



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2496

Introduced 2/6/2018, by Sen. William E. Brady

SYNOPSIS AS INTRODUCED:

5 ILCS 315/15

from Ch. 48, par. 1615

5 ILCS 430/1-15 new

Amends the Illinois Public Labor Relations Act. Provides that the Illinois Public Labor Relations Act does not take precedence over the provisions of the State Officials and Employee Ethics Act relating to wages, hours, and conditions of employment and employment relations. Amends the State Officials and Employees Ethics Act. Provides that in case of any conflict between the provisions of the State Officials and Employees Ethics Act and any other existing and future law, including existing preemption statutes, executive order, administrative regulation, collective bargaining agreement, or other agreements, the provisions of the Act shall prevail and control, after the effective date of this amendatory Act.

LRB100 18974 RJF 34225 b

1 AN ACT concerning government.

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

4 Section 5. The Illinois Public Labor Relations Act is
5 amended by changing Section 15 as follows:

6 (5 ILCS 315/15) (from Ch. 48, par. 1615)

7 (Text of Section WITHOUT the changes made by P.A. 98-599,
8 which has been held unconstitutional)

9 Sec. 15. Act Takes Precedence.

10 (a) In case of any conflict between the provisions of this
11 Act and any other law (other than Section 5 of the State
12 Employees Group Insurance Act of 1971, other than any provision
13 of the State Officials and Employee Ethics Act, and other than
14 the changes made to the Illinois Pension Code by this
15 amendatory Act of the 96th General Assembly), executive order
16 or administrative regulation relating to wages, hours and
17 conditions of employment and employment relations, the
18 provisions of this Act or any collective bargaining agreement
19 negotiated thereunder shall prevail and control. Nothing in
20 this Act shall be construed to replace or diminish the rights
21 of employees established by Sections 28 and 28a of the
22 Metropolitan Transit Authority Act, Sections 2.15 through 2.19
23 of the Regional Transportation Authority Act. The provisions of

1 this Act are subject to Section 5 of the State Employees Group
2 Insurance Act of 1971. Nothing in this Act shall be construed
3 to replace the necessity of complaints against a sworn peace
4 officer, as defined in Section 2(a) of the Uniform Peace
5 Officer Disciplinary Act, from having a complaint supported by
6 a sworn affidavit.

7 (b) Except as provided in subsection (a) above, any
8 collective bargaining contract between a public employer and a
9 labor organization executed pursuant to this Act shall
10 supersede any contrary statutes, charters, ordinances, rules
11 or regulations relating to wages, hours and conditions of
12 employment and employment relations adopted by the public
13 employer or its agents. Any collective bargaining agreement
14 entered into prior to the effective date of this Act shall
15 remain in full force during its duration.

16 (c) It is the public policy of this State, pursuant to
17 paragraphs (h) and (i) of Section 6 of Article VII of the
18 Illinois Constitution, that the provisions of this Act are the
19 exclusive exercise by the State of powers and functions which
20 might otherwise be exercised by home rule units. Such powers
21 and functions may not be exercised concurrently, either
22 directly or indirectly, by any unit of local government,
23 including any home rule unit, except as otherwise authorized by
24 this Act.

25 (Source: P.A. 95-331, eff. 8-21-07; 96-889, eff. 1-1-11.)

1 Section 10. The State Officials and Employees Ethics Act is
2 amended by adding Section 1-15 as follows:

3 (5 ILCS 430/1-15 new)

4 Sec. 1-15. Act takes precedence. In case of any conflict
5 between the provisions of this Act and any other existing and
6 future law, including existing preemption statutes, executive
7 order, administrative regulation, collective bargaining
8 agreement, or other agreements, the provisions of this Act
9 shall prevail and control, after the effective date of this
10 amendatory Act of the 100th General Assembly.