

HB1056



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1056

Introduced 1/9/2025, by Rep. Dave Vella

SYNOPSIS AS INTRODUCED:

820 ILCS 130/2

Amends the Prevailing Wage Act. Provides that the definition of "public works" includes all fixed works constructed or demolished on publicly-owned property.

LRB104 03146 SPS 13167 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 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, or on publicly-owned property. "Public
18 works" as defined herein includes all projects financed in
19 whole or in part with bonds, grants, loans, or other funds made
20 available by or through the State or any of its political
21 subdivisions, including but not limited to: bonds issued under
22 the Industrial Project Revenue Bond Act (Article 11, Division
23 74 of the Illinois Municipal Code), the Industrial Building

1 Revenue Bond Act, the Illinois Finance Authority Act, the
2 Illinois Sports Facilities Authority Act, or the Build
3 Illinois Bond Act; loans or other funds made available
4 pursuant to the Build Illinois Act; loans or other funds made
5 available pursuant to the Riverfront Development Fund under
6 Section 10-15 of the River Edge Redevelopment Zone Act; or
7 funds from the Fund for Illinois' Future under Section 6z-47
8 of the State Finance Act, funds for school construction under
9 Section 5 of the General Obligation Bond Act, funds authorized
10 under Section 3 of the School Construction Bond Act, funds for
11 school infrastructure under Section 6z-45 of the State Finance
12 Act, and funds for transportation purposes under Section 4 of
13 the General Obligation Bond Act. "Public works" also includes
14 (i) all projects financed in whole or in part with funds from
15 the Environmental Protection Agency under the Illinois
16 Renewable Fuels Development Program Act for which there is no
17 project labor agreement; (ii) all work performed pursuant to a
18 public private agreement under the Public Private Agreements
19 for the Illiana Expressway Act or the Public-Private
20 Agreements for the South Suburban Airport Act; (iii) all
21 projects undertaken under a public-private agreement under the
22 Public-Private Partnerships for Transportation Act or the
23 Department of Natural Resources World Shooting and
24 Recreational Complex Act; and (iv) all transportation
25 facilities undertaken under a design-build contract or a
26 Construction Manager/General Contractor contract under the

1 Innovations for Transportation Infrastructure Act. "Public
2 works" also includes all projects at leased facility property
3 used for airport purposes under Section 35 of the Local
4 Government Facility Lease Act. "Public works" also includes
5 the construction of a new wind power facility by a business
6 designated as a High Impact Business under Section
7 5.5(a)(3)(E) and the construction of a new utility-scale solar
8 power facility by a business designated as a High Impact
9 Business under Section 5.5(a)(3)(E-5) of the Illinois
10 Enterprise Zone Act. "Public works" also includes electric
11 vehicle charging station projects financed pursuant to the
12 Electric Vehicle Act and renewable energy projects required to
13 pay the prevailing wage pursuant to the Illinois Power Agency
14 Act. "Public works" also includes power washing projects by a
15 public body or paid for wholly or in part out of public funds
16 in which steam or pressurized water, with or without added
17 abrasives or chemicals, is used to remove paint or other
18 coatings, oils or grease, corrosion, or debris from a surface
19 or to prepare a surface for a coating. "Public works" does not
20 include work done directly by any public utility company,
21 whether or not done under public supervision or direction, or
22 paid for wholly or in part out of public funds. "Public works"
23 also includes construction projects performed by a third party
24 contracted by any public utility, as described in subsection
25 (a) of Section 2.1, in public rights-of-way, as defined in
26 Section 21-201 of the Public Utilities Act, whether or not

1 done under public supervision or direction, or paid for wholly
2 or in part out of public funds. "Public works" also includes
3 construction projects that exceed 15 aggregate miles of new
4 fiber optic cable, performed by a third party contracted by
5 any public utility, as described in subsection (b) of Section
6 2.1, in public rights-of-way, as defined in Section 21-201 of
7 the Public Utilities Act, whether or not done under public
8 supervision or direction, or paid for wholly or in part out of
9 public funds. "Public works" also includes any corrective
10 action performed pursuant to Title XVI of the Environmental
11 Protection Act for which payment from the Underground Storage
12 Tank Fund is requested. "Public works" also includes all
13 construction projects involving fixtures or permanent
14 attachments affixed to light poles that are owned by a public
15 body, including street light poles, traffic light poles, and
16 other lighting fixtures, whether or not done under public
17 supervision or direction, or paid for wholly or in part out of
18 public funds, unless the project is performed by employees
19 employed directly by the public body. "Public works" also
20 includes work performed subject to the Mechanical Insulation
21 Energy and Safety Assessment Act. "Public works" also includes
22 the removal, hauling, and transportation of biosolids, lime
23 sludge, and lime residue from a water treatment plant or
24 facility and the disposal of biosolids, lime sludge, and lime
25 residue removed from a water treatment plant or facility at a
26 landfill. "Public works" does not include projects undertaken

1 by the owner at an owner-occupied single-family residence or
2 at an owner-occupied unit of a multi-family residence. "Public
3 works" does not include work performed for soil and water
4 conservation purposes on agricultural lands, whether or not
5 done under public supervision or paid for wholly or in part out
6 of public funds, done directly by an owner or person who has
7 legal control of those lands.

8 "Construction" means all work on public works involving
9 laborers, workers or mechanics. This includes any maintenance,
10 repair, assembly, or disassembly work performed on equipment
11 whether owned, leased, or rented.

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

25 "Public body" means the State or any officer, board or
26 commission of the State or any political subdivision or

1 department thereof, or any institution supported in whole or
2 in part by public funds, and includes every county, city,
3 town, village, township, school district, irrigation, utility,
4 reclamation improvement or other district and every other
5 political subdivision, district or municipality of the state
6 whether such political subdivision, municipality or district
7 operates under a special charter or not.

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

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

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