



Sen. Melinda Bush

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10200SB1747sam003

LRB102 12964 HLH 25414 a

1 AMENDMENT TO SENATE BILL 1747

2 AMENDMENT NO. _____. Amend Senate Bill 1747, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 2, on page 6, immediately below line 12, by inserting the
5 following:

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

9 on page 109, immediately below line 18, by inserting the
10 following:

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

13 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)
14 Sec. 2. This Act applies to the wages of laborers,

1 mechanics and other workers employed in any public works, as
2 hereinafter defined, by any public body and to anyone under
3 contracts for public works. This includes any maintenance,
4 repair, assembly, or disassembly work performed on equipment
5 whether owned, leased, or rented.

6 As used in this Act, unless the context indicates
7 otherwise:

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

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

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

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

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

26 "Public body" means the State or any officer, board or

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

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

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

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