



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5422

Introduced 2/13/2026, by Rep. Kimberly Du Buclet

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.1038 new

Creates the Illinois Creative Workforce Development Act. Establishes a program within the Department of Commerce and Economic Opportunity to provide skills training, business development, financial literacy, contract education, and career transition support for independent and project-based creative workers. Includes a pilot program to test portable, worker-controlled benefits without reclassifying workers. Sets minimum compensation guidelines, timely payment requirements, and written contract standards for publicly funded creative work. Requires regional balance, targeted outreach to underrepresented communities, and data collection disaggregated by race, gender, and geography. Authorizes grants for cross-sector integration of creative skills into education, health, technology, and tourism. Creates the Illinois Creative Workforce Fund. Grants rulemaking authority. Makes a conforming change to the State Finance Act.

LRB104 19041 HLH 32486 b

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the  
5 Creative Workforce Development Act.

6 Section 5. Purpose. The General Assembly finds that  
7 Illinois' creative economy relies heavily on gig, freelance,  
8 and project-based laborers whose contributions are essential  
9 yet whose jobs are often precarious. It is the policy of the  
10 State to support the sustainability and mobility of creative  
11 workers through skills training, business development  
12 supports, financial and contract literacy, and between-project  
13 career transition services; to test portable,  
14 worker-controlled benefits without altering worker  
15 classification; to set baseline protections for publicly  
16 funded creative work; and to ensure equitable access across  
17 regions and underrepresented communities.

18 Section 10. Definitions. In this Act:

19 "Creative worker" means an individual who earns income  
20 primarily through independent, freelance, gig, or  
21 project-based work in one or more of the following fields:  
22 arts and culture; design; music; film and television; theater

1 and live events; teaching artistry; digital media and content  
2 creation; creative technology; and related cultural work.

3 "Department" means the Department of Commerce and Economic  
4 Opportunity.

5 "Eligible worker" means a creative worker who is  
6 determined, by Department rule, to be eligible for the pilot  
7 program established under Section 45.

8 "Portable benefits" means benefits that are  
9 worker-controlled; that follow a worker across projects,  
10 employers, or engagements; and that are administered by an  
11 eligible sponsor or qualified portable benefit administrator.

12 "Portable benefits" includes access pathways to health  
13 insurance, retirement savings options, paid leave pools, and  
14 workers' compensation coverage.

15 "Publicly funded creative work" means any creative  
16 services, performances, productions, or deliverables procured  
17 or sub-granted using State funds, including pass-through  
18 federal funds administered by the State.

19 "Underrepresented communities" includes, but is not  
20 limited to, communities historically marginalized by race or  
21 ethnicity, low-income communities, people with disabilities,  
22 LGBTQ+ communities, and geographically isolated rural areas.

23 Section 15. Establishment; administering Department.

24 (a) The Illinois Creative Workforce Development Program is  
25 established within the Department. Creative workers may apply

1 for program services under Section 20 under procedures  
2 determined by the Department by rule.

3 (b) The Department shall design, administer, and  
4 coordinate services statewide and may enter into interagency  
5 agreements with other State agencies, the Department's Film  
6 Office, the Illinois Arts Council, or other relevant entities  
7 to implement this Act.

8 (c) The Department may contract with regional  
9 intermediaries, community colleges, workforce boards, and  
10 nonprofit organizations with demonstrated experience serving  
11 creative workers.

12 Section 20. Program services.

13 (a) The Department shall offer or fund training in digital  
14 tools, creative technologies, production workflows, management  
15 and entrepreneurship, compliance and safety, and project  
16 administration.

17 (b) Services may include coaching, access to markets and  
18 procurement, portfolio development, licensing and rights  
19 education, marketing, and revenue diversification.

20 (c) Services shall include budgeting, tax compliance for  
21 independent workers, contract drafting and review, negotiation  
22 skills, and risk management for project-based work.

23 (d) The Department shall provide navigation services,  
24 placement assistance, bridge programs, and supportive services  
25 to facilitate movement between projects or into adjacent

1 high-demand fields.

2 Section 25. Baseline protections for publicly funded  
3 creative work.

4 (a) The Department shall, by rule, establish minimum  
5 compensation guidelines for publicly funded creative contracts  
6 that reflect fair market value, project scope, experience  
7 level, prevailing standards, and inclusive access.

8 (b) The Department shall, by rule, require:

9 (1) clear written contracts with defined scope of  
10 work, deliverables, timelines, ownership and rights,  
11 cancellation terms, and dispute resolution;

12 (2) standardized invoicing and payment practices to  
13 promote timely payment consistent with State fiscal  
14 controls; and

15 (3) disclosure of grant or contract terms in plain  
16 language.

17 (c) Publicly funded entities shall certify compliance as a  
18 condition of award or payment.

19 Section 30. Equity, outreach, and regional balance.

20 (a) The Department shall conduct targeted outreach to  
21 underrepresented communities and workers lacking access to  
22 traditional benefits.

23 (b) Program design and awards shall reflect geographic  
24 balance across Chicago, suburban, downstate, and rural

1 regions, including deployment of regional intermediaries.

2 (c) The Department shall ensure accessibility of program  
3 materials, facilities, and communications and shall provide  
4 reasonable accommodations.

5 Section 35. Data collection; reporting; privacy.

6 (a) The Department shall collect program data,  
7 disaggregated, at a minimum, by race, ethnicity, gender,  
8 disability status, if voluntarily disclosed, and geography.

9 (b) Annually, the Department shall deliver a report to the  
10 General Assembly and post the report on the Department's  
11 website, summarizing participation, services delivered,  
12 outcomes, the adoption of compensation standards, payment  
13 timelines, and pilot program results.

14 (c) Personally identifiable information shall be protected  
15 and reported only in the aggregate.

16 Section 40. Cross-sector integration grants; alignment  
17 with pipelines and credentials.

18 (a) The Department may award grants or incentives to  
19 integrate creative skills into other high-demand fields  
20 through cross-sector partnerships, including:

21 (1) partnerships with teaching artists in education  
22 and after-school programs;

23 (2) partnerships with designers and storytellers in  
24 public health and community engagement;

1 (3) partnerships with digital creatives in technology  
2 and manufacturing; and

3 (4) partnerships with cultural workers in tourism and  
4 place-based development.

5 (b) Grants shall, if practicable, align with recognized  
6 credentials, registered apprenticeships, or established  
7 workforce pipelines, and they may support curriculum  
8 co-development, work-based learning, and employer engagement.

9 (c) Awards under this Section are subject to  
10 appropriation.

11 Section 45. Portable benefits pilot program; report.

12 (a) The Department shall establish a pilot program to test  
13 portable, worker-controlled benefits for eligible workers  
14 without reclassifying workers as employees. Eligible workers  
15 may apply for the pilot program under procedures determined by  
16 the Department by rule.

17 (b) Subject to appropriation and available matching funds,  
18 the pilot program may include:

19 (1) pathways to health insurance enrollment or  
20 subsidies;

21 (2) retirement savings vehicles with automated or  
22 optional contributions;

23 (3) pooled paid leave accounts usable across  
24 engagements; and

25 (4) mechanisms to access workers' compensation

1 coverage for qualifying engagements where permissible  
2 under law.

3 (c) Benefits may be administered by qualified portable  
4 benefit administrators or licensed entities selected through a  
5 competitive process. The Department may set eligibility,  
6 portability, contribution, and governance standards by rule.

7 (d) Participation in the pilot program shall not be  
8 construed to create an employment relationship, joint  
9 employment, or agency between a worker and any contracting  
10 entity.

11 (e) The Department shall include pilot program outcomes,  
12 costs, worker satisfaction, and recommendations in the annual  
13 report under Section 35.

14 (f) This Section is repealed 5 years after the effective  
15 date of this Act.

16 Section 50. Procurement and grant compliance.

17 (a) The Department shall incorporate the protections in  
18 Section 25 into its procurement and grantmaking templates and  
19 guidance.

20 (b) The Department may condition awards on adoption of  
21 minimum compensation guidelines and timely-payment practices  
22 and may withhold or recoup funds for material noncompliance  
23 after providing notice and opportunity to cure.

24 Section 55. Rulemaking. The Department shall adopt rules

1 to implement and administer this Act, including, without  
2 limitation, rules to establish pilot program operations,  
3 compensation guidelines, and grant procedures.

4 Section 60. Creative Workforce Fund. The Creative  
5 Workforce Fund is created as a special fund in the State  
6 treasury. Subject to appropriation, moneys in the Fund shall  
7 be used by the Department to carry out this Act, including  
8 training, grants, pilot program benefits, evaluation, and  
9 administration. The Fund may receive transfers,  
10 appropriations, gifts, grants, and awards from public or  
11 private sources.

12 Section 65. Construction. Nothing in this Act shall be  
13 construed to limit the rights of workers or to preempt any more  
14 protective local, State, or federal standards applicable to  
15 compensation, safety, discrimination, or accessibility.

16 Section 80. The State Finance Act is amended by adding  
17 Section 5.1038 as follows:

18 (30 ILCS 105/5.1038 new)

19 Sec. 5.1038. The Creative Workforce Fund.