



Sen. Gary Forby

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LRB096 04752 WGH 22671 a

1 AMENDMENT TO SENATE BILL 223

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 223 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Prevailing Wage Act is amended by changing  
5 Section 2 as follows:

6 (820 ILCS 130/2) (from Ch. 48, par. 39s-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 by any  
16 public body, ~~other than work done directly by any public~~

1 ~~utility company, whether or not done under public supervision~~  
2 ~~or direction,~~ or paid for wholly or in part out of public  
3 funds. "Public works" as defined herein includes all projects  
4 financed in whole or in part with bonds, grants, loans, or  
5 other funds made available by or through the State or any of  
6 its political subdivisions, including but not limited to: bonds  
7 issued under the Industrial Project Revenue Bond Act (Article  
8 11, Division 74 of the Illinois Municipal Code), the Industrial  
9 Building Revenue Bond Act, the Illinois Finance Authority Act,  
10 the Illinois Sports Facilities Authority Act, or the Build  
11 Illinois Bond Act; ~~, and all projects financed in whole or in~~  
12 ~~part with~~ loans or other funds made available pursuant to the  
13 Build Illinois Act; or. ~~"Public works" also includes all~~  
14 ~~projects financed in whole or in part with~~ funds from the Fund  
15 for Illinois' Future under Section 6z-47 of the State Finance  
16 Act, funds for school construction under Section 5 of the  
17 General Obligation Bond Act, funds authorized under Section 3  
18 of the School Construction Bond Act, funds for school  
19 infrastructure under Section 6z-45 of the State Finance Act,  
20 and funds for transportation purposes under Section 4 of the  
21 General Obligation Bond Act. "Public works" also includes all  
22 projects financed in whole or in part with funds from the  
23 Department of Commerce and Economic Opportunity under the  
24 Illinois Renewable Fuels Development Program Act for which  
25 there is no project labor agreement. "Public works" also  
26 includes all projects at leased facility property used for

1 airport purposes under Section 35 of the Local Government  
2 Facility Lease Act. "Public works" does not include work done  
3 directly by any public utility company, whether or not done  
4 under public supervision or direction, or paid for wholly or in  
5 part out of public funds. "Public works" does not include  
6 projects undertaken by the owner at an owner-occupied  
7 single-family residence or at an owner-occupied unit of a  
8 multi-family residence.

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

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

26 "Public body" means the State or any officer, board or

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

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

18 (Source: P.A. 94-750, eff. 5-9-06; 95-341, eff. 8-21-07.)".