



Rep. Thomas Bennett

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09900HB1625ham001

LRB099 06296 JLS 32544 a

1 AMENDMENT TO HOUSE BILL 1625

2 AMENDMENT NO. _____. Amend House Bill 1625 by replacing
3 everything after the enacting clause with the following:

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. 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, or paid for wholly or in part

1 out of public funds. "Public works" as defined herein includes
2 all projects financed in whole or in part with bonds, grants,
3 loans, or other funds made available by or through the State or
4 any of its political subdivisions, including but not limited
5 to: bonds issued under the Industrial Project Revenue Bond Act
6 (Article 11, Division 74 of the Illinois Municipal Code), the
7 Industrial Building Revenue Bond Act, the Illinois Finance
8 Authority Act, the Illinois Sports Facilities Authority Act, or
9 the Build Illinois Bond Act; loans or other funds made
10 available pursuant to the Build Illinois Act; loans or other
11 funds made available pursuant to the Riverfront Development
12 Fund under Section 10-15 of the River Edge Redevelopment Zone
13 Act; or funds from the Fund for Illinois' Future under Section
14 6z-47 of the State Finance Act, funds for school construction
15 under Section 5 of the General Obligation Bond Act, funds
16 authorized under Section 3 of the School Construction Bond Act,
17 funds for school infrastructure under Section 6z-45 of the
18 State Finance Act, and funds for transportation purposes under
19 Section 4 of the General Obligation Bond Act. "Public works"
20 also includes (i) all projects financed in whole or in part
21 with funds from the Department of Commerce and Economic
22 Opportunity under the Illinois Renewable Fuels Development
23 Program Act for which there is no project labor agreement; (ii)
24 all work performed pursuant to a public private agreement under
25 the Public Private Agreements for the Illiana Expressway Act or
26 the Public-Private Agreements for the South Suburban Airport

1 Act; and (iii) all projects undertaken under a public-private
2 agreement under the Public-Private Partnerships for
3 Transportation Act. "Public works" also includes all projects
4 at leased facility property used for airport purposes under
5 Section 35 of the Local Government Facility Lease Act. "Public
6 works" also includes the construction of a new wind power
7 facility by a business designated as a High Impact Business
8 under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act.
9 "Public works" does not include work done directly by any
10 public utility company, whether or not done under public
11 supervision or direction, or paid for wholly or in part out of
12 public funds. "Public works" also includes any corrective
13 action performed pursuant to Title XVI of the Environmental
14 Protection Act for which payment from the Underground Storage
15 Tank Fund is requested. "Public works" does not include
16 projects undertaken by the owner at an owner-occupied
17 single-family residence or at an owner-occupied unit of a
18 multi-family residence. "Public works" does not include work
19 performed for soil and water conservation purposes on
20 agricultural lands, whether or not done under public
21 supervision or paid for wholly or in part out of public funds,
22 done directly by an owner or person who has legal control of
23 those lands.

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

1 whether owned, leased, or rented.

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

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

24 "Public utility company" means (1) a privately owned public
25 utility as defined and regulated under the Public Utilities
26 Act, (2) a public utility that is owned and operated by any

1 political subdivision, public institution of higher education,
2 or municipal corporation of this State, or (3) a public utility
3 that is owned by a political subdivision, public institution of
4 higher education, or municipal corporation and operated,
5 wholly or in part, by any of its lessees or operating agents.
6 The term "lessee" or "operating agent" includes any person or
7 entity operating a publicly owned utility, wholly or in part,
8 under a lease or contract and, with the public owner of the
9 utility, is a public utility company.

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 which
17 the work is being performed, to employees engaged in work of a
18 similar character on public works.

19 (Source: P.A. 97-502, eff. 8-23-11; 98-109, eff. 7-25-13;
20 98-482, eff. 1-1-14; 98-740, eff. 7-16-14; 98-756, eff.
21 7-16-14.)".