



Sen. David Koehler

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09700SB3232sam001

LRB097 16830 JLS 66744 a

1 AMENDMENT TO SENATE BILL 3232

2 AMENDMENT NO. _____. Amend Senate Bill 3232 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Prevailing Wage Act is amended by changing
5 Section 11a as follows:

6 (820 ILCS 130/11a) (from Ch. 48, par. 39s-11a)

7 Sec. 11a. The Director of ~~the~~ the Department of Labor shall
8 publish in the Illinois Register no less often than once each
9 calendar quarter a list of contractors or subcontractors found
10 to have disregarded their obligations to employees under this
11 Act. The Department of Labor shall determine the contractors or
12 subcontractors who, on 2 separate occasions within 5 years,
13 have been determined to have violated the provisions of this
14 Act. Upon such determination the Department shall notify the
15 violating contractor or subcontractor. Such contractor or
16 subcontractor shall then have 10 working days to request a

1 hearing by the Department on the alleged violations. Failure to
2 respond within the 10 working day period shall result in
3 automatic and immediate placement and publication on the list.
4 If the contractor or subcontractor requests a hearing within
5 the 10 working day period, the Director shall set a hearing on
6 the alleged violations. Such hearing shall take place no later
7 than 45 calendar days after the receipt by the Department of
8 Labor of the request for a hearing. The Department of Labor is
9 empowered to promulgate, adopt, amend and rescind rules and
10 regulations to govern the hearing procedure. No contract shall
11 be awarded to a contractor or subcontractor appearing on the
12 list, or to any firm, corporation, partnership or association
13 in which such contractor or subcontractor has an interest until
14 4 years have elapsed from the date of publication of the list
15 containing the name of such contractor or subcontractor.

16 A contractor or subcontractor convicted or found guilty
17 under Section 5 or 6 of this Act shall be subject to an
18 automatic and immediate debarment, thereafter prohibited from
19 participating in any public works project for 4 years, with no
20 right to a hearing.

21 (Source: P.A. 97-571, eff. 1-1-12.)".