawatts for all new units at one site
17 if it uses natural gas as its primary fuel and
18 foundation construction of the facility is commenced
19 on or before December 31, 2004, or shall have an
20 aggregate rated generating capacity of at least 400
21 megawatts for all new units at one site if it uses coal
22 or gases derived from coal as its primary fuel and
23 shall support the creation of at least 150 new
24 Illinois coal mining jobs, or (ii) shall be funded
25 through a federal Department of Energy grant before
26 December 31, 2010 and shall support the creation of

1 Illinois coal-mining jobs, or (iii) shall use coal
2 gasification or integrated gasification-combined cycle
3 units that generate electricity or chemicals, or both,
4 and shall support the creation of Illinois coal-mining
5 jobs. The business must certify in writing that the
6 investments necessary to establish a new electric
7 generating facility would not be placed in service and
8 the job creation in the case of a coal-fueled plant
9 would not occur without the tax credits and exemptions
10 set forth in subsection (b-5) of this Section. The
11 term "placed in service" has the same meaning as
12 described in subsection (h) of Section 201 of the
13 Illinois Income Tax Act; or

14 (B-5) the business intends to establish a new
15 gasification facility at a designated location in
16 Illinois. As used in this Section, "new gasification
17 facility" means a newly constructed coal gasification
18 facility that generates chemical feedstocks or
19 transportation fuels derived from coal (which may
20 include, but are not limited to, methane, methanol,
21 and nitrogen fertilizer), that supports the creation
22 or retention of Illinois coal-mining jobs, and that
23 qualifies for financial assistance from the Department
24 before December 31, 2010. A new gasification facility
25 does not include a pilot project located within
26 Jefferson County or within a county adjacent to

1 Jefferson County for synthetic natural gas from coal;
2 or

3 (C) the business intends to establish production
4 operations at a new coal mine, re-establish production
5 operations at a closed coal mine, or expand production
6 at an existing coal mine at a designated location in
7 Illinois not sooner than July 1, 2001; provided that
8 the production operations result in the creation of
9 150 new Illinois coal mining jobs as described in
10 subdivision (a)(3)(B) of this Section, and further
11 provided that the coal extracted from such mine is
12 utilized as the predominant source for a new electric
13 generating facility. The business must certify in
14 writing that the investments necessary to establish a
15 new, expanded, or reopened coal mine would not be
16 placed in service and the job creation would not occur
17 without the tax credits and exemptions set forth in
18 subsection (b-5) of this Section. The term "placed in
19 service" has the same meaning as described in
20 subsection (h) of Section 201 of the Illinois Income
21 Tax Act; or

22 (D) the business intends to construct new
23 transmission facilities or upgrade existing
24 transmission facilities at designated locations in
25 Illinois, for which construction commenced not sooner
26 than July 1, 2001. For the purposes of this Section,

1 "transmission facilities" means transmission lines
2 with a voltage rating of 115 kilovolts or above,
3 including associated equipment, that transfer
4 electricity from points of supply to points of
5 delivery and that transmit a majority of the
6 electricity generated by a new electric generating
7 facility designated as a High Impact Business in
8 accordance with this Section. The business must
9 certify in writing that the investments necessary to
10 construct new transmission facilities or upgrade
11 existing transmission facilities would not be placed
12 in service without the tax credits and exemptions set
13 forth in subsection (b-5) of this Section. The term
14 "placed in service" has the same meaning as described
15 in subsection (h) of Section 201 of the Illinois
16 Income Tax Act; or

17 (E) the business intends to establish a new wind
18 power facility at a designated location in Illinois.
19 For purposes of this Section, "new wind power
20 facility" means a newly constructed electric
21 generation facility, or a newly constructed expansion
22 of an existing electric generation facility, placed in
23 service on or after July 1, 2009, that generates
24 electricity using wind energy devices, and such
25 facility shall be deemed to include all associated
26 transmission lines, substations, and other equipment

1 related to the generation of electricity from wind
2 energy devices. For purposes of this Section, "wind
3 energy device" means any device, with a nameplate
4 capacity of at least 0.5 megawatts, that is used in the
5 process of converting kinetic energy from the wind to
6 generate electricity; or

7 (F) the business commits to (i) make a minimum
8 investment of \$500,000,000, which will be placed in
9 service in a qualified property, (ii) create 125
10 full-time equivalent jobs at a designated location in
11 Illinois, (iii) establish a fertilizer plant at a
12 designated location in Illinois that complies with the
13 set-back standards as described in Table 1: Initial
14 Isolation and Protective Action Distances in the 2012
15 Emergency Response Guidebook published by the United
16 States Department of Transportation, (iv) pay a
17 prevailing wage for employees at that location who are
18 engaged in construction activities, and (v) secure an
19 appropriate level of general liability insurance to
20 protect against catastrophic failure of the fertilizer
21 plant or any of its constituent systems; in addition,
22 the business must agree to enter into a construction
23 project labor agreement including provisions
24 establishing wages, benefits, and other compensation
25 for employees performing work under the project labor
26 agreement at that location; for the purposes of this

1 Section, "fertilizer plant" means a newly constructed
2 or upgraded plant utilizing gas used in the production
3 of anhydrous ammonia and downstream nitrogen
4 fertilizer products for resale; for the purposes of
5 this Section, "prevailing wage" means the hourly cash
6 wages plus fringe benefits for training and
7 apprenticeship programs approved by the U.S.
8 Department of Labor, Bureau of Apprenticeship and
9 Training, health and welfare, insurance, vacations and
10 pensions paid generally, in the locality in which the
11 work is being performed, to employees engaged in work
12 of a similar character on public works; this paragraph
13 (F) applies only to businesses that submit an
14 application to the Department within 60 days after
15 July 25, 2013 (the effective date of Public Act
16 98-109) ~~this amendatory Act of the 98th General~~
17 ~~Assembly~~; and

18 (4) no later than 90 days after an application is
19 submitted, the Department shall notify the applicant of
20 the Department's determination of the qualification of the
21 proposed High Impact Business under this Section.

22 (b) Businesses designated as High Impact Businesses
23 pursuant to subdivision (a)(3)(A) of this Section shall
24 qualify for the credits and exemptions described in the
25 following Acts: Section 9-222 and Section 9-222.1A of the
26 Public Utilities Act, subsection (h) of Section 201 of the

1 Illinois Income Tax Act, and Section 1d of the Retailers'
2 Occupation Tax Act; provided that these credits and exemptions
3 described in these Acts shall not be authorized until the
4 minimum investments set forth in subdivision (a) (3) (A) of this
5 Section have been placed in service in qualified properties
6 and, in the case of the exemptions described in the Public
7 Utilities Act and Section 1d of the Retailers' Occupation Tax
8 Act, the minimum full-time equivalent jobs or full-time
9 retained jobs set forth in subdivision (a) (3) (A) of this
10 Section have been created or retained. Businesses designated
11 as High Impact Businesses under this Section shall also
12 qualify for the exemption described in Section 51 of the
13 Retailers' Occupation Tax Act. The credit provided in
14 subsection (h) of Section 201 of the Illinois Income Tax Act
15 shall be applicable to investments in qualified property as
16 set forth in subdivision (a) (3) (A) of this Section.

17 (b-5) Businesses designated as High Impact Businesses
18 pursuant to subdivisions (a) (3) (B), (a) (3) (B-5), (a) (3) (C),
19 and (a) (3) (D) of this Section shall qualify for the credits
20 and exemptions described in the following Acts: Section 51 of
21 the Retailers' Occupation Tax Act, Section 9-222 and Section
22 9-222.1A of the Public Utilities Act, and subsection (h) of
23 Section 201 of the Illinois Income Tax Act; however, the
24 credits and exemptions authorized under Section 9-222 and
25 Section 9-222.1A of the Public Utilities Act, and subsection
26 (h) of Section 201 of the Illinois Income Tax Act shall not be

1 authorized until the new electric generating facility, the new
2 gasification facility, the new transmission facility, or the
3 new, expanded, or reopened coal mine is operational, except
4 that a new electric generating facility whose primary fuel
5 source is natural gas is eligible only for the exemption under
6 Section 51 of the Retailers' Occupation Tax Act.

7 (b-6) Businesses designated as High Impact Businesses
8 pursuant to subdivision (a) (3) (E) or (a) (3) (E-5) of this
9 Section shall qualify for the exemptions described in Section
10 51 of the Retailers' Occupation Tax Act; any business so
11 designated as a High Impact Business being, for purposes of
12 this Section, a "Wind Energy Business".

13 (b-7) Beginning on January 1, 2021, businesses designated
14 as High Impact Businesses by the Department shall qualify for
15 the High Impact Business construction jobs credit under
16 subsection (h-5) of Section 201 of the Illinois Income Tax Act
17 if the business meets the criteria set forth in subsection (i)
18 of this Section. The total aggregate amount of credits awarded
19 under the Blue Collar Jobs Act (Article 20 of Public Act 101-9
20 ~~this amendatory Act of the 101st General Assembly~~) shall not
21 exceed \$20,000,000 in any State fiscal year.

22 (c) High Impact Businesses located in federally designated
23 foreign trade zones or sub-zones are also eligible for
24 additional credits, exemptions and deductions as described in
25 the following Acts: Section 9-221 and Section 9-222.1 of the
26 Public Utilities Act; and subsection (g) of Section 201, and

1 Section 203 of the Illinois Income Tax Act.

2 (d) Except for businesses contemplated under subdivision
3 (a) (3) (E) or (a) (3) (E-5) of this Section, existing Illinois
4 businesses which apply for designation as a High Impact
5 Business must provide the Department with the prospective plan
6 for which 1,500 full-time retained jobs would be eliminated in
7 the event that the business is not designated.

8 (e) Except for new wind power facilities contemplated
9 under subdivision (a) (3) (E) of this Section, new proposed
10 facilities which apply for designation as High Impact Business
11 must provide the Department with proof of alternative
12 non-Illinois sites which would receive the proposed investment
13 and job creation in the event that the business is not
14 designated as a High Impact Business.

15 (f) Except for businesses contemplated under subdivision
16 (a) (3) (E) of this Section, in the event that a business is
17 designated a High Impact Business and it is later determined
18 after reasonable notice and an opportunity for a hearing as
19 provided under the Illinois Administrative Procedure Act, that
20 the business would have placed in service in qualified
21 property the investments and created or retained the requisite
22 number of jobs without the benefits of the High Impact
23 Business designation, the Department shall be required to
24 immediately revoke the designation and notify the Director of
25 the Department of Revenue who shall begin proceedings to
26 recover all wrongfully exempted State taxes with interest. The

1 business shall also be ineligible for all State funded
2 Department programs for a period of 10 years.

3 (g) The Department shall revoke a High Impact Business
4 designation if the participating business fails to comply with
5 the terms and conditions of the designation. However, the
6 penalties for new wind power facilities or Wind Energy
7 Businesses for failure to comply with any of the terms or
8 conditions of the Illinois Prevailing Wage Act shall be only
9 those penalties identified in the Illinois Prevailing Wage
10 Act, and the Department shall not revoke a High Impact
11 Business designation as a result of the failure to comply with
12 any of the terms or conditions of the Illinois Prevailing Wage
13 Act in relation to a new wind power facility or a Wind Energy
14 Business.

15 (h) Prior to designating a business, the Department shall
16 provide the members of the General Assembly and Commission on
17 Government Forecasting and Accountability with a report
18 setting forth the terms and conditions of the designation and
19 guarantees that have been received by the Department in
20 relation to the proposed business being designated.

21 (i) High Impact Business construction jobs credit.
22 Beginning on January 1, 2021, a High Impact Business may
23 receive a tax credit against the tax imposed under subsections
24 (a) and (b) of Section 201 of the Illinois Income Tax Act in an
25 amount equal to 50% of the amount of the incremental income tax
26 attributable to High Impact Business construction jobs credit

1 employees employed in the course of completing a High Impact
2 Business construction jobs project. However, the High Impact
3 Business construction jobs credit may equal 75% of the amount
4 of the incremental income tax attributable to High Impact
5 Business construction jobs credit employees if the High Impact
6 Business construction jobs credit project is located in an
7 underserved area.

8 The Department shall certify to the Department of Revenue:
9 (1) the identity of taxpayers that are eligible for the High
10 Impact Business construction jobs credit; and (2) the amount
11 of High Impact Business construction jobs credits that are
12 claimed pursuant to subsection (h-5) of Section 201 of the
13 Illinois Income Tax Act in each taxable year. Any business
14 entity that receives a High Impact Business construction jobs
15 credit shall maintain a certified payroll pursuant to
16 subsection (j) of this Section.

17 As used in this subsection (i):

18 "High Impact Business construction jobs credit" means an
19 amount equal to 50% (or 75% if the High Impact Business
20 construction project is located in an underserved area) of the
21 incremental income tax attributable to High Impact Business
22 construction job employees. The total aggregate amount of
23 credits awarded under the Blue Collar Jobs Act (Article 20 of
24 Public Act 101-9 ~~this amendatory Act of the 101st General~~
25 ~~Assembly~~) shall not exceed \$20,000,000 in any State fiscal
26 year

1 "High Impact Business construction job employee" means a
2 laborer or worker who is employed by an Illinois contractor or
3 subcontractor in the actual construction work on the site of a
4 High Impact Business construction job project.

5 "High Impact Business construction jobs project" means
6 building a structure or building or making improvements of any
7 kind to real property, undertaken and commissioned by a
8 business that was designated as a High Impact Business by the
9 Department. The term "High Impact Business construction jobs
10 project" does not include the routine operation, routine
11 repair, or routine maintenance of existing structures,
12 buildings, or real property.

13 "Incremental income tax" means the total amount withheld
14 during the taxable year from the compensation of High Impact
15 Business construction job employees.

16 "Underserved area" means a geographic area that meets one
17 or more of the following conditions:

18 (1) the area has a poverty rate of at least 20%
19 according to the latest federal decennial census;

20 (2) 75% or more of the children in the area
21 participate in the federal free lunch program according to
22 reported statistics from the State Board of Education;

23 (3) at least 20% of the households in the area receive
24 assistance under the Supplemental Nutrition Assistance
25 Program (SNAP); or

26 (4) the area has an average unemployment rate, as

1 determined by the Illinois Department of Employment
2 Security, that is more than 120% of the national
3 unemployment average, as determined by the U.S. Department
4 of Labor, for a period of at least 2 consecutive calendar
5 years preceding the date of the application.

6 (j) Each contractor and subcontractor who is engaged in
7 and executing a High Impact Business Construction jobs
8 project, as defined under subsection (i) of this Section, for
9 a business that is entitled to a credit pursuant to subsection
10 (i) of this Section shall:

11 (1) make and keep, for a period of 5 years from the
12 date of the last payment made on or after June 5, 2019 (the
13 effective date of Public Act 101-9) ~~this amendatory Act of~~
14 ~~the 101st General Assembly~~ on a contract or subcontract
15 for a High Impact Business Construction Jobs Project,
16 records for all laborers and other workers employed by the
17 contractor or subcontractor on the project; the records
18 shall include:

19 (A) the worker's name;

20 (B) the worker's address;

21 (C) the worker's telephone number, if available;

22 (D) the worker's social security number;

23 (E) the worker's classification or
24 classifications;

25 (F) the worker's gross and net wages paid in each
26 pay period;

- 1 (G) the worker's number of hours worked each day;
- 2 (H) the worker's starting and ending times of work
- 3 each day;
- 4 (I) the worker's hourly wage rate; ~~and~~
- 5 (J) the worker's hourly overtime wage rate;
- 6 (K) the worker's race and ethnicity; and
- 7 (L) the worker's gender;

8 (2) no later than the 15th day of each calendar month,

9 provide a certified payroll for the immediately preceding

10 month to the taxpayer in charge of the High Impact

11 Business construction jobs project; within 5 business days

12 after receiving the certified payroll, the taxpayer shall

13 file the certified payroll with the Department of Labor

14 and the Department of Commerce and Economic Opportunity; a

15 certified payroll must be filed for only those calendar

16 months during which construction on a High Impact Business

17 construction jobs project has occurred; the certified

18 payroll shall consist of a complete copy of the records

19 identified in paragraph (1) of this subsection (j), but

20 may exclude the starting and ending times of work each

21 day; the certified payroll shall be accompanied by a

22 statement signed by the contractor or subcontractor or an

23 officer, employee, or agent of the contractor or

24 subcontractor which avers that:

25 (A) he or she has examined the certified payroll

26 records required to be submitted by the Act and such

1 records are true and accurate; and

2 (B) the contractor or subcontractor is aware that
3 filing a certified payroll that he or she knows to be
4 false is a Class A misdemeanor.

5 A general contractor is not prohibited from relying on a
6 certified payroll of a lower-tier subcontractor, provided the
7 general contractor does not knowingly rely upon a
8 subcontractor's false certification.

9 Any contractor or subcontractor subject to this
10 subsection, and any officer, employee, or agent of such
11 contractor or subcontractor whose duty as an officer,
12 employee, or agent it is to file a certified payroll under this
13 subsection, who willfully fails to file such a certified
14 payroll on or before the date such certified payroll is
15 required by this paragraph to be filed and any person who
16 willfully files a false certified payroll that is false as to
17 any material fact is in violation of this Act and guilty of a
18 Class A misdemeanor.

19 The taxpayer in charge of the project shall keep the
20 records submitted in accordance with this subsection on or
21 after June 5, 2019 (the effective date of Public Act 101-9)
22 ~~this amendatory Act of the 101st General Assembly~~ for a period
23 of 5 years from the date of the last payment for work on a
24 contract or subcontract for the High Impact Business
25 construction jobs project.

26 The records submitted in accordance with this subsection

1 shall be considered public records, except an employee's
2 address, telephone number, and social security number, and
3 made available in accordance with the Freedom of Information
4 Act. The Department of Labor shall ~~accept any reasonable~~
5 ~~submissions by the contractor that meet the requirements of~~
6 ~~this subsection (j) and shall~~ share the information with the
7 Department in order to comply with the awarding of a High
8 Impact Business construction jobs credit. A contractor,
9 subcontractor, or public body may retain records required
10 under this Section in paper or electronic format.

11 (k) Upon 7 business days' notice, each contractor and
12 subcontractor shall make available for inspection and copying
13 at a location within this State during reasonable hours, the
14 records identified in this subsection (j) to the taxpayer in
15 charge of the High Impact Business construction jobs project,
16 its officers and agents, the Director of the Department of
17 Labor and his or her deputies and agents, and to federal,
18 State, or local law enforcement agencies and prosecutors.

19 (Source: P.A. 101-9, eff. 6-5-19; revised 7-12-19.)

20 Section 15. The Public Utilities Act is amended by
21 changing Section 5-117 as follows:

22 (220 ILCS 5/5-117)

23 Sec. 5-117. Supplier diversity goals.

24 (a) The public policy of this State is to collaboratively

1 work with companies that serve Illinois residents to improve
2 their supplier diversity in a non-antagonistic manner.

3 (b) The Commission shall require all gas, electric, and
4 water companies with at least 100,000 customers under its
5 authority, as well as suppliers of wind energy, solar energy,
6 hydroelectricity, nuclear energy, and any other supplier of
7 energy within this State ~~other than wind energy and solar~~
8 ~~energy required to comply with the reporting requirements~~
9 ~~under Section 1505-215 of the Department of Labor Law of the~~
10 ~~Civil Administrative Code of Illinois,~~ to submit an annual
11 report by April 15, 2015 and every April 15 thereafter, in a
12 searchable Adobe PDF format, on all procurement goals and
13 actual spending for female-owned, minority-owned,
14 veteran-owned, and small business enterprises in the previous
15 calendar year. These goals shall be expressed as a percentage
16 of the total work performed by the entity submitting the
17 report, and the actual spending for all female-owned,
18 minority-owned, veteran-owned, and small business enterprises
19 shall also be expressed as a percentage of the total work
20 performed by the entity submitting the report.

21 (c) Each participating company in its annual report shall
22 include the following information:

23 (1) an explanation of the plan for the next year to
24 increase participation;

25 (2) an explanation of the plan to increase the goals;

26 (3) the areas of procurement each company shall be

1 actively seeking more participation in the next year;

2 (4) an outline of the plan to alert and encourage
3 potential vendors in that area to seek business from the
4 company;

5 (5) an explanation of the challenges faced in finding
6 quality vendors and offer any suggestions for what the
7 Commission could do to be helpful to identify those
8 vendors;

9 (6) a list of the certifications the company
10 recognizes;

11 (7) the point of contact for any potential vendor who
12 wishes to do business with the company and explain the
13 process for a vendor to enroll with the company as a
14 minority-owned, women-owned, or veteran-owned company; and

15 (8) any particular success stories to encourage other
16 companies to emulate best practices.

17 (d) Each annual report shall include as much
18 State-specific data as possible. If the submitting entity does
19 not submit State-specific data, then the company shall include
20 any national data it does have and explain why it could not
21 submit State-specific data and how it intends to do so in
22 future reports, if possible.

23 (e) Each annual report shall include the rules,
24 regulations, and definitions used for the procurement goals in
25 the company's annual report.

26 (f) The Commission and all participating entities shall

1 hold an annual workshop open to the public in 2015 and every
2 year thereafter on the state of supplier diversity to
3 collaboratively seek solutions to structural impediments to
4 achieving stated goals, including testimony from each
5 participating entity as well as subject matter experts and
6 advocates. The Commission shall publish a database on its
7 website of the point of contact for each participating entity
8 for supplier diversity, along with a list of certifications
9 each company recognizes from the information submitted in each
10 annual report. The Commission shall publish each annual report
11 on its website and shall maintain each annual report for at
12 least 5 years.

13 (Source: P.A. 102-558, eff. 8-20-21; 102-662, eff. 9-15-21.)

14 Section 20. The Energy Assistance Act is amended by
15 changing Section 13 as follows:

16 (305 ILCS 20/13)

17 (Text of Section from P.A. 102-16)

18 (Section scheduled to be repealed on January 1, 2025)

19 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

20 (a) The Supplemental Low-Income Energy Assistance Fund is
21 hereby created as a special fund in the State Treasury.
22 Notwithstanding any other law to the contrary, the
23 Supplemental Low-Income Energy Assistance Fund is not subject
24 to sweeps, administrative charge-backs, or any other fiscal or

1 budgetary maneuver that would in any way transfer any amounts
2 from the Supplemental Low-Income Energy Assistance Fund into
3 any other fund of the State. The Supplemental Low-Income
4 Energy Assistance Fund is authorized to receive moneys from
5 voluntary donations from individuals, foundations,
6 corporations, and other sources, moneys received pursuant to
7 Section 17, and, by statutory deposit, the moneys collected
8 pursuant to this Section. The Fund is also authorized to
9 receive voluntary donations from individuals, foundations,
10 corporations, and other sources. Subject to appropriation, the
11 Department shall use moneys from the Supplemental Low-Income
12 Energy Assistance Fund for payments to electric or gas public
13 utilities, municipal electric or gas utilities, and electric
14 cooperatives on behalf of their customers who are participants
15 in the program authorized by Sections 4 and 18 of this Act, for
16 the provision of weatherization services and for
17 administration of the Supplemental Low-Income Energy
18 Assistance Fund. All other deposits outside of the Energy
19 Assistance Charge as set forth in subsection (b) are not
20 subject to the percentage restrictions related to
21 administrative and weatherization expenses provided in this
22 subsection. The yearly expenditures for weatherization may not
23 exceed 10% of the amount collected during the year pursuant to
24 this Section, except when unspent funds from the Supplemental
25 Low-Income Energy Assistance Fund are reallocated from a
26 previous year; any unspent balance of the 10% weatherization

1 allowance may be utilized for weatherization expenses in the
2 year they are reallocated. The yearly administrative expenses
3 of the Supplemental Low-Income Energy Assistance Fund may not
4 exceed 13% of the amount collected during that year pursuant
5 to this Section, except when unspent funds from the
6 Supplemental Low-Income Energy Assistance Fund are reallocated
7 from a previous year; any unspent balance of the 13%
8 administrative allowance may be utilized for administrative
9 expenses in the year they are reallocated. Of the 13%
10 administrative allowance, no less than 8% shall be provided to
11 Local Administrative Agencies for administrative expenses.

12 (b) Notwithstanding the provisions of Section 16-111 of
13 the Public Utilities Act but subject to subsection (k) of this
14 Section, each public utility, electric cooperative, as defined
15 in Section 3.4 of the Electric Supplier Act, and municipal
16 utility, as referenced in Section 3-105 of the Public
17 Utilities Act, that is engaged in the delivery of electricity
18 or the distribution of natural gas within the State of
19 Illinois shall, effective January 1, 2022 ~~2021~~, assess each of
20 its customer accounts a monthly Energy Assistance Charge for
21 the Supplemental Low-Income Energy Assistance Fund. The
22 delivering public utility, municipal electric or gas utility,
23 or electric or gas cooperative for a self-assessing purchaser
24 remains subject to the collection of the fee imposed by this
25 Section. The monthly charge shall be as follows:

26 (1) Base Energy Assistance Charge per month on each

1 account for residential electrical service;

2 (2) Base Energy Assistance Charge per month on each
3 account for residential gas service;

4 (3) Ten times the Base Energy Assistance Charge per
5 month on each account for non-residential electric service
6 which had less than 10 megawatts of peak demand during the
7 previous calendar year;

8 (4) Ten times the Base Energy Assistance Charge per
9 month on each account for non-residential gas service
10 which had distributed to it less than 4,000,000 therms of
11 gas during the previous calendar year;

12 (5) Three hundred and seventy-five times the Base
13 Energy Assistance Charge per month on each account for
14 non-residential electric service which had 10 megawatts or
15 greater of peak demand during the previous calendar year;
16 and

17 (6) Three hundred and seventy-five times the Base
18 Energy Assistance Charge per month on each account For
19 non-residential gas service which had 4,000,000 or more
20 therms of gas distributed to it during the previous
21 calendar year.

22 The Base Energy Assistance Charge shall be \$0.48 per month
23 for the calendar year beginning January 1, 2022 and shall
24 increase by \$0.16 per month for any calendar year, provided no
25 less than 80% of the previous State fiscal year's available
26 Supplemental Low-Income Energy Assistance Fund funding was

1 exhausted. The maximum Base Energy Assistance Charge shall not
2 exceed \$0.96 per month for any calendar year.

3 The incremental change to such charges imposed by Public
4 Act 99-933 and this amendatory Act of the 102nd General
5 Assembly shall not (i) be used for any purpose other than to
6 directly assist customers and (ii) be applicable to utilities
7 serving less than 100,000 ~~25,000~~ customers in Illinois on
8 January 1, 2021. The incremental change to such charges
9 imposed by this amendatory Act of the 102nd General Assembly
10 are intended to increase utilization of the Percentage of
11 Income Payment Plan (PIPP or PIP Plan) and shall be applied
12 such that PIP Plan enrollment is at least doubled, as compared
13 to 2020 enrollment, by 2024.

14 In addition, electric and gas utilities have committed,
15 and shall contribute, a one-time payment of \$22 million to the
16 Fund, within 10 days after the effective date of the tariffs
17 established pursuant to Sections 16-111.8 and 19-145 of the
18 Public Utilities Act to be used for the Department's cost of
19 implementing the programs described in Section 18 of this
20 amendatory Act of the 96th General Assembly, the Arrearage
21 Reduction Program described in Section 18, and the programs
22 described in Section 8-105 of the Public Utilities Act. If a
23 utility elects not to file a rider within 90 days after the
24 effective date of this amendatory Act of the 96th General
25 Assembly, then the contribution from such utility shall be
26 made no later than February 1, 2010.

1 (c) For purposes of this Section:

2 (1) "residential electric service" means electric
3 utility service for household purposes delivered to a
4 dwelling of 2 or fewer units which is billed under a
5 residential rate, or electric utility service for
6 household purposes delivered to a dwelling unit or units
7 which is billed under a residential rate and is registered
8 by a separate meter for each dwelling unit;

9 (2) "residential gas service" means gas utility
10 service for household purposes distributed to a dwelling
11 of 2 or fewer units which is billed under a residential
12 rate, or gas utility service for household purposes
13 distributed to a dwelling unit or units which is billed
14 under a residential rate and is registered by a separate
15 meter for each dwelling unit;

16 (3) "non-residential electric service" means electric
17 utility service which is not residential electric service;
18 and

19 (4) "non-residential gas service" means gas utility
20 service which is not residential gas service.

21 (d) Within 30 days after the effective date of this
22 amendatory Act of the 96th General Assembly, each public
23 utility engaged in the delivery of electricity or the
24 distribution of natural gas shall file with the Illinois
25 Commerce Commission tariffs incorporating the Energy
26 Assistance Charge in other charges stated in such tariffs,

1 which shall become effective no later than the beginning of
2 the first billing cycle following such filing.

3 (e) The Energy Assistance Charge assessed by electric and
4 gas public utilities shall be considered a charge for public
5 utility service.

6 (f) By the 20th day of the month following the month in
7 which the charges imposed by the Section were collected, each
8 public utility, municipal utility, and electric cooperative
9 shall remit to the Department of Revenue all moneys received
10 as payment of the Energy Assistance Charge on a return
11 prescribed and furnished by the Department of Revenue showing
12 such information as the Department of Revenue may reasonably
13 require; provided, however, that a utility offering an
14 Arrearage Reduction Program or Supplemental Arrearage
15 Reduction Program pursuant to Section 18 of this Act shall be
16 entitled to net those amounts necessary to fund and recover
17 the costs of such Programs as authorized by that Section that
18 is no more than the incremental change in such Energy
19 Assistance Charge authorized by Public Act 96-33. If a
20 customer makes a partial payment, a public utility, municipal
21 utility, or electric cooperative may elect either: (i) to
22 apply such partial payments first to amounts owed to the
23 utility or cooperative for its services and then to payment
24 for the Energy Assistance Charge or (ii) to apply such partial
25 payments on a pro-rata basis between amounts owed to the
26 utility or cooperative for its services and to payment for the

1 Energy Assistance Charge.

2 If any payment provided for in this Section exceeds the
3 distributor's liabilities under this Act, as shown on an
4 original return, the Department may authorize the distributor
5 to credit such excess payment against liability subsequently
6 to be remitted to the Department under this Act, in accordance
7 with reasonable rules adopted by the Department. If the
8 Department subsequently determines that all or any part of the
9 credit taken was not actually due to the distributor, the
10 distributor's discount shall be reduced by an amount equal to
11 the difference between the discount as applied to the credit
12 taken and that actually due, and that distributor shall be
13 liable for penalties and interest on such difference.

14 (g) The Department of Revenue shall deposit into the
15 Supplemental Low-Income Energy Assistance Fund all moneys
16 remitted to it in accordance with subsection (f) of this
17 Section. The utilities shall coordinate with the Department to
18 establish an equitable and practical methodology for
19 implementing this subsection (g) beginning with the 2010
20 program year.

21 (h) On or before December 31, 2002, the Department shall
22 prepare a report for the General Assembly on the expenditure
23 of funds appropriated from the Low-Income Energy Assistance
24 Block Grant Fund for the program authorized under Section 4 of
25 this Act.

26 (i) The Department of Revenue may establish such rules as

1 it deems necessary to implement this Section.

2 (j) The Department of Commerce and Economic Opportunity
3 may establish such rules as it deems necessary to implement
4 this Section.

5 (k) The charges imposed by this Section shall only apply
6 to customers of municipal electric or gas utilities and
7 electric or gas cooperatives if the municipal electric or gas
8 utility or electric or gas cooperative makes an affirmative
9 decision to impose the charge. If a municipal electric or gas
10 utility or an electric cooperative makes an affirmative
11 decision to impose the charge provided by this Section, the
12 municipal electric or gas utility or electric cooperative
13 shall inform the Department of Revenue in writing of such
14 decision when it begins to impose the charge. If a municipal
15 electric or gas utility or electric or gas cooperative does
16 not assess this charge, the Department may not use funds from
17 the Supplemental Low-Income Energy Assistance Fund to provide
18 benefits to its customers under the program authorized by
19 Section 4 of this Act.

20 In its use of federal funds under this Act, the Department
21 may not cause a disproportionate share of those federal funds
22 to benefit customers of systems which do not assess the charge
23 provided by this Section.

24 This Section is repealed on January 1, 2025 unless renewed
25 by action of the General Assembly.

26 (Source: P.A. 102-16, eff. 6-17-21.)

1 (Text of Section from P.A. 102-176)

2 (Section scheduled to be repealed on January 1, 2025)

3 Sec. 13. Supplemental Low-Income Energy Assistance Fund.

4 (a) The Supplemental Low-Income Energy Assistance Fund is
5 hereby created as a special fund in the State Treasury. The
6 Supplemental Low-Income Energy Assistance Fund is authorized
7 to receive moneys from voluntary donations from individuals,
8 foundations, corporations, and other sources, moneys received
9 pursuant to Section 17, and, by statutory deposit, the moneys
10 collected pursuant to this Section. The Fund is also
11 authorized to receive voluntary donations from individuals,
12 foundations, corporations, and other sources. Subject to
13 appropriation, the Department shall use moneys from the
14 Supplemental Low-Income Energy Assistance Fund for payments to
15 electric or gas public utilities, municipal electric or gas
16 utilities, and electric cooperatives on behalf of their
17 customers who are participants in the program authorized by
18 Sections 4 and 18 of this Act, for the provision of
19 weatherization services and for administration of the
20 Supplemental Low-Income Energy Assistance Fund. All other
21 deposits outside of the Energy Assistance Charge as set forth
22 in subsection (b) are not subject to the percentage
23 restrictions related to administrative and weatherization
24 expenses provided in this subsection. The yearly expenditures
25 for weatherization may not exceed 10% of the amount collected

1 during the year pursuant to this Section, except when unspent
2 funds from the Supplemental Low-Income Energy Assistance Fund
3 are reallocated from a previous year; any unspent balance of
4 the 10% weatherization allowance may be utilized for
5 weatherization expenses in the year they are reallocated. The
6 yearly administrative expenses of the Supplemental Low-Income
7 Energy Assistance Fund may not exceed 13% of the amount
8 collected during that year pursuant to this Section, except
9 when unspent funds from the Supplemental Low-Income Energy
10 Assistance Fund are reallocated from a previous year; any
11 unspent balance of the 13% administrative allowance may be
12 utilized for administrative expenses in the year they are
13 reallocated. Of the 13% administrative allowance, no less than
14 8% shall be provided to Local Administrative Agencies for
15 administrative expenses.

16 (b) Notwithstanding the provisions of Section 16-111 of
17 the Public Utilities Act but subject to subsection (k) of this
18 Section, each public utility, electric cooperative, as defined
19 in Section 3.4 of the Electric Supplier Act, and municipal
20 utility, as referenced in Section 3-105 of the Public
21 Utilities Act, that is engaged in the delivery of electricity
22 or the distribution of natural gas within the State of
23 Illinois shall, effective January 1, 2022, assess each of its
24 customer accounts a monthly Energy Assistance Charge for the
25 Supplemental Low-Income Energy Assistance Fund. The delivering
26 public utility, municipal electric or gas utility, or electric

1 or gas cooperative for a self-assessing purchaser remains
2 subject to the collection of the fee imposed by this Section.
3 The monthly charge shall be as follows:

4 (1) Base Energy Assistance Charge per month on each
5 account for residential electrical service;

6 (2) Base Energy Assistance Charge per month on each
7 account for residential gas service;

8 (3) Ten times the Base Energy Assistance Charge per
9 month on each account for non-residential electric service
10 which had less than 10 megawatts of peak demand during the
11 previous calendar year;

12 (4) Ten times the Base Energy Assistance Charge per
13 month on each account for non-residential gas service
14 which had distributed to it less than 4,000,000 therms of
15 gas during the previous calendar year;

16 (5) Three hundred and seventy-five times the Base
17 Energy Assistance Charge per month on each account for
18 non-residential electric service which had 10 megawatts or
19 greater of peak demand during the previous calendar year;
20 and

21 (6) Three hundred and seventy-five times the Base
22 Energy Assistance Charge per month on each account for
23 non-residential gas service which had 4,000,000 or more
24 therms of gas distributed to it during the previous
25 calendar year.

26 The Base Energy Assistance Charge shall be \$0.48 per month

1 for the calendar year beginning January 1, 2022 and shall
2 increase by \$0.16 per month for any calendar year, provided no
3 less than 80% of the previous State fiscal year's available
4 Supplemental Low-Income Energy Assistance Fund funding was
5 exhausted. The maximum Base Energy Assistance Charge shall not
6 exceed \$0.96 per month for any calendar year.

7 The incremental change to such charges imposed by Public
8 Act 99-933 and this amendatory Act of the 102nd General
9 Assembly shall not (i) be used for any purpose other than to
10 directly assist customers and (ii) be applicable to utilities
11 serving less than 100,000 ~~25,000~~ customers in Illinois on
12 January 1, 2021. The incremental change to such charges
13 imposed by this amendatory Act of the 102nd General Assembly
14 are intended to increase utilization of the Percentage of
15 Income Payment Plan (PIPP or PIP Plan) and shall be applied
16 such that PIP Plan enrollment is at least doubled, as compared
17 to 2020 enrollment, by 2024.

18 In addition, electric and gas utilities have committed,
19 and shall contribute, a one-time payment of \$22 million to the
20 Fund, within 10 days after the effective date of the tariffs
21 established pursuant to Sections 16-111.8 and 19-145 of the
22 Public Utilities Act to be used for the Department's cost of
23 implementing the programs described in Section 18 of this
24 amendatory Act of the 96th General Assembly, the Arrearage
25 Reduction Program described in Section 18, and the programs
26 described in Section 8-105 of the Public Utilities Act. If a

1 utility elects not to file a rider within 90 days after the
2 effective date of this amendatory Act of the 96th General
3 Assembly, then the contribution from such utility shall be
4 made no later than February 1, 2010.

5 (c) For purposes of this Section:

6 (1) "residential electric service" means electric
7 utility service for household purposes delivered to a
8 dwelling of 2 or fewer units which is billed under a
9 residential rate, or electric utility service for
10 household purposes delivered to a dwelling unit or units
11 which is billed under a residential rate and is registered
12 by a separate meter for each dwelling unit;

13 (2) "residential gas service" means gas utility
14 service for household purposes distributed to a dwelling
15 of 2 or fewer units which is billed under a residential
16 rate, or gas utility service for household purposes
17 distributed to a dwelling unit or units which is billed
18 under a residential rate and is registered by a separate
19 meter for each dwelling unit;

20 (3) "non-residential electric service" means electric
21 utility service which is not residential electric service;
22 and

23 (4) "non-residential gas service" means gas utility
24 service which is not residential gas service.

25 (d) Within 30 days after the effective date of this
26 amendatory Act of the 96th General Assembly, each public

1 utility engaged in the delivery of electricity or the
2 distribution of natural gas shall file with the Illinois
3 Commerce Commission tariffs incorporating the Energy
4 Assistance Charge in other charges stated in such tariffs,
5 which shall become effective no later than the beginning of
6 the first billing cycle following such filing.

7 (e) The Energy Assistance Charge assessed by electric and
8 gas public utilities shall be considered a charge for public
9 utility service.

10 (f) By the 20th day of the month following the month in
11 which the charges imposed by the Section were collected, each
12 public utility, municipal utility, and electric cooperative
13 shall remit to the Department of Revenue all moneys received
14 as payment of the Energy Assistance Charge on a return
15 prescribed and furnished by the Department of Revenue showing
16 such information as the Department of Revenue may reasonably
17 require; provided, however, that a utility offering an
18 Arrearage Reduction Program or Supplemental Arrearage
19 Reduction Program pursuant to Section 18 of this Act shall be
20 entitled to net those amounts necessary to fund and recover
21 the costs of such Programs as authorized by that Section that
22 is no more than the incremental change in such Energy
23 Assistance Charge authorized by Public Act 96-33. If a
24 customer makes a partial payment, a public utility, municipal
25 utility, or electric cooperative may elect either: (i) to
26 apply such partial payments first to amounts owed to the

1 utility or cooperative for its services and then to payment
2 for the Energy Assistance Charge or (ii) to apply such partial
3 payments on a pro-rata basis between amounts owed to the
4 utility or cooperative for its services and to payment for the
5 Energy Assistance Charge.

6 If any payment provided for in this Section exceeds the
7 distributor's liabilities under this Act, as shown on an
8 original return, the Department may authorize the distributor
9 to credit such excess payment against liability subsequently
10 to be remitted to the Department under this Act, in accordance
11 with reasonable rules adopted by the Department. If the
12 Department subsequently determines that all or any part of the
13 credit taken was not actually due to the distributor, the
14 distributor's discount shall be reduced by an amount equal to
15 the difference between the discount as applied to the credit
16 taken and that actually due, and that distributor shall be
17 liable for penalties and interest on such difference.

18 (g) The Department of Revenue shall deposit into the
19 Supplemental Low-Income Energy Assistance Fund all moneys
20 remitted to it in accordance with subsection (f) of this
21 Section. The utilities shall coordinate with the Department to
22 establish an equitable and practical methodology for
23 implementing this subsection (g) beginning with the 2010
24 program year.

25 (h) On or before December 31, 2002, the Department shall
26 prepare a report for the General Assembly on the expenditure

1 of funds appropriated from the Low-Income Energy Assistance
2 Block Grant Fund for the program authorized under Section 4 of
3 this Act.

4 (i) The Department of Revenue may establish such rules as
5 it deems necessary to implement this Section.

6 (j) The Department of Commerce and Economic Opportunity
7 may establish such rules as it deems necessary to implement
8 this Section.

9 (k) The charges imposed by this Section shall only apply
10 to customers of municipal electric or gas utilities and
11 electric or gas cooperatives if the municipal electric or gas
12 utility or electric or gas cooperative makes an affirmative
13 decision to impose the charge. If a municipal electric or gas
14 utility or an electric cooperative makes an affirmative
15 decision to impose the charge provided by this Section, the
16 municipal electric or gas utility or electric cooperative
17 shall inform the Department of Revenue in writing of such
18 decision when it begins to impose the charge. If a municipal
19 electric or gas utility or electric or gas cooperative does
20 not assess this charge, the Department may not use funds from
21 the Supplemental Low-Income Energy Assistance Fund to provide
22 benefits to its customers under the program authorized by
23 Section 4 of this Act.

24 In its use of federal funds under this Act, the Department
25 may not cause a disproportionate share of those federal funds
26 to benefit customers of systems which do not assess the charge

1 provided by this Section.

2 This Section is repealed on January 1, 2025 unless renewed
3 by action of the General Assembly.

4 (Source: P.A. 102-176, eff. 6-1-22.)

5 Section 25. The Prevailing Wage Act is amended by changing
6 Section 2 as follows:

7 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

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

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

16 "Public works" means all fixed works constructed or
17 demolished by any public body, or paid for wholly or in part
18 out of public funds. "Public works" as defined herein includes
19 all projects financed in whole or in part with bonds, grants,
20 loans, or other funds made available by or through the State or
21 any of its political subdivisions, including but not limited
22 to: bonds issued under the Industrial Project Revenue Bond Act
23 (Article 11, Division 74 of the Illinois Municipal Code), the
24 Industrial Building Revenue Bond Act, the Illinois Finance

1 Authority Act, the Illinois Sports Facilities Authority Act,
2 or the Build Illinois Bond Act; loans or other funds made
3 available pursuant to the Build Illinois Act; loans or other
4 funds made available pursuant to the Riverfront Development
5 Fund under Section 10-15 of the River Edge Redevelopment Zone
6 Act; or funds from the Fund for Illinois' Future under Section
7 6z-47 of the State Finance Act, funds for school construction
8 under Section 5 of the General Obligation Bond Act, funds
9 authorized under Section 3 of the School Construction Bond
10 Act, funds for school infrastructure under Section 6z-45 of
11 the State Finance Act, and funds for transportation purposes
12 under Section 4 of the General Obligation Bond Act. "Public
13 works" also includes (i) all projects financed in whole or in
14 part with funds from the Department of Commerce and Economic
15 Opportunity under the Illinois Renewable Fuels Development
16 Program Act for which there is no project labor agreement;
17 (ii) all work performed pursuant to a public private agreement
18 under the Public Private Agreements for the Illiana Expressway
19 Act or the Public-Private Agreements for the South Suburban
20 Airport Act; and (iii) all projects undertaken under a
21 public-private agreement under the Public-Private Partnerships
22 for Transportation Act. "Public works" also includes all
23 projects at leased facility property used for airport purposes
24 under Section 35 of the Local Government Facility Lease Act.
25 "Public works" also includes the construction of a new wind
26 power facility by a business designated as a High Impact

1 Business under Section 5.5(a)(3)(E) and the construction of a
2 new utility-scale solar power facility by a business
3 designated as a High Impact Business under Section
4 5.5(a)(3)(E-5) of the Illinois Enterprise Zone Act. "Public
5 works" also includes electric vehicle charging station
6 projects financed pursuant to the Electric Vehicle Act and
7 renewable energy projects required to pay the prevailing wage
8 pursuant to the Illinois Power Agency Act. "Public works" does
9 not include work done directly by any public utility company,
10 whether or not done under public supervision or direction, or
11 paid for wholly or in part out of public funds. "Public works"
12 also includes any corrective action performed pursuant to
13 Title XVI of the Environmental Protection Act for which
14 payment from the Underground Storage Tank Fund is requested.
15 "Public works" does not include projects undertaken by the
16 owner at an owner-occupied single-family residence or at an
17 owner-occupied unit of a multi-family residence. "Public
18 works" does not include work performed for soil and water
19 conservation purposes on agricultural lands, whether or not
20 done under public supervision or paid for wholly or in part out
21 of public funds, done directly by an owner or person who has
22 legal control of those lands.

23 "Construction" means all work on public works involving
24 laborers, workers or mechanics. This includes any maintenance,
25 repair, assembly, or disassembly work performed on equipment
26 whether owned, leased, or rented.

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

14 "Public body" means the State or any officer, board or
15 commission of the State or any political subdivision or
16 department thereof, or any institution supported in whole or
17 in part by public funds, and includes every county, city,
18 town, village, township, school district, irrigation, utility,
19 reclamation improvement or other district and every other
20 political subdivision, district or municipality of the state
21 whether such political subdivision, municipality or district
22 operates under a special charter or not.

23 "Labor organization" means an organization that is the
24 exclusive representative of an employer's employees recognized
25 or certified pursuant to the National Labor Relations Act.

26 The terms "general prevailing rate of hourly wages",

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

9 (Source: P.A. 100-1177, eff. 6-1-19.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."