

# HB4751



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4751

by Rep. Jay Hoffman

### SYNOPSIS AS INTRODUCED:

820 ILCS 130/2  
820 ILCS 130/2.2 new

Amends the Prevailing Wage Act. Restores certain provisions of the Act to the form in which they existed before Public Act 104-17 took effect. Provides that nothing in the Act prohibits the payment of wages and fringe benefits for work performed under the Act that is based upon the craft and the skill level of the laborers, mechanics, or other employees who perform the work if the wages and fringe benefits are established and are paid in accordance with a collective bargaining agreement or understanding between an employer or an employer association and a bona fide labor organization for work performed of a similar character in the locality in which the work is performed. Effective July 1, 2026.

LRB104 20092 SPS 33543 b

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 5. The Prevailing Wage Act is amended by changing  
5 Section 2 and by adding Section 2.2 as follows:

6 (820 ILCS 130/2)

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  
17 out of public funds. "Public works" as defined herein includes  
18 all projects financed in whole or in part with bonds, grants,  
19 loans, or other funds made available by or through the State or  
20 any of its political subdivisions, including, but not limited  
21 to: bonds issued under the Industrial Project Revenue Bond Act  
22 (Article 11, Division 74 of the Illinois Municipal Code), the  
23 Industrial Building Revenue Bond Act, the Illinois Finance

1 Authority Act, the Illinois Sports Facilities Authority Act,  
2 or the Build Illinois Bond Act; loans or other funds made  
3 available pursuant to the Build Illinois Act; loans or other  
4 funds made available pursuant to the Riverfront Development  
5 Fund under Section 10-15 of the River Edge Redevelopment Zone  
6 Act; or funds from the Fund for Illinois' Future under Section  
7 6z-47 of the State Finance Act, funds for school construction  
8 under Section 5 of the General Obligation Bond Act, funds  
9 authorized under Section 3 of the School Construction Bond  
10 Act, funds for school infrastructure under Section 6z-45 of  
11 the State Finance Act, and funds for transportation purposes  
12 under Section 4 of the General Obligation Bond Act. "Public  
13 works" also includes all federal construction projects  
14 administered or controlled by a public body if the prevailing  
15 rate of wages is equal to or greater than the prevailing wage  
16 determination by the United States Secretary of Labor for the  
17 same locality for the same type of construction used to  
18 classify the federal construction project. "Public works" also  
19 includes (i) all projects financed in whole or in part with  
20 funds from the Environmental Protection Agency under the  
21 Illinois Renewable Fuels Development Program Act for which  
22 there is no project labor agreement; (ii) all work performed  
23 pursuant to a public private agreement under the Public  
24 Private Agreements for the Illiana Expressway Act or the  
25 Public-Private Agreements for the South Suburban Airport Act;  
26 (iii) all projects undertaken under a public-private agreement

1 under the Public-Private Partnerships for Transportation Act  
2 or the Department of Natural Resources World Shooting and  
3 Recreational Complex Act; and (iv) all transportation  
4 facilities undertaken under a design-build contract or a  
5 Construction Manager/General Contractor contract under the  
6 Innovations for Transportation Infrastructure Act. "Public  
7 works" also includes all projects at leased facility property  
8 used for airport purposes under Section 35 of the Local  
9 Government Facility Lease Act. "Public works" also includes  
10 the construction of a new wind power facility by a business  
11 designated as a High Impact Business under Section  
12 5.5(a)(3)(E) of the Illinois Enterprise Zone Act, the  
13 construction of a new utility-scale solar power facility by a  
14 business designated as a High Impact Business under Section  
15 5.5(a)(3)(E-5) of the Illinois Enterprise Zone Act, the  
16 construction of a new battery energy storage solution facility  
17 by a business designated as a High Impact Business under  
18 Section 5.5(a)(3)(I) of the Illinois Enterprise Zone Act, and  
19 the construction of a high voltage direct current converter  
20 station by a business designated as a High Impact Business  
21 under Section 5.5(a)(3)(J) of the Illinois Enterprise Zone  
22 Act. "Public works" also includes electric vehicle charging  
23 station projects financed pursuant to the Electric Vehicle Act  
24 and renewable energy projects required to pay the prevailing  
25 wage pursuant to the Illinois Power Agency Act. "Public works"  
26 also includes power washing projects by a public body or paid

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

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

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  
8 public works efficiently and properly, "locality" includes any  
9 other county nearest the one in which the work or construction  
10 is to be performed and from which such persons may be obtained  
11 in 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  
20 in part by public funds, and includes every county, city,  
21 town, 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 "Labor organization" means an organization that is the

1 exclusive representative of an employer's employees recognized  
2 or certified pursuant to the National Labor Relations Act.

3 The terms "general prevailing rate of hourly wages",  
4 "general prevailing rate of wages" or "prevailing rate of  
5 wages" when used in this Act mean the hourly cash wages plus  
6 ~~full journeyman~~ annualized fringe benefits for training and  
7 apprenticeship programs approved by ~~registered with~~ the U.S.  
8 Department of Labor, Bureau of Apprenticeship and Training,  
9 ~~Office of Apprenticeship within the U.S. Department of Labor's~~  
10 ~~Employment and Training Administration with full journeymen~~  
11 ~~annualized fringe benefits for health and welfare, insurance,~~  
12 ~~vacations,~~ and pensions paid generally, in the locality in  
13 which the work is being performed, to employees engaged in  
14 work of a similar character on public works.

15 (Source: P.A. 103-8, eff. 6-7-23; 103-327, eff. 1-1-24;  
16 103-346, eff. 1-1-24; 103-359, eff. 7-28-23; 103-447, eff.  
17 8-4-23; 103-605, eff. 7-1-24; 103-1066, eff. 2-20-25; 104-17,  
18 eff. 7-1-26 (see Section 35-5 of P.A. 104-434 for effective  
19 date of P.A. 104-17); 104-23, eff. 6-30-25; 104-160, eff.  
20 8-14-25; revised 12-2-25.)

21 (820 ILCS 130/2.2 new)

22 Sec. 2.2. Skilled laborers. Nothing in this Act shall  
23 prohibit the payment of wages and fringe benefits for work  
24 performed under this Act that is based upon the craft and the  
25 skill level of the laborers, mechanics, or other employees who

1 perform the work if the wages and fringe benefits are  
2 established and are paid in accordance with a collective  
3 bargaining agreement or understanding between an employer or  
4 an employer association and a bona fide labor organization for  
5 work performed of a similar character in the locality in which  
6 the work is performed.

7 Section 99. Effective date. This Act takes effect July 1,  
8 2026.