



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1948

Introduced 2/23/2007, by Rep. Brandon W. Phelps

#### SYNOPSIS AS INTRODUCED:

820 ILCS 130/2

from Ch. 48, par. 39s-2

Amends the Prevailing Wage Act. In the definition of "public works", includes fixed works "paid for wholly or in part out of public funds or anything of value" (instead of "paid for wholly or in part out of public funds or anything of value").

LRB095 09589 WGH 29789 b

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 as follows:

6 (820 ILCS 130/2) (from Ch. 48, par. 39s-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.

11 As used in this Act, unless the context indicates  
12 otherwise:

13 "Public works" means all fixed works constructed by any  
14 public body, other than work done directly by any public  
15 utility company, whether or not done under public supervision  
16 or direction, or paid for wholly or in part out of public funds  
17 or anything of value. "Public works" as defined herein includes  
18 all projects financed in whole or in part with bonds issued  
19 under the Industrial Project Revenue Bond Act (Article 11,  
20 Division 74 of the Illinois Municipal Code), the Industrial  
21 Building Revenue Bond Act, the Illinois Finance Authority Act,  
22 the Illinois Sports Facilities Authority Act, or the Build  
23 Illinois Bond Act, and all projects financed in whole or in

1 part with loans or other funds made available pursuant to the  
2 Build Illinois Act. "Public works" also includes all projects  
3 financed in whole or in part with funds from the Fund for  
4 Illinois' Future under Section 6z-47 of the State Finance Act,  
5 funds for school construction under Section 5 of the General  
6 Obligation Bond Act, funds authorized under Section 3 of the  
7 School Construction Bond Act, funds for school infrastructure  
8 under Section 6z-45 of the State Finance Act, and funds for  
9 transportation purposes under Section 4 of the General  
10 Obligation Bond Act. "Public works" also includes all projects  
11 financed in whole or in part with funds from the Department of  
12 Commerce and Economic Opportunity under the Illinois Renewable  
13 Fuels Development Program Act for which there is no project  
14 labor agreement. "Public works" also includes all projects at  
15 leased facility property used for airport purposes under  
16 Section 35 of the Local Government Facility Lease Act.

17 "Construction" means all work on public works involving  
18 laborers, workers or mechanics.

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

1 respect to contracts for highway work with the Department of  
2 Transportation of this State, "locality" may at the discretion  
3 of the Secretary of the Department of Transportation be  
4 construed to include two or more adjacent counties from which  
5 workers may be accessible for work on such construction.

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

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 fringe benefits for training and apprenticeship programs  
19 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. 93-15, eff. 6-11-03; 93-16, eff. 1-1-04; 93-205,  
25 eff. 1-1-04; 94-750, eff. 5-9-06.)