



Sen. Melinda Bush

**Filed: 3/23/2021**

10200SB1747sam001

LRB102 12964 HLH 24112 a

1 AMENDMENT TO SENATE BILL 1747

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1747 on page 6,  
3 immediately below line 5, by inserting the following:

4 "(e) Green energy enterprise projects receiving incentives  
5 under this Act shall comply with the requirements of the  
6 Prevailing Wage Act."; and

7 on page 187, immediately below line 7, by inserting the  
8 following:

9 "Section 10-40. The Prevailing Wage Act is amended by  
10 changing Section 2 as follows:

11 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

12 Sec. 2. This Act applies to the wages of laborers,  
13 mechanics and other workers employed in any public works, as  
14 hereinafter defined, by any public body and to anyone under

1 contracts for public works. This includes any maintenance,  
2 repair, assembly, or disassembly work performed on equipment  
3 whether owned, leased, or rented.

4 As used in this Act, unless the context indicates  
5 otherwise:

6 "Public works" means all fixed works constructed or  
7 demolished by any public body, or paid for wholly or in part  
8 out of public funds. "Public works" as defined herein includes  
9 all projects financed in whole or in part with bonds, grants,  
10 loans, or other funds made available by or through the State or  
11 any of its political subdivisions, including but not limited  
12 to: bonds issued under the Industrial Project Revenue Bond Act  
13 (Article 11, Division 74 of the Illinois Municipal Code), the  
14 Industrial Building Revenue Bond Act, the Illinois Finance  
15 Authority Act, the Illinois Sports Facilities Authority Act,  
16 or the Build Illinois Bond Act; loans or other funds made  
17 available pursuant to the Build Illinois Act; loans or other  
18 funds made available pursuant to the Riverfront Development  
19 Fund under Section 10-15 of the River Edge Redevelopment Zone  
20 Act; or funds from the Fund for Illinois' Future under Section  
21 6z-47 of the State Finance Act, funds for school construction  
22 under Section 5 of the General Obligation Bond Act, funds  
23 authorized under Section 3 of the School Construction Bond  
24 Act, funds for school infrastructure under Section 6z-45 of  
25 the State Finance Act, and funds for transportation purposes  
26 under Section 4 of the General Obligation Bond Act. "Public

1 works" also includes (i) all projects financed in whole or in  
2 part with funds from the Department of Commerce and Economic  
3 Opportunity under the Illinois Renewable Fuels Development  
4 Program Act for which there is no project labor agreement;  
5 (ii) all work performed pursuant to a public private agreement  
6 under the Public Private Agreements for the Illiana Expressway  
7 Act or the Public-Private Agreements for the South Suburban  
8 Airport Act; and (iii) all projects undertaken under a  
9 public-private agreement under the Public-Private Partnerships  
10 for Transportation Act. "Public works" also includes all  
11 projects at leased facility property used for airport purposes  
12 under Section 35 of the Local Government Facility Lease Act.  
13 "Public works" also includes the construction of a new wind  
14 power facility by a business designated as a High Impact  
15 Business under Section 5.5(a)(3)(E) of the Illinois Enterprise  
16 Zone Act. "Public works" also includes projects qualifying for  
17 incentives under the Illinois Energy Transition Zone Act.  
18 "Public works" does not include work done directly by any  
19 public utility company, whether or not done under public  
20 supervision or direction, or paid for wholly or in part out of  
21 public funds. "Public works" also includes any corrective  
22 action performed pursuant to Title XVI of the Environmental  
23 Protection Act for which payment from the Underground Storage  
24 Tank Fund is requested. "Public works" does not include  
25 projects undertaken by the owner at an owner-occupied  
26 single-family residence or at an owner-occupied unit of a

1 multi-family residence. "Public works" does not include work  
2 performed for soil and water conservation purposes on  
3 agricultural lands, whether or not done under public  
4 supervision or paid for wholly or in part out of public funds,  
5 done directly by an owner or person who has legal control of  
6 those lands.

7 "Construction" means all work on public works involving  
8 laborers, workers or mechanics. This includes any maintenance,  
9 repair, assembly, or disassembly work performed on equipment  
10 whether owned, leased, or rented.

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

24 "Public body" means the State or any officer, board or  
25 commission of the State or any political subdivision or  
26 department thereof, or any institution supported in whole or

1 in part by public funds, and includes every county, city,  
2 town, village, township, school district, irrigation, utility,  
3 reclamation improvement or other district and every other  
4 political subdivision, district or municipality of the state  
5 whether such political subdivision, municipality or district  
6 operates under a special charter or not.

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

10 The terms "general prevailing rate of hourly wages",  
11 "general prevailing rate of wages" or "prevailing rate of  
12 wages" when used in this Act mean the hourly cash wages plus  
13 annualized fringe benefits for training and apprenticeship  
14 programs approved by the U.S. Department of Labor, Bureau of  
15 Apprenticeship and Training, health and welfare, insurance,  
16 vacations and pensions paid generally, in the locality in  
17 which the work is being performed, to employees engaged in  
18 work of a similar character on public works.

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