

SB2775



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2775

Introduced 1/13/2026, by Sen. Meg Loughran Cappel

SYNOPSIS AS INTRODUCED:

820 ILCS 130/2

Amends the Prevailing Wage Act. In the definition of "public works", includes installation, repair, wiring, and maintenance services to Illinois lottery machines and equipment pursuant to a contract between the Department of the Lottery and a contractor. Effective January 1, 2027.

LRB104 17305 SPS 30727 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. "Public works" as defined herein includes
18 all projects financed in whole or in part with bonds, grants,
19 loans, or other funds made available by or through the State or
20 any of its political subdivisions, including, but not limited
21 to: bonds issued under the Industrial Project Revenue Bond Act
22 (Article 11, Division 74 of the Illinois Municipal Code), the
23 Industrial Building Revenue Bond Act, the Illinois Finance

1 Authority Act, the Illinois Sports Facilities Authority Act,
2 or the Build Illinois Bond Act; loans or other funds made
3 available pursuant to the Build Illinois Act; loans or other
4 funds made available pursuant to the Riverfront Development
5 Fund under Section 10-15 of the River Edge Redevelopment Zone
6 Act; or funds from the Fund for Illinois' Future under Section
7 6z-47 of the State Finance Act, funds for school construction
8 under Section 5 of the General Obligation Bond Act, funds
9 authorized under Section 3 of the School Construction Bond
10 Act, funds for school infrastructure under Section 6z-45 of
11 the State Finance Act, and funds for transportation purposes
12 under Section 4 of the General Obligation Bond Act. "Public
13 works" also includes all federal construction projects
14 administered or controlled by a public body if the prevailing
15 rate of wages is equal to or greater than the prevailing wage
16 determination by the United States Secretary of Labor for the
17 same locality for the same type of construction used to
18 classify the federal construction project. "Public works" also
19 includes (i) all projects financed in whole or in part with
20 funds from the Environmental Protection Agency under the
21 Illinois Renewable Fuels Development Program Act for which
22 there is no project labor agreement; (ii) all work performed
23 pursuant to a public private agreement under the Public
24 Private Agreements for the Illiana Expressway Act or the
25 Public-Private Agreements for the South Suburban Airport Act;
26 (iii) all projects undertaken under a public-private agreement

1 under the Public-Private Partnerships for Transportation Act
2 or the Department of Natural Resources World Shooting and
3 Recreational Complex Act; and (iv) all transportation
4 facilities undertaken under a design-build contract or a
5 Construction Manager/General Contractor contract under the
6 Innovations for Transportation Infrastructure Act. "Public
7 works" also includes all projects at leased facility property
8 used for airport purposes under Section 35 of the Local
9 Government Facility Lease Act. "Public works" also includes
10 the construction of a new wind power facility by a business
11 designated as a High Impact Business under Section
12 5.5(a)(3)(E) of the Illinois Enterprise Zone Act, the
13 construction of a new utility-scale solar power facility by a
14 business designated as a High Impact Business under Section
15 5.5(a)(3)(E-5) of the Illinois Enterprise Zone Act, the
16 construction of a new battery energy storage solution facility
17 by a business designated as a High Impact Business under
18 Section 5.5(a)(3)(I) of the Illinois Enterprise Zone Act, and
19 the construction of a high voltage direct current converter
20 station by a business designated as a High Impact Business
21 under Section 5.5(a)(3)(J) of the Illinois Enterprise Zone
22 Act. "Public works" also includes electric vehicle charging
23 station projects financed pursuant to the Electric Vehicle Act
24 and renewable energy projects required to pay the prevailing
25 wage pursuant to the Illinois Power Agency Act. "Public works"
26 also includes power washing projects by a public body or paid

1 for wholly or in part out of public funds in which steam or
2 pressurized water, with or without added abrasives or
3 chemicals, is used to remove paint or other coatings, oils or
4 grease, corrosion, or debris from a surface or to prepare a
5 surface for a coating. "Public works" also includes all
6 electric transmission systems projects subject to the Electric
7 Transmission Systems Construction Standards Act. "Public
8 works" does not include work done directly by any public
9 utility company, whether or not done under public supervision
10 or direction, or paid for wholly or in part out of public
11 funds. "Public works" also includes construction projects
12 performed by a third party contracted by any public utility,
13 as described in subsection (a) of Section 2.1, in public
14 rights-of-way, as defined in Section 21-201 of the Public
15 Utilities Act, whether or not done under public supervision or
16 direction, or paid for wholly or in part out of public funds.
17 "Public works" also includes construction projects that exceed
18 15 aggregate miles of new fiber optic cable, performed by a
19 third party contracted by any public utility, as described in
20 subsection (b) of Section 2.1, in public rights-of-way, as
21 defined in Section 21-201 of the Public Utilities Act, whether
22 or not done under public supervision or direction, or paid for
23 wholly or in part out of public funds. "Public works" also
24 includes any corrective action performed pursuant to Title XVI
25 of the Environmental Protection Act for which payment from the
26 Underground Storage Tank Fund is requested. "Public works"

1 also includes installation, repair, wiring, and maintenance
2 services to Illinois lottery machines and equipment pursuant
3 to a contract between the Department of the Lottery and a
4 contractor. "Public works" also includes all construction
5 projects involving fixtures or permanent attachments affixed
6 to light poles that are owned by a public body, including
7 street light poles, traffic light poles, and other lighting
8 fixtures, whether or not done under public supervision or
9 direction, or paid for wholly or in part out of public funds,
10 unless the project is performed by employees employed directly
11 by the public body. "Public works" also includes work
12 performed subject to the Mechanical Insulation Energy and
13 Safety Assessment Act. "Public works" also includes the
14 removal, hauling, and transportation of biosolids, lime
15 sludge, and lime residue from a water treatment plant or
16 facility and the disposal of biosolids, lime sludge, and lime
17 residue removed from a water treatment plant or facility at a
18 landfill. "Public works" also includes sewer inspection
19 projects that use a closed-circuit television to identify
20 issues in a sewer system, such as cracks in pipes, root
21 intrusion, blockages, or other structural damage. "Public
22 works" does not include projects undertaken by the owner at an
23 owner-occupied single-family residence or at an owner-occupied
24 unit of a multi-family residence. "Public works" does not
25 include work performed for soil and water conservation
26 purposes on agricultural lands, whether or not done under

1 public supervision or paid for wholly or in part out of public
2 funds, done directly by an owner or person who has legal
3 control of those lands.

4 "Construction" means all work on public works involving
5 laborers, workers or mechanics. This includes any maintenance,
6 repair, assembly, or disassembly work performed on equipment
7 whether owned, leased, or rented.

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

21 "Public body" means the State or any officer, board or
22 commission of the State or any political subdivision or
23 department thereof, or any institution supported in whole or
24 in part by public funds, and includes every county, city,
25 town, village, township, school district, irrigation, utility,
26 reclamation improvement or other district and every other

1 political subdivision, district or municipality of the state
2 whether such political subdivision, municipality or district
3 operates under a special charter or not.

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

7 The terms "general prevailing rate of hourly wages",
8 "general prevailing rate of wages" or "prevailing rate of
9 wages" when used in this Act mean the hourly cash wages plus
10 full journeyman annualized fringe benefits for training and
11 apprenticeship programs registered with the Office of
12 Apprenticeship within the U.S. Department of Labor's
13 Employment and Training Administration with full journeymen
14 annualized fringe benefits for health and welfare, insurance,
15 vacations, and pensions paid generally, in the locality in
16 which the work is being performed, to employees engaged in
17 work of a similar character on public works.

18 (Source: P.A. 103-8, eff. 6-7-23; 103-327, eff. 1-1-24;
19 103-346, eff. 1-1-24; 103-359, eff. 7-28-23; 103-447, eff.
20 8-4-23; 103-605, eff. 7-1-24; 103-1066, eff. 2-20-25; 104-17,
21 eff. 6-30-25; 104-23, eff. 6-30-25; 104-160, eff. 8-14-25;
22 revised 9-12-25.)

23 Section 99. Effective date. This Act takes effect January
24 1, 2027.