



Rep. John E. Bradley

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LRB095 14722 RLC 51662 a

1 AMENDMENT TO SENATE BILL 2216

2 AMENDMENT NO. _____. Amend Senate Bill 2216 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 3. The Prevailing Wage Act is amended by changing
5 Sections 2 and 3 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, other than work done directly by

1 any public utility company, whether or not done under public
2 supervision or direction, or paid for wholly or in part out of
3 public funds. "Public works" as defined herein includes all
4 projects financed in whole or in part with bonds issued under
5 the Industrial Project Revenue Bond Act (Article 11, Division
6 74 of the Illinois Municipal Code), the Industrial Building
7 Revenue Bond Act, the Illinois Finance Authority Act, the
8 Illinois Sports Facilities Authority Act, or the Build Illinois
9 Bond Act, and all projects financed in whole or in part with
10 loans or other funds made available pursuant to the Build
11 Illinois Act. "Public works" also includes all projects
12 financed in whole or in part with funds from the Fund for
13 Illinois' Future under Section 6z-47 of the State Finance Act,
14 funds for school construction under Section 5 of the General
15 Obligation Bond Act, funds authorized under Section 3 of the
16 School Construction Bond Act, funds for school infrastructure
17 under Section 6z-45 of the State Finance Act, and funds for
18 transportation purposes under Section 4 of the General
19 Obligation Bond Act. "Public works" also includes all projects
20 financed in whole or in part with funds from the Department of
21 Commerce and Economic Opportunity under the Illinois Renewable
22 Fuels Development Program Act for which there is no project
23 labor agreement. "Public works" also includes all projects at
24 leased facility property used for airport purposes under
25 Section 35 of the Local Government Facility Lease Act.

26 "Construction" means all work on public works involving

1 laborers, workers or mechanics. This includes any maintenance,
2 repair, assembly, or disassembly work performed on equipment
3 whether owned, leased, or rented.

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

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

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 fringe benefits for training and apprenticeship programs
4 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 which
7 the work is being performed, to employees engaged in work of a
8 similar character on public works.

9 (Source: P.A. 94-750, eff. 5-9-06; 95-341, eff. 8-21-07.)

10 (820 ILCS 130/3) (from Ch. 48, par. 39s-3)

11 Sec. 3. Not less than the general prevailing rate of hourly
12 wages for work of a similar character on public works in the
13 locality in which the work is performed, and not less than the
14 general prevailing rate of hourly wages for legal holiday and
15 overtime work, shall be paid to all laborers, workers and
16 mechanics employed by or on behalf of any public body engaged
17 in the construction or demolition of public works. This
18 includes any maintenance, repair, assembly, or disassembly
19 work performed on equipment whether owned, leased, or rented.
20 Only such laborers, workers and mechanics as are directly
21 employed by contractors or subcontractors in actual
22 construction work on the site of the building or construction
23 job, and laborers, workers and mechanics engaged in the
24 transportation of materials and equipment to or from the site,
25 but not including the transportation by the sellers and

1 suppliers or the manufacture or processing of materials or
2 equipment, in the execution of any contract or contracts for
3 public works with any public body shall be deemed to be
4 employed upon public works. The wage for a tradesman performing
5 maintenance is equivalent to that of a tradesman engaged in
6 construction or demolition.

7 (Source: P.A. 95-341, eff. 8-21-07.)"; and

8 on page 1, line 14, by replacing "Act takes" with "Section and
9 Section 5 of this Act take".