

SB1394



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1394

Introduced 2/9/2007, by Sen. John O. Jones

SYNOPSIS AS INTRODUCED:

820 ILCS 130/2

from Ch. 48, par. 39s-2

Amends the Prevailing Wage Act. Provides that "public works" includes any construction, demolition, remediation, or renovation that requires a permit issued by the Illinois Environmental Protection Agency with an aggregate amount of work in excess of \$250,000. Effective immediately.

LRB095 04732 RLC 24791 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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.

11 As used in this Act, unless the context indicates
12 otherwise:

13 "Public works" means all fixed works constructed by any
14 public body, other than 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" as defined herein includes all projects
18 financed in whole or in part with bonds issued under the
19 Industrial Project Revenue Bond Act (Article 11, Division 74 of
20 the Illinois Municipal Code), the Industrial Building Revenue
21 Bond Act, the Illinois Finance Authority Act, the Illinois
22 Sports Facilities Authority Act, or the Build Illinois Bond
23 Act, and all projects financed in whole or in part with loans

1 or other funds made available pursuant to the Build Illinois
2 Act. "Public works" also includes all projects financed in
3 whole or in part with funds from the Fund for Illinois' Future
4 under Section 6z-47 of the State Finance Act, funds for school
5 construction under Section 5 of the General Obligation Bond
6 Act, funds authorized under Section 3 of the School
7 Construction Bond Act, funds for school infrastructure under
8 Section 6z-45 of the State Finance Act, and funds for
9 transportation purposes under Section 4 of the General
10 Obligation Bond Act. "Public works" also includes all projects
11 financed in whole or in part with funds from the Department of
12 Commerce and Economic Opportunity under the Illinois Renewable
13 Fuels Development Program Act for which there is no project
14 labor agreement. "Public works" also includes all projects at
15 leased facility property used for airport purposes under
16 Section 35 of the Local Government Facility Lease Act. "Public
17 works" also includes any construction, demolition,
18 remediation, or renovation that requires a permit issued by the
19 Illinois Environmental Protection Agency with an aggregate
20 amount of work in excess of \$250,000.

21 "Construction" means all work on public works involving
22 laborers, workers or mechanics.

23 "Locality" means the county where the physical work upon
24 public works is performed, except (1) that if there is not
25 available in the county a sufficient number of competent
26 skilled laborers, workers and mechanics to construct the public

1 works efficiently and properly, "locality" includes any other
2 county nearest the one in which the work or construction is to
3 be performed and from which such persons may be obtained in
4 sufficient numbers to perform the work and (2) that, with
5 respect to contracts for highway work with the Department of
6 Transportation of this State, "locality" may at the discretion
7 of the Secretary of the Department of Transportation be
8 construed to include two or more adjacent counties from which
9 workers may be accessible for work on such construction.

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

19 The terms "general prevailing rate of hourly wages",
20 "general prevailing rate of wages" or "prevailing rate of
21 wages" when used in this Act mean the hourly cash wages plus
22 fringe benefits for training and apprenticeship programs
23 approved by the U.S. Department of Labor, Bureau of
24 Apprenticeship and Training, health and welfare, insurance,
25 vacations and pensions paid generally, in the locality in which
26 the work is being performed, to employees engaged in work of a

1 similar character on public works.

2 (Source: P.A. 93-15, eff. 6-11-03; 93-16, eff. 1-1-04; 93-205,
3 eff. 1-1-04; 94-750, eff. 5-9-06.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.