



Rep. Charles Meier

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10400HB2328ham001

LRB104 11799 SPS 35699 a

1 AMENDMENT TO HOUSE BILL 2328

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2328 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Minimum Wage Law is amended by changing  
5 Section 10 as follows:

6 (820 ILCS 105/10) (from Ch. 48, par. 1010)

7 Sec. 10. (a) The Director shall make and revise  
8 administrative regulations, including definitions of terms, as  
9 the Director deems appropriate to carry out the purposes of  
10 this Act, to prevent the circumvention or evasion thereof, and  
11 to safeguard the minimum wage established by the Act.

12 (b) In order to prevent curtailment of opportunities for  
13 employment, avoid undue hardship, and safeguard the minimum  
14 wage rate under this Act, the Director may also issue  
15 regulations providing for the employment of workers with  
16 disabilities and learners at wages lower than the wage rate

1 applicable under this Act, under permits and for such periods  
2 of time as specified therein; and providing for the employment  
3 of learners at wages lower than the wage rate applicable under  
4 this Act as follows:

5 (1) The Director may issue regulations for the  
6 employment of workers with disabilities at wages lower  
7 than the wage rate applicable under this Act, under  
8 permits and for such periods of time as specified therein.  
9 Such regulation shall not permit lower wages for persons  
10 with disabilities on any basis that is unrelated to such  
11 person's ability resulting from his disability, and such  
12 regulation may be issued only after notice and opportunity  
13 for public hearing as provided in subsection (c) of this  
14 Section. All certificates issued for the employment of  
15 workers with disabilities in accordance with this Section  
16 in effect on December 31, 2031 ~~2029~~, shall expire on that  
17 date, and the Director may not issue any such certificates  
18 after that date.

19 (2) The Director may issue regulations for the  
20 employment of learners at wages lower than the wage rate  
21 applicable under this Act. Regulations governing  
22 employment of learners may be issued only after notice and  
23 opportunity for public hearing, as provided in subsection  
24 (c) of this Section.

25 (c) Prior to the adoption, amendment or repeal of any rule  
26 or regulation by the Director under this Act, except

1 regulations which concern only the internal management of the  
2 Department of Labor and do not affect any public right  
3 provided by this Act, the Director shall give proper notice to  
4 persons in any industry or occupation that may be affected by  
5 the proposed rule or regulation, and hold a public hearing on  
6 the proposed action at which any such affected person, or the  
7 person's duly authorized representative, may attend and  
8 testify or present other evidence for or against such proposed  
9 rule or regulation. Rules and regulations adopted under this  
10 Section shall be filed with the Secretary of State in  
11 compliance with the Illinois Administrative Procedure Act.

12 (d) The commencement of proceedings by any person  
13 aggrieved by an administrative regulation issued under this  
14 Act does not, unless specifically ordered by the Court,  
15 operate as a stay of that administrative regulation against  
16 other persons. The Court shall not grant any stay of an  
17 administrative regulation unless the person complaining of  
18 such regulation files in the Court an undertaking with a  
19 surety or sureties satisfactory to the Court for the payment  
20 to the employees affected by the regulation, in the event such  
21 regulation is affirmed, of the amount by which the  
22 compensation such employees are entitled to receive under the  
23 regulation exceeds the compensation they actually receive  
24 while such stay is in effect.

25 (e) The Department may adopt emergency rules in accordance  
26 with Section 5-45 of the Illinois Administrative Procedure Act

1 to implement the changes made by this amendatory Act of the  
2 101st General Assembly.

3 (Source: P.A. 103-363, eff. 7-28-23; 103-1060, eff. 1-21-25.)

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