



Rep. William "Will" Davis

**Filed: 3/21/2024**

10300HB4418ham003

LRB103 36028 AWJ 71136 a

1 AMENDMENT TO HOUSE BILL 4418

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4418 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Government Contract Retainage Act.

6 Section 5. Definitions. As used in this Act:

7 "Governmental unit" means a State agency or a unit of  
8 local government.

9 "State agency" has the meaning given to "state agencies"  
10 in Section 1-7 of the Illinois State Auditing Act.

11 "Retainage" means a portion of money withheld from the  
12 payment of a contract for a specified period of time to ensure  
13 that a contractor or subcontractor finishes a construction  
14 project completely and finishes in the manner specified in the  
15 contract.

1           Section 10. Retained funds. All governmental units shall  
2           deposit all retainage into an interest-bearing escrow account  
3           and the moneys in the escrow account and all interest shall be  
4           divided up between the contractor and subcontractors  
5           proportionally.

6           Section 90. Home rule. A home rule unit may not regulate  
7           retainage in a manner inconsistent with this Act. This Act is a  
8           limitation under subsection (i) of Section 6 of Article VII of  
9           the Illinois Constitution on the concurrent exercise by home  
10          rule units of powers and functions exercised by the State.".