



Rep. William Davis

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10100SB3096ham002

LRB101 18366 SPS 74847 a

1 AMENDMENT TO SENATE BILL 3096

2 AMENDMENT NO. _____. Amend Senate Bill 3096, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 22, by replacing lines 17 through 25 with the
5 following:

6 "Any company that receives a renewable energy credit
7 contract from the Emergency Relief for Renewable Jobs Program
8 for projects over 500 kilowatts in nameplate capacity must
9 certify that not less than the prevailing wage, as determined
10 pursuant to the Prevailing Wage Act, was or will be paid to
11 employees who are engaged in construction activities
12 associated with the project."; and

13 on page 26, immediately below line 13, by inserting the
14 following:

15 "Section 10. The Prevailing Wage Act is amended by changing
16 Section 2 as follows:

1 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

2 Sec. 2. This Act applies to the wages of laborers,
3 mechanics and other workers employed in any public works, as
4 hereinafter defined, by any public body and to anyone under
5 contracts for public works. This includes any maintenance,
6 repair, assembly, or disassembly work performed on equipment
7 whether owned, leased, or rented.

8 As used in this Act, unless the context indicates
9 otherwise:

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

1 under Section 5 of the General Obligation Bond Act, funds
2 authorized under Section 3 of the School Construction Bond Act,
3 funds for school infrastructure under Section 6z-45 of the
4 State Finance Act, and funds for transportation purposes under
5 Section 4 of the General Obligation Bond Act. "Public works"
6 also includes (i) all projects financed in whole or in part
7 with funds from the Department of Commerce and Economic
8 Opportunity under the Illinois Renewable Fuels Development
9 Program Act for which there is no project labor agreement; (ii)
10 all work performed pursuant to a public private agreement under
11 the Public Private Agreements for the Illiana Expressway Act or
12 the Public-Private Agreements for the South Suburban Airport
13 Act; and (iii) all projects undertaken under a public-private
14 agreement under the Public-Private Partnerships for
15 Transportation Act. "Public works" also includes all projects
16 at leased facility property used for airport purposes under
17 Section 35 of the Local Government Facility Lease Act. "Public
18 works" also includes the construction of a new wind power
19 facility by a business designated as a High Impact Business
20 under Section 5.5(a)(3)(E) of the Illinois Enterprise Zone Act
21 and any facility financed in whole or in part with renewable
22 energy credits procured pursuant to paragraph (3) of subsection
23 (k-5) of Section 16-108 of the Public Utilities Act. "Public
24 works" does not include work done directly by any public
25 utility company, whether or not done under public supervision
26 or direction, or paid for wholly or in part out of public

1 funds. "Public works" also includes any corrective action
2 performed pursuant to Title XVI of the Environmental Protection
3 Act for which payment from the Underground Storage Tank Fund is
4 requested. "Public works" does not include projects undertaken
5 by the owner at an owner-occupied single-family residence or at
6 an owner-occupied unit of a multi-family residence. "Public
7 works" does not include work performed for soil and water
8 conservation purposes on agricultural lands, whether or not
9 done under public supervision or paid for wholly or in part out
10 of public funds, done directly by an owner or person who has
11 legal control of those lands.

12 "Construction" means all work on public works involving
13 laborers, workers or mechanics. This includes any maintenance,
14 repair, assembly, or disassembly work performed on equipment
15 whether owned, leased, or rented.

16 "Locality" means the county where the physical work upon
17 public works is performed, except (1) that if there is not
18 available in the county a sufficient number of competent
19 skilled laborers, workers and mechanics to construct the public
20 works efficiently and properly, "locality" includes any other
21 county nearest the one in which the work or construction is to
22 be performed and from which such persons may be obtained in
23 sufficient numbers to perform the work and (2) that, with
24 respect to contracts for highway work with the Department of
25 Transportation of this State, "locality" may at the discretion
26 of the Secretary of the Department of Transportation be

1 construed to include two or more adjacent counties from which
2 workers may be accessible for work on such construction.

3 "Public body" means the State or any officer, board or
4 commission of the State or any political subdivision or
5 department thereof, or any institution supported in whole or in
6 part by public funds, and includes every county, city, town,
7 village, township, school district, irrigation, utility,
8 reclamation improvement or other district and every other
9 political subdivision, district or municipality of the state
10 whether such political subdivision, municipality or district
11 operates under a special charter or not.

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

15 The terms "general prevailing rate of hourly wages",
16 "general prevailing rate of wages" or "prevailing rate of
17 wages" when used in this Act mean the hourly cash wages plus
18 annualized fringe benefits for training and apprenticeship
19 programs approved by the U.S. Department of Labor, Bureau of
20 Apprenticeship and Training, health and welfare, insurance,
21 vacations and pensions paid generally, in the locality in which
22 the work is being performed, to employees engaged in work of a
23 similar character on public works.

24 (Source: P.A. 100-1177, eff. 6-1-19.)".