

HB3809



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3809

Introduced 2/18/2025, by Rep. William "Will" Davis

SYNOPSIS AS INTRODUCED:

5 ILCS 70/1.33	from Ch. 1, par. 1034
30 ILCS 330/12	from Ch. 127, par. 662
30 ILCS 390/Act rep.	
820 ILCS 130/2	

Repeals the School Construction Bond Act. Amends the Statute on Statutes, the General Obligation Bond Act, and the Prevailing Wage Act to make conforming changes.

LRB104 07854 SPS 17900 b

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The Statute on Statutes is amended by changing
5 Section 1.33 as follows:

6 (5 ILCS 70/1.33) (from Ch. 1, par. 1034)

7 Sec. 1.33. Whenever there is a reference in any Act to ~~the~~
8 ~~School Construction Bond Act, or~~ the Illinois Coal and Energy
9 Development Bond Act, such reference shall be interpreted to
10 include the General Obligation Bond Act.

11 (Source: P.A. 103-616, eff. 7-1-24; revised 10-23-24.)

12 Section 10. The General Obligation Bond Act is amended by
13 changing Section 12 as follows:

14 (30 ILCS 330/12) (from Ch. 127, par. 662)

15 Sec. 12. Allocation of proceeds from sale of Bonds.

16 (a) Proceeds from the sale of Bonds, authorized by Section
17 3 of this Act, shall be deposited in the separate fund known as
18 the Capital Development Fund, a special fund that was created
19 under Section 6 of the Capital Development Bond Act of 1972
20 (repealed) and is continued under this amendatory Act of the
21 103rd General Assembly, which may be expended as provided by

1 law.

2 (b) Proceeds from the sale of Bonds, authorized by
3 paragraph (a) of Section 4 of this Act, shall be deposited in
4 the separate fund known as the Transportation Bond, Series A
5 Fund, a special fund that was created under Section 4 of the
6 Transportation Bond Act (repealed) and is continued under this
7 amendatory Act of the 103rd General Assembly, which may be
8 expended as provided by law.

9 (c) Proceeds from the sale of Bonds, authorized by
10 paragraphs (b) and (c) of Section 4 of this Act, shall be
11 deposited in the separate fund known as the Transportation
12 Bond, Series B Fund, a special fund that was created under
13 Section 4 of the Transportation Bond Act (repealed) and is
14 continued under this amendatory Act of the 103rd General
15 Assembly, which may be expended as provided by law.

16 (c-1) Proceeds from the sale of Bonds, authorized by
17 paragraph (d) of Section 4 of this Act, shall be deposited into
18 the Transportation Bond Series D Fund, which is hereby
19 created.

20 (c-2) Proceeds from the sale of Bonds, authorized by
21 paragraph (e) of Section 4 of this Act, shall be deposited into
22 the Multi-modal Transportation Bond Fund, which is hereby
23 created.

24 (d) Proceeds from the sale of Bonds, authorized by Section
25 5 of this Act, shall be deposited in the separate fund known as
26 the School Construction Fund, a special fund that was created

1 under Section 6 of the School Construction Bond Act (repealed)
2 and is continued under this amendatory Act of the 104th
3 General Assembly, which may be expended as provided by law.

4 (e) Proceeds from the sale of Bonds, authorized by Section
5 6 of this Act, shall be deposited in the separate fund known as
6 the Anti-Pollution Fund, a special fund that was created under
7 Section 3 of the Anti-Pollution Bond Act (repealed) and is
8 continued under this amendatory Act of the 103rd General
9 Assembly, which may be expended as provided by law.

10 (f) Proceeds from the sale of Bonds, authorized by Section
11 7 of this Act, shall be deposited in the separate fund known as
12 the Coal Development Fund, a special fund that was created
13 under Section 10 of the Illinois Coal and Energy Development
14 Bond Act (repealed) and is continued under this amendatory Act
15 of the 103rd General Assembly, which may be expended as
16 provided by law.

17 (f-2) Proceeds from the sale of Bonds, authorized by
18 Section 7.2 of this Act, shall be deposited as set forth in
19 Section 7.2.

20 (f-5) Proceeds from the sale of Bonds, authorized by
21 Section 7.5 of this Act, shall be deposited as set forth in
22 Section 7.5.

23 (f-7) Proceeds from the sale of Bonds, authorized by
24 Section 7.6 of this Act, shall be deposited as set forth in
25 Section 7.6.

26 (f-8) Proceeds from the sale of Bonds, authorized by

1 Section 7.7 of this Act, shall be deposited as set forth in
2 Section 7.7.

3 (g) Proceeds from the sale of Bonds, authorized by Section
4 8 of this Act, shall be deposited in the Capital Development
5 Fund.

6 (h) Subsequent to the issuance of any Bonds for the
7 purposes described in Sections 2 through 8 of this Act, the
8 Governor and the Director of the Governor's Office of
9 Management and Budget may provide for the reallocation of
10 unspent proceeds of such Bonds to any other purposes
11 authorized under said Sections of this Act, subject to the
12 limitations on aggregate principal amounts contained therein.
13 Upon any such reallocation, such unspent proceeds shall be
14 transferred to the appropriate funds as determined by
15 reference to paragraphs (a) through (g) of this Section.

16 (Source: P.A. 103-616, eff. 7-1-24.)

17 (30 ILCS 390/Act rep.)

18 Section 15. The School Construction Bond Act is repealed.

19 Section 20. The Prevailing Wage Act is amended by changing
20 Section 2 as follows:

21 (820 ILCS 130/2)

22 Sec. 2. This Act applies to the wages of laborers,
23 mechanics and other workers employed in any public works, as

1 hereinafter defined, by any public body and to anyone under
2 contracts for public works. This includes any maintenance,
3 repair, assembly, or disassembly work performed on equipment
4 whether owned, leased, or rented.

5 As used in this Act, unless the context indicates
6 otherwise:

7 "Public works" means all fixed works constructed or
8 demolished by any public body, or paid for wholly or in part
9 out of public funds. "Public works" as defined herein includes
10 all projects financed in whole or in part with bonds, grants,
11 loans, or other funds made available by or through the State or
12 any of its political subdivisions, including but not limited
13 to: bonds issued under the Industrial Project Revenue Bond Act
14 (Article 11, Division 74 of the Illinois Municipal Code), the
15 Industrial Building Revenue Bond Act, the Illinois Finance
16 Authority Act, the Illinois Sports Facilities Authority Act,
17 or the Build Illinois Bond Act; loans or other funds made
18 available pursuant to the Build Illinois Act; loans or other
19 funds made available pursuant to the Riverfront Development
20 Fund under Section 10-15 of the River Edge Redevelopment Zone
21 Act; or funds from the Fund for Illinois' Future under Section
22 6z-47 of the State Finance Act, funds for school construction
23 under Section 5 of the General Obligation Bond Act, funds
24 authorized under Section 3 of the School Construction Bond Act
25 (now repealed), funds for school infrastructure under Section
26 6z-45 of the State Finance Act, and funds for transportation

1 purposes under Section 4 of the General Obligation Bond Act.
2 "Public works" also includes (i) all projects financed in
3 whole or in part with funds from the Environmental Protection
4 Agency under the Illinois Renewable Fuels Development Program
5 Act for which there is no project labor agreement; (ii) all
6 work performed pursuant to a public private agreement under
7 the Public Private Agreements for the Illiana Expressway Act
8 or the Public-Private Agreements for the South Suburban
9 Airport Act; (iii) all projects undertaken under a
10 public-private agreement under the Public-Private Partnerships
11 for Transportation Act or the Department of Natural Resources
12 World Shooting and Recreational Complex Act; and (iv) all
13 transportation facilities undertaken under a design-build
14 contract or a Construction Manager/General Contractor contract
15 under the Innovations for Transportation Infrastructure Act.
16 "Public works" also includes all projects at leased facility
17 property used for airport purposes under Section 35 of the
18 Local Government Facility Lease Act. "Public works" also
19 includes the construction of a new wind power facility by a
20 business designated as a High Impact Business under Section
21 5.5(a)(3)(E) and the construction of a new utility-scale solar
22 power facility by a business designated as a High Impact
23 Business under Section 5.5(a)(3)(E-5) of the Illinois
24 Enterprise Zone Act. "Public works" also includes electric
25 vehicle charging station projects financed pursuant to the
26 Electric Vehicle Act and renewable energy projects required to

1 pay the prevailing wage pursuant to the Illinois Power Agency
2 Act. "Public works" also includes power washing projects by a
3 public body or paid for wholly or in part out of public funds
4 in which steam or pressurized water, with or without added
5 abrasives or chemicals, is used to remove paint or other
6 coatings, oils or grease, corrosion, or debris from a surface
7 or to prepare a surface for a coating. "Public works" does not
8 include work done directly by any public utility company,
9 whether or not done under public supervision or direction, or
10 paid for wholly or in part out of public funds. "Public works"
11 also includes construction projects performed by a third party
12 contracted by any public utility, as described in subsection
13 (a) of Section 2.1, in public rights-of-way, as defined in
14 Section 21-201 of the Public Utilities Act, whether or not
15 done under public supervision or direction, or paid for wholly
16 or in part out of public funds. "Public works" also includes
17 construction projects that exceed 15 aggregate miles of new
18 fiber optic cable, performed by a third party contracted by
19 any public utility, as described in subsection (b) of Section
20 2.1, in public rights-of-way, as defined in Section 21-201 of
21 the Public Utilities Act, whether or not done under public
22 supervision or direction, or paid for wholly or in part out of
23 public funds. "Public works" also includes any corrective
24 action performed pursuant to Title XVI of the Environmental
25 Protection Act for which payment from the Underground Storage
26 Tank Fund is requested. "Public works" also includes all

1 construction projects involving fixtures or permanent
2 attachments affixed to light poles that are owned by a public
3 body, including street light poles, traffic light poles, and
4 other lighting fixtures, whether or not done under public
5 supervision or direction, or paid for wholly or in part out of
6 public funds, unless the project is performed by employees
7 employed directly by the public body. "Public works" also
8 includes work performed subject to the Mechanical Insulation
9 Energy and Safety Assessment Act. "Public works" also includes
10 the removal, hauling, and transportation of biosolids, lime
11 sludge, and lime residue from a water treatment plant or
12 facility and the disposal of biosolids, lime sludge, and lime
13 residue removed from a water treatment plant or facility at a
14 landfill. "Public works" does not include projects undertaken
15 by the owner at an owner-occupied single-family residence or
16 at an owner-occupied unit of a multi-family residence. "Public
17 works" does not include work performed for soil and water
18 conservation purposes on agricultural lands, whether or not
19 done under public supervision or paid for wholly or in part out
20 of public funds, done directly by an owner or person who has
21 legal control of those lands.

22 "Construction" means all work on public works involving
23 laborers, workers or mechanics. This includes any maintenance,
24 repair, assembly, or disassembly work performed on equipment
25 whether owned, leased, or rented.

26 "Locality" means the county where the physical work upon

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

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

22 "Labor organization" means an organization that is the
23 exclusive representative of an employer's employees recognized
24 or certified pursuant to the National Labor Relations Act.

25 The terms "general prevailing rate of hourly wages",
26 "general prevailing rate of wages" or "prevailing rate of

1 wages" when used in this Act mean the hourly cash wages plus
2 annualized fringe benefits for training and apprenticeship
3 programs approved by the U.S. Department of Labor, Bureau of
4 Apprenticeship and Training, health and welfare, insurance,
5 vacations and pensions paid generally, in the locality in
6 which the work is being performed, to employees engaged in
7 work of a similar character on public works.

8 (Source: P.A. 102-9, eff. 1-1-22; 102-444, eff. 8-20-21;
9 102-673, eff. 11-30-21; 102-813, eff. 5-13-22; 102-1094, eff.
10 6-15-22; 103-8, eff. 6-7-23; 103-327, eff. 1-1-24; 103-346,
11 eff. 1-1-24; 103-359, eff. 7-28-23; 103-447, eff. 8-4-23;
12 103-605, eff. 7-1-24.)