



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4224

by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Public Labor Relations Act. Prohibits public employees and labor organizations from collectively bargaining on certain specified matters. Provides that governing authorities of counties, municipalities, and units of local government, including school districts, may by ordinance or resolution prohibit those activities from collective bargaining. Allows the registered voters of counties, municipalities, and units of local government to petition to have the question of whether those activities should be prohibited from collective bargaining certified and presented to the election authority. Makes similar changes in the Illinois Educational Labor Relations Act. Amends the Property Tax Code. Provides that, beginning with the 2016 levy year, the Property Tax Extension Limitation Law applies to all taxing districts, including home rule units and school districts. Provides that, beginning with the 2016 levy year, the extension limitation under the Property Tax Extension Limitation Law is 0% or the rate of increase approved by the voters. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement. Amends the Prevailing Wage Act. Excludes from the scope of the Act units of local government and school districts. Excludes from the scope of the term "public works" any public works constructed by a unit of local government or school district. Amends various other Acts to make related changes. Contains legislative findings.

LRB099 12507 HLH 35984 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning local government.

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

4 ARTICLE 1. LEGISLATIVE FINDINGS.

5 Section 1-1. Short title. This Act may be cited as the
6 Local Government Taxpayer Protection Act of 2015.

7 Section 1-5. Legislative intent. As of 2015, Illinois
8 taxpayers are paying the second highest median property taxes
9 in the United States. While property taxes are a critical
10 source of revenue for units of local government, school
11 districts, and other local governmental entities, the high
12 property tax burden hinders economic growth. The General
13 Assembly finds that freezing property tax extensions until
14 voters, acting by referendum, approve an increase in the tax
15 extension will return control of local tax and spending policy
16 to voters and, as property values begin to grow, reduce
17 property tax rates.

18 To ensure that units of local government, school districts,
19 and other governmental entities that depend upon property tax
20 revenue are able to continue providing critical services to
21 their residents notwithstanding this property tax freeze, the
22 General Assembly further finds that it is necessary to reduce

1 the State-imposed mandates on local governments that have
2 increased the cost of providing these services. These mandates
3 include the following:

4 (1) According to the United States Census Bureau's 2012
5 report on state and local government finance, employee
6 wages and benefits are the largest operational expense of
7 local governments in Illinois. Although the Illinois
8 Public Labor Relations Act and the Illinois Educational
9 Labor Relations Act are intended to afford local
10 governments with discretion over their budgets, employee
11 costs remain a significant expense. The changes made by
12 this amendatory Act of the 99th General Assembly to the
13 Illinois Public Labor Relations Act and the Illinois
14 Educational Labor Relations Act are intended to empower
15 local governments to contain these costs.

16 (2) Despite critical infrastructure and capital needs,
17 the cost of capital projects is often higher for local
18 governments than for the private sector. In particular,
19 labor costs are higher due to the State's mandated
20 prevailing wage, which often exceeds the wage required for
21 federally funded projects and the wage that actually
22 prevails in the market, and the use of project labor
23 agreements.

24 The purpose of this amendatory Act of the 99th General
25 Assembly is to alleviate the property tax burden. To offset the
26 property tax freeze, it is necessary to reduce labor and

1 capital costs incurred by units of local government, school
2 districts, and other local governmental entities as a result of
3 State mandates.

4 ARTICLE 5. AMENDATORY PROVISIONS

5 Section 5-5. The Illinois Public Labor Relations Act is
6 amended by changing Section 4 and by adding Section 4.5 as
7 follows:

8 (5 ILCS 315/4) (from Ch. 48, par. 1604)

9 Sec. 4. Management rights.

10 (a) Employers shall not be required to bargain over matters
11 of inherent managerial policy, which shall include such areas
12 of discretion or policy as the functions of the employer,
13 standards of services, its overall budget, the organizational
14 structure and selection of new employees, examination
15 techniques and direction of employees. Employers, however,
16 shall be required to bargain collectively with regard to policy
17 matters directly affecting wages, hours and terms and
18 conditions of employment as well as the impact thereon upon
19 request by employee representatives, except as provided in this
20 Section or Section 7.5.

21 To preserve the rights of employers and exclusive
22 representatives which have established collective bargaining
23 relationships or negotiated collective bargaining agreements

1 prior to the effective date of this Act, employers shall be
2 required to bargain collectively with regard to any matter
3 concerning wages, hours or conditions of employment about which
4 they have bargained for and agreed to in a collective
5 bargaining agreement prior to the effective date of this Act,
6 except as provided in this Section or Section 7.5.

7 The chief judge of the judicial circuit that employs a
8 public employee who is a court reporter, as defined in the
9 Court Reporters Act, has the authority to hire, appoint,
10 promote, evaluate, discipline, and discharge court reporters
11 within that judicial circuit.

12 Nothing in this amendatory Act of the 94th General Assembly
13 shall be construed to intrude upon the judicial functions of
14 any court. This amendatory Act of the 94th General Assembly
15 applies only to nonjudicial administrative matters relating to
16 the collective bargaining rights of court reporters.

17 (b) In any unit of local government or school district to
18 which this subsection applies, as provided in Section 4.5 of
19 this Act, public employees or a labor organization may not
20 bargain collectively on:

21 (1) the decision of the employer to contract with a
22 third party for any services, the process for bidding on
23 such a contract, the identity of the provider of such
24 services, or the effect of any such contract on bargaining
25 unit members, provided that this subsection does not limit
26 the ability of employees or a labor organization to bid on

1 any such contract;

2 (2) any pay increase, either through changes to the pay
3 schedule or as a result of accumulated years of service, in
4 excess of the amount specified by ordinance or resolution
5 of the governing authority of the public employer;

6 (3) the provision of any health insurance, including
7 the payment of premiums, the extent of coverage, or the
8 identity of the insurer;

9 (4) the use of employee time for business of the labor
10 organization, other than reasonable time provided to an
11 employee to attend a grievance hearing when his or her
12 rights are substantially affected by the hearing or his or
13 her testimony is needed for the determination of any
14 substantial factual question;

15 (5) required levels of staffing for departments,
16 divisions, shifts, stations, or assignments; or

17 (6) procedures, processes, forms, and criteria for
18 personnel evaluations, or the use of evaluations or
19 seniority in assignments, promotions, layoffs, and
20 reductions-in-force.

21 (c) Any agreement, understanding, or practice, whether
22 written or oral, and whether express or implied, between any
23 labor organization and any public employer made in violation of
24 this Section is hereby declared to be unlawful, null and void,
25 and of no legal effect.

26 (Source: P.A. 98-599, eff. 6-1-14.)

1 (5 ILCS 315/4.5 new)

2 Sec. 4.5. Adoption of limitations on subjects of collective
3 bargaining.

4 (a) The county board or board of county commissioners of a
5 county may by ordinance elect to apply the limitations under
6 subsection (b) of Section 4 to bargaining with that county and
7 with any other public employer whose boundaries are entirely
8 within that county.

9 (b) The corporate authorities of a municipality may by
10 ordinance elect to apply the limitations under subsection (b)
11 of Section 4 to bargaining with that municipality and with any
12 other public employer whose boundaries are entirely within that
13 municipality.

14 (c) The governing authority of a unit of local government
15 or school district, including a county or municipality, may by
16 ordinance or resolution elect to apply the limitations under
17 subsection (b) of Section 4 to bargaining with that unit of
18 local government or school district.

19 (d) If a petition, signed by a number of registered voters
20 equal in number to at least 5% of the total number of
21 registered voters in a county or municipality, asking to apply
22 the limitations under subsection (b) of Section 4 to collective
23 bargaining in that county or municipality is presented to the
24 clerk of that county or municipality, the clerk shall certify
25 the question of whether to apply such limitations in that

1 county or municipality to the proper election authority, who
2 shall submit the question at the next election in accordance
3 with the general election law.

4 The question of whether to apply the limitations under
5 subsection (b) of Section 4 shall be presented in substantially
6 the following form:

7 Shall each unit of local government and school district
8 located within (legal name of the county or municipality)
9 be free to determine certain matters without negotiating
10 with employee unions, such as the use of service providers,
11 the decision to provide health benefits, caps on total
12 payroll, employees' use of government time for union
13 matters, required staffing levels, evaluation procedures,
14 and, in the case of schools, curriculum?

15 The votes must be recorded as "Yes" or "No". If a majority
16 of voters voting on the question are in favor of applying such
17 limitations, subsection (b) of Section 4 shall apply to
18 bargaining with that county or municipality and with any other
19 public employer whose boundaries are entirely within that
20 county or municipality.

21 (e) If a petition, signed by a number of registered voters
22 equal in number to at least 5% of the total number of
23 registered voters in a unit of local government or school
24 district, asking to apply the limitations under subsection (b)
25 of Section 4 to collective bargaining with that unit of local
26 government or school district is presented to the clerk of that

1 unit of local government or school district, the clerk shall
2 certify the question of whether to apply such limitations to
3 that unit of local government or school district to the proper
4 election authority, who shall submit the question at the next
5 election in accordance with the general election law.

6 The question of whether to apply the limitations under
7 subsection (b) of Section 4 shall be presented in substantially
8 the following form:

9 Shall (the legal name of the unit of local government
10 or school district) be free to determine certain matters
11 without negotiating with employee unions, such as the use
12 of service providers, the decision to provide health
13 benefits, caps on total payroll, employees' use of
14 government time for union matters, required staffing
15 levels, evaluation procedures, and, in the case of schools,
16 curriculum?

17 The votes must be recorded as "Yes" or "No". If a majority
18 of voters voting on the question are in favor of applying such
19 limitations, subsection (b) of Section 4 shall apply to
20 bargaining with that unit of local government or school
21 district.

22 Section 5-10. The Property Tax Code is amended by changing
23 Sections 18-185, 18-205, 18-213, and 18-214 and by adding
24 Section 18-242 as follows:

1 (35 ILCS 200/18-185)

2 Sec. 18-185. Short title; definitions. This Division 5 may
3 be cited as the Property Tax Extension Limitation Law. As used
4 in this Division 5:

5 "Consumer Price Index" means the Consumer Price Index for
6 All Urban Consumers for all items published by the United
7 States Department of Labor.

8 "Extension limitation", for levy years prior to 2016, means
9 (a) the lesser of 5% or the percentage increase in the Consumer
10 Price Index during the 12-month calendar year preceding the
11 levy year or (b) the rate of increase approved by voters under
12 Section 18-205.

13 "Extension limitation", beginning in levy year 2016, means
14 0% or the rate of increase approved by the voters under Section
15 18-205.

16 "Affected county" means a county of 3,000,000 or more
17 inhabitants or a county contiguous to a county of 3,000,000 or
18 more inhabitants.

19 "Taxing district" has the same meaning provided in Section
20 1-150, except as otherwise provided in this Section. For the
21 1991 through 1994 levy years only, "taxing district" includes
22 only each non-home rule taxing district having the majority of
23 its 1990 equalized assessed value within any county or counties
24 contiguous to a county with 3,000,000 or more inhabitants.
25 Beginning with the 1995 levy year and through the 2015 levy
26 year, "taxing district" includes only each non-home rule taxing

1 district subject to this Law before the 1995 levy year and each
2 non-home rule taxing district not subject to this Law before
3 the 1995 levy year having the majority of its 1994 equalized
4 assessed value in an affected county or counties. Beginning
5 with the levy year in which this Law becomes applicable to a
6 taxing district as provided in Section 18-213, "taxing
7 district" also includes those taxing districts made subject to
8 this Law as provided in Section 18-213. Beginning with the 2016
9 levy year, "taxing district" means each unit of local
10 government, school district, or community college district in
11 the State with the power to levy taxes, including, but not
12 limited to, home rule units and taxing districts that were not
13 subject to this Law prior to the effective date of this
14 amendatory Act of the 99th General Assembly.

15 "Aggregate extension" for taxing districts to which this
16 Law applied before the 1995 levy year means the annual
17 corporate extension for the taxing district and those special
18 purpose extensions that are made annually for the taxing
19 district, excluding special purpose extensions: (a) made for
20 the taxing district to pay interest or principal on general
21 obligation bonds that were approved by referendum; (b) made for
22 any taxing district to pay interest or principal on general
23 obligation bonds issued before October 1, 1991; (c) made for
24 any taxing district to pay interest or principal on bonds
25 issued to refund or continue to refund those bonds issued
26 before October 1, 1991; (d) made for any taxing district to pay

1 interest or principal on bonds issued to refund or continue to
2 refund bonds issued after October 1, 1991 that were approved by
3 referendum; (e) made for any taxing district to pay interest or
4 principal on revenue bonds issued before October 1, 1991 for
5 payment of which a property tax levy or the full faith and
6 credit of the unit of local government is pledged; however, a
7 tax for the payment of interest or principal on those bonds
8 shall be made only after the governing body of the unit of
9 local government finds that all other sources for payment are
10 insufficient to make those payments; (f) made for payments
11 under a building commission lease when the lease payments are
12 for the retirement of bonds issued by the commission before
13 October 1, 1991, to pay for the building project; (g) made for
14 payments due under installment contracts entered into before
15 October 1, 1991; (h) made for payments of principal and
16 interest on bonds issued under the Metropolitan Water
17 Reclamation District Act to finance construction projects
18 initiated before October 1, 1991; (i) made for payments of
19 principal and interest on limited bonds, as defined in Section
20 3 of the Local Government Debt Reform Act, in an amount not to
21 exceed the debt service extension base less the amount in items
22 (b), (c), (e), and (h) of this definition for non-referendum
23 obligations, except obligations initially issued pursuant to
24 referendum; (j) made for payments of principal and interest on
25 bonds issued under Section 15 of the Local Government Debt
26 Reform Act; (k) made by a school district that participates in

1 the Special Education District of Lake County, created by
2 special education joint agreement under Section 10-22.31 of the
3 School Code, for payment of the school district's share of the
4 amounts required to be contributed by the Special Education
5 District of Lake County to the Illinois Municipal Retirement
6 Fund under Article 7 of the Illinois Pension Code; the amount
7 of any extension under this item (k) shall be certified by the
8 school district to the county clerk; (l) made to fund expenses
9 of providing joint recreational programs for the handicapped
10 under Section 5-8 of the Park District Code or Section 11-95-14
11 of the Illinois Municipal Code; (m) made for temporary
12 relocation loan repayment purposes pursuant to Sections 2-3.77
13 and 17-2.2d of the School Code; (n) made for payment of
14 principal and interest on any bonds issued under the authority
15 of Section 17-2.2d of the School Code; (o) made for
16 contributions to a firefighter's pension fund created under
17 Article 4 of the Illinois Pension Code, to the extent of the
18 amount certified under item (5) of Section 4-134 of the
19 Illinois Pension Code; and (p) made for road purposes in the
20 first year after a township assumes the rights, powers, duties,
21 assets, property, liabilities, obligations, and
22 responsibilities of a road district abolished under the
23 provisions of Section 6-133 of the Illinois Highway Code.

24 "Aggregate extension" for the taxing districts to which
25 this Law did not apply before the 1995 levy year (except taxing
26 districts subject to this Law in accordance with Section 18-213

1 or this amendatory Act of the 99th General Assembly) means the
2 annual corporate extension for the taxing district and those
3 special purpose extensions that are made annually for the
4 taxing district, excluding special purpose extensions: (a)
5 made for the taxing district to pay interest or principal on
6 general obligation bonds that were approved by referendum; (b)
7 made for any taxing district to pay interest or principal on
8 general obligation bonds issued before March 1, 1995; (c) made
9 for any taxing district to pay interest or principal on bonds
10 issued to refund or continue to refund those bonds issued
11 before March 1, 1995; (d) made for any taxing district to pay
12 interest or principal on bonds issued to refund or continue to
13 refund bonds issued after March 1, 1995 that were approved by
14 referendum; (e) made for any taxing district to pay interest or
15 principal on revenue bonds issued before March 1, 1995 for
16 payment of which a property tax levy or the full faith and
17 credit of the unit of local government is pledged; however, a
18 tax for the payment of interest or principal on those bonds
19 shall be made only after the governing body of the unit of
20 local government finds that all other sources for payment are
21 insufficient to make those payments; (f) made for payments
22 under a building commission lease when the lease payments are
23 for the retirement of bonds issued by the commission before
24 March 1, 1995 to pay for the building project; (g) made for
25 payments due under installment contracts entered into before
26 March 1, 1995; (h) made for payments of principal and interest

1 on bonds issued under the Metropolitan Water Reclamation
2 District Act to finance construction projects initiated before
3 October 1, 1991; (h-4) made for stormwater management purposes
4 by the Metropolitan Water Reclamation District of Greater
5 Chicago under Section 12 of the Metropolitan Water Reclamation
6 District Act; (i) made for payments of principal and interest
7 on limited bonds, as defined in Section 3 of the Local
8 Government Debt Reform Act, in an amount not to exceed the debt
9 service extension base less the amount in items (b), (c), and
10 (e) of this definition for non-referendum obligations, except
11 obligations initially issued pursuant to referendum and bonds
12 described in subsection (h) of this definition; (j) made for
13 payments of principal and interest on bonds issued under
14 Section 15 of the Local Government Debt Reform Act; (k) made
15 for payments of principal and interest on bonds authorized by
16 Public Act 88-503 and issued under Section 20a of the Chicago
17 Park District Act for aquarium or museum projects; (l) made for
18 payments of principal and interest on bonds authorized by
19 Public Act 87-1191 or 93-601 and (i) issued pursuant to Section
20 21.2 of the Cook County Forest Preserve District Act, (ii)
21 issued under Section 42 of the Cook County Forest Preserve
22 District Act for zoological park projects, or (iii) issued
23 under Section 44.1 of the Cook County Forest Preserve District
24 Act for botanical gardens projects; (m) made pursuant to
25 Section 34-53.5 of the School Code, whether levied annually or
26 not; (n) made to fund expenses of providing joint recreational

1 programs for the handicapped under Section 5-8 of the Park
2 District Code or Section 11-95-14 of the Illinois Municipal
3 Code; (o) made by the Chicago Park District for recreational
4 programs for the handicapped under subsection (c) of Section
5 7.06 of the Chicago Park District Act; (p) made for
6 contributions to a firefighter's pension fund created under
7 Article 4 of the Illinois Pension Code, to the extent of the
8 amount certified under item (5) of Section 4-134 of the
9 Illinois Pension Code; and (q) made by Ford Heights School
10 District 169 under Section 17-9.02 of the School Code.

11 "Aggregate extension" for all taxing districts to which
12 this Law applies in accordance with Section 18-213, except for
13 those taxing districts subject to paragraph (2) of subsection
14 (e) of Section 18-213, means the annual corporate extension for
15 the taxing district and those special purpose extensions that
16 are made annually for the taxing district, excluding special
17 purpose extensions: (a) made for the taxing district to pay
18 interest or principal on general obligation bonds that were
19 approved by referendum; (b) made for any taxing district to pay
20 interest or principal on general obligation bonds issued before
21 the date on which the referendum making this Law applicable to
22 the taxing district is held; (c) made for any taxing district
23 to pay interest or principal on bonds issued to refund or
24 continue to refund those bonds issued before the date on which
25 the referendum making this Law applicable to the taxing
26 district is held; (d) made for any taxing district to pay

1 interest or principal on bonds issued to refund or continue to
2 refund bonds issued after the date on which the referendum
3 making this Law applicable to the taxing district is held if
4 the bonds were approved by referendum after the date on which
5 the referendum making this Law applicable to the taxing
6 district is held; (e) made for any taxing district to pay
7 interest or principal on revenue bonds issued before the date
8 on which the referendum making this Law applicable to the
9 taxing district is held for payment of which a property tax
10 levy or the full faith and credit of the unit of local
11 government is pledged; however, a tax for the payment of
12 interest or principal on those bonds shall be made only after
13 the governing body of the unit of local government finds that
14 all other sources for payment are insufficient to make those
15 payments; (f) made for payments under a building commission
16 lease when the lease payments are for the retirement of bonds
17 issued by the commission before the date on which the
18 referendum making this Law applicable to the taxing district is
19 held to pay for the building project; (g) made for payments due
20 under installment contracts entered into before the date on
21 which the referendum making this Law applicable to the taxing
22 district is held; (h) made for payments of principal and
23 interest on limited bonds, as defined in Section 3 of the Local
24 Government Debt Reform Act, in an amount not to exceed the debt
25 service extension base less the amount in items (b), (c), and
26 (e) of this definition for non-referendum obligations, except

1 obligations initially issued pursuant to referendum; (i) made
2 for payments of principal and interest on bonds issued under
3 Section 15 of the Local Government Debt Reform Act; (j) made
4 for a qualified airport authority to pay interest or principal
5 on general obligation bonds issued for the purpose of paying
6 obligations due under, or financing airport facilities
7 required to be acquired, constructed, installed or equipped
8 pursuant to, contracts entered into before March 1, 1996 (but
9 not including any amendments to such a contract taking effect
10 on or after that date); (k) made to fund expenses of providing
11 joint recreational programs for the handicapped under Section
12 5-8 of the Park District Code or Section 11-95-14 of the
13 Illinois Municipal Code; (l) made for contributions to a
14 firefighter's pension fund created under Article 4 of the
15 Illinois Pension Code, to the extent of the amount certified
16 under item (5) of Section 4-134 of the Illinois Pension Code;
17 and (m) made for the taxing district to pay interest or
18 principal on general obligation bonds issued pursuant to
19 Section 19-3.10 of the School Code.

20 "Aggregate extension" for all taxing districts to which
21 this Law applies in accordance with paragraph (2) of subsection
22 (e) of Section 18-213 or this amendatory Act of the 99th
23 General Assembly means the annual corporate extension for the
24 taxing district and those special purpose extensions that are
25 made annually for the taxing district, excluding special
26 purpose extensions: (a) made for the taxing district to pay

1 interest or principal on general obligation bonds that were
2 approved by referendum; (b) made for any taxing district to pay
3 interest or principal on general obligation bonds issued before
4 the effective date of this amendatory Act of 1997; (c) made for
5 any taxing district to pay interest or principal on bonds
6 issued to refund or continue to refund those bonds issued
7 before the effective date of this amendatory Act of 1997; (d)
8 made for any taxing district to pay interest or principal on
9 bonds issued to refund or continue to refund bonds issued after
10 the effective date of this amendatory Act of 1997 if the bonds
11 were approved by referendum after the effective date of this
12 amendatory Act of 1997; (e) made for any taxing district to pay
13 interest or principal on revenue bonds issued before the
14 effective date of this amendatory Act of 1997 for payment of
15 which a property tax levy or the full faith and credit of the
16 unit of local government is pledged; however, a tax for the
17 payment of interest or principal on those bonds shall be made
18 only after the governing body of the unit of local government
19 finds that all other sources for payment are insufficient to
20 make those payments; (f) made for payments under a building
21 commission lease when the lease payments are for the retirement
22 of bonds issued by the commission before the effective date of
23 this amendatory Act of 1997 to pay for the building project;
24 (g) made for payments due under installment contracts entered
25 into before the effective date of this amendatory Act of 1997;
26 (h) made for payments of principal and interest on limited

1 bonds, as defined in Section 3 of the Local Government Debt
2 Reform Act, in an amount not to exceed the debt service
3 extension base less the amount in items (b), (c), and (e) of
4 this definition for non-referendum obligations, except
5 obligations initially issued pursuant to referendum; (i) made
6 for payments of principal and interest on bonds issued under
7 Section 15 of the Local Government Debt Reform Act; (j) made
8 for a qualified airport authority to pay interest or principal
9 on general obligation bonds issued for the purpose of paying
10 obligations due under, or financing airport facilities
11 required to be acquired, constructed, installed or equipped
12 pursuant to, contracts entered into before March 1, 1996 (but
13 not including any amendments to such a contract taking effect
14 on or after that date); (k) made to fund expenses of providing
15 joint recreational programs for the handicapped under Section
16 5-8 of the Park District Code or Section 11-95-14 of the
17 Illinois Municipal Code; and (l) made for contributions to a
18 firefighter's pension fund created under Article 4 of the
19 Illinois Pension Code, to the extent of the amount certified
20 under item (5) of Section 4-134 of the Illinois Pension Code.

21 "Debt service extension base" means an amount equal to that
22 portion of the extension for a taxing district for the 1994
23 levy year, or for those taxing districts subject to this Law in
24 accordance with Section 18-213, except for those subject to
25 paragraph (2) of subsection (e) of Section 18-213, for the levy
26 year in which the referendum making this Law applicable to the

1 taxing district is held, or for those taxing districts subject
2 to this Law in accordance with paragraph (2) of subsection (e)
3 of Section 18-213 for the 1996 levy year, constituting an
4 extension for payment of principal and interest on bonds issued
5 by the taxing district without referendum, but not including
6 excluded non-referendum bonds. For park districts (i) that were
7 first subject to this Law in 1991 or 1995 and (ii) whose
8 extension for the 1994 levy year for the payment of principal
9 and interest on bonds issued by the park district without
10 referendum (but not including excluded non-referendum bonds)
11 was less than 51% of the amount for the 1991 levy year
12 constituting an extension for payment of principal and interest
13 on bonds issued by the park district without referendum (but
14 not including excluded non-referendum bonds), "debt service
15 extension base" means an amount equal to that portion of the
16 extension for the 1991 levy year constituting an extension for
17 payment of principal and interest on bonds issued by the park
18 district without referendum (but not including excluded
19 non-referendum bonds). A debt service extension base
20 established or increased at any time pursuant to any provision
21 of this Law, except Section 18-212, shall be increased each
22 year commencing with the later of (i) the 2009 levy year or
23 (ii) the first levy year in which this Law becomes applicable
24 to the taxing district, by the lesser of 5% or the percentage
25 increase in the Consumer Price Index during the 12-month
26 calendar year preceding the levy year. The debt service

1 extension base may be established or increased as provided
2 under Section 18-212. "Excluded non-referendum bonds" means
3 (i) bonds authorized by Public Act 88-503 and issued under
4 Section 20a of the Chicago Park District Act for aquarium and
5 museum projects; (ii) bonds issued under Section 15 of the
6 Local Government Debt Reform Act; or (iii) refunding
7 obligations issued to refund or to continue to refund
8 obligations initially issued pursuant to referendum.

9 "Special purpose extensions" include, but are not limited
10 to, extensions for levies made on an annual basis for
11 unemployment and workers' compensation, self-insurance,
12 contributions to pension plans, and extensions made pursuant to
13 Section 6-601 of the Illinois Highway Code for a road
14 district's permanent road fund whether levied annually or not.
15 The extension for a special service area is not included in the
16 aggregate extension.

17 "Aggregate extension base" means the taxing district's
18 last preceding aggregate extension as adjusted under Sections
19 18-135, 18-215, and 18-230. An adjustment under Section 18-135
20 shall be made for the 2007 levy year and all subsequent levy
21 years whenever one or more counties within which a taxing
22 district is located (i) used estimated valuations or rates when
23 extending taxes in the taxing district for the last preceding
24 levy year that resulted in the over or under extension of
25 taxes, or (ii) increased or decreased the tax extension for the
26 last preceding levy year as required by Section 18-135(c).

1 Whenever an adjustment is required under Section 18-135, the
2 aggregate extension base of the taxing district shall be equal
3 to the amount that the aggregate extension of the taxing
4 district would have been for the last preceding levy year if
5 either or both (i) actual, rather than estimated, valuations or
6 rates had been used to calculate the extension of taxes for the
7 last levy year, or (ii) the tax extension for the last
8 preceding levy year had not been adjusted as required by
9 subsection (c) of Section 18-135.

10 Notwithstanding any other provision of law, for levy year
11 2012, the aggregate extension base for West Northfield School
12 District No. 31 in Cook County shall be \$12,654,592.

13 "Levy year" has the same meaning as "year" under Section
14 1-155.

15 "New property" means (i) the assessed value, after final
16 board of review or board of appeals action, of new improvements
17 or additions to existing improvements on any parcel of real
18 property that increase the assessed value of that real property
19 during the levy year multiplied by the equalization factor
20 issued by the Department under Section 17-30, (ii) the assessed
21 value, after final board of review or board of appeals action,
22 of real property not exempt from real estate taxation, which
23 real property was exempt from real estate taxation for any
24 portion of the immediately preceding levy year, multiplied by
25 the equalization factor issued by the Department under Section
26 17-30, including the assessed value, upon final stabilization

1 of occupancy after new construction is complete, of any real
2 property located within the boundaries of an otherwise or
3 previously exempt military reservation that is intended for
4 residential use and owned by or leased to a private corporation
5 or other entity, (iii) in counties that classify in accordance
6 with Section 4 of Article IX of the Illinois Constitution, an
7 incentive property's additional assessed value resulting from
8 a scheduled increase in the level of assessment as applied to
9 the first year final board of review market value, and (iv) any
10 increase in assessed value due to oil or gas production from an
11 oil or gas well required to be permitted under the Hydraulic
12 Fracturing Regulatory Act that was not produced in or accounted
13 for during the previous levy year. In addition, the county
14 clerk in a county containing a population of 3,000,000 or more
15 shall include in the 1997 recovered tax increment value for any
16 school district, any recovered tax increment value that was
17 applicable to the 1995 tax year calculations.

18 "Qualified airport authority" means an airport authority
19 organized under the Airport Authorities Act and located in a
20 county bordering on the State of Wisconsin and having a
21 population in excess of 200,000 and not greater than 500,000.

22 "Recovered tax increment value" means, except as otherwise
23 provided in this paragraph, the amount of the current year's
24 equalized assessed value, in the first year after a
25 municipality terminates the designation of an area as a
26 redevelopment project area previously established under the

1 Tax Increment Allocation Development Act in the Illinois
2 Municipal Code, previously established under the Industrial
3 Jobs Recovery Law in the Illinois Municipal Code, previously
4 established under the Economic Development Project Area Tax
5 Increment Act of 1995, or previously established under the
6 Economic Development Area Tax Increment Allocation Act, of each
7 taxable lot, block, tract, or parcel of real property in the
8 redevelopment project area over and above the initial equalized
9 assessed value of each property in the redevelopment project
10 area. For the taxes which are extended for the 1997 levy year,
11 the recovered tax increment value for a non-home rule taxing
12 district that first became subject to this Law for the 1995
13 levy year because a majority of its 1994 equalized assessed
14 value was in an affected county or counties shall be increased
15 if a municipality terminated the designation of an area in 1993
16 as a redevelopment project area previously established under
17 the Tax Increment Allocation Development Act in the Illinois
18 Municipal Code, previously established under the Industrial
19 Jobs Recovery Law in the Illinois Municipal Code, or previously
20 established under the Economic Development Area Tax Increment
21 Allocation Act, by an amount equal to the 1994 equalized
22 assessed value of each taxable lot, block, tract, or parcel of
23 real property in the redevelopment project area over and above
24 the initial equalized assessed value of each property in the
25 redevelopment project area. In the first year after a
26 municipality removes a taxable lot, block, tract, or parcel of

1 real property from a redevelopment project area established
2 under the Tax Increment Allocation Development Act in the
3 Illinois Municipal Code, the Industrial Jobs Recovery Law in
4 the Illinois Municipal Code, or the Economic Development Area
5 Tax Increment Allocation Act, "recovered tax increment value"
6 means the amount of the current year's equalized assessed value
7 of each taxable lot, block, tract, or parcel of real property
8 removed from the redevelopment project area over and above the
9 initial equalized assessed value of that real property before
10 removal from the redevelopment project area.

11 Except as otherwise provided in this Section, "limiting
12 rate" means a fraction the numerator of which is the last
13 preceding aggregate extension base times an amount equal to one
14 plus the extension limitation defined in this Section and the
15 denominator of which is the current year's equalized assessed
16 value of all real property in the territory under the
17 jurisdiction of the taxing district during the prior levy year.
18 For those taxing districts that reduced their aggregate
19 extension for the last preceding levy year, the highest
20 aggregate extension in any of the last 3 preceding levy years
21 shall be used for the purpose of computing the limiting rate.
22 The denominator shall not include new property or the recovered
23 tax increment value. If a new rate, a rate decrease, or a
24 limiting rate increase has been approved at an election held
25 after March 21, 2006, then (i) the otherwise applicable
26 limiting rate shall be increased by the amount of the new rate

1 or shall be reduced by the amount of the rate decrease, as the
2 case may be, or (ii) in the case of a limiting rate increase,
3 the limiting rate shall be equal to the rate set forth in the
4 proposition approved by the voters for each of the years
5 specified in the proposition, after which the limiting rate of
6 the taxing district shall be calculated as otherwise provided.
7 In the case of a taxing district that obtained referendum
8 approval for an increased limiting rate on March 20, 2012, the
9 limiting rate for tax year 2012 shall be the rate that
10 generates the approximate total amount of taxes extendable for
11 that tax year, as set forth in the proposition approved by the
12 voters; this rate shall be the final rate applied by the county
13 clerk for the aggregate of all capped funds of the district for
14 tax year 2012.

15 (Source: P.A. 97-611, eff. 1-1-12; 97-1154, eff. 1-25-13; 98-6,
16 eff. 3-29-13; 98-23, eff. 6-17-13.)

17 (35 ILCS 200/18-205)

18 Sec. 18-205. Referendum to increase the extension
19 limitation. A taxing district is limited to an extension
20 limitation as defined in Section 18-185 ~~of 5% or the percentage~~
21 ~~increase in the Consumer Price Index during the 12-month~~
22 ~~calendar year preceding the levy year, whichever is less.~~ A
23 taxing district may increase its extension limitation for one
24 or more levy years if that taxing district holds a referendum
25 before the levy date for the first levy year at which a

1 majority of voters voting on the issue approves adoption of a
2 higher extension limitation. Referenda shall be conducted at a
3 regularly scheduled election in accordance with the Election
4 Code. For referenda to increase the extension limitation for
5 levy years prior to 2016, the ~~The~~ question shall be presented
6 in substantially the following manner ~~for all elections held~~
7 ~~after March 21, 2006:~~

8 Shall the extension limitation under the Property Tax
9 Extension Limitation Law for (insert the legal name,
10 number, if any, and county or counties of the taxing
11 district and geographic or other common name by which a
12 school or community college district is known and referred
13 to), Illinois, be increased from the lesser of 5% or the
14 percentage increase in the Consumer Price Index over the
15 prior levy year to (insert the percentage of the proposed
16 increase)% per year for (insert each levy year for which
17 the increased extension limitation will apply)?

18 For referenda to increase the extension limitation for levy
19 year 2016 and thereafter, the question shall be presented in
20 substantially the following manner:

21 Shall the extension limitation under the Property Tax
22 Extension Limitation Law for (insert the legal name,
23 number, if any, and county or counties of the taxing
24 district and geographic or other common name by which a
25 school or community college district is known and referred
26 to), Illinois, be increased from 0% to (insert the

1 percentage of the proposed increase)% per year for (insert
2 each levy year for which the increased extension limitation
3 will apply)?

4 The votes must be recorded as "Yes" or "No".

5 If a majority of voters voting on the issue approves the
6 adoption of the increase, the increase shall be applicable for
7 each levy year specified.

8 The ballot for any question submitted pursuant to this
9 Section shall have printed thereon, but not as a part of the
10 question submitted, only the following supplemental
11 information (which shall be supplied to the election authority
12 by the taxing district) in substantially the following form:

13 (1) For the (insert the first levy year for which the
14 increased extension limitation will be applicable) levy
15 year the approximate amount of the additional tax
16 extendable against property containing a single family
17 residence and having a fair market value at the time of the
18 referendum of \$100,000 is estimated to be \$....

19 (2) Based upon an average annual percentage increase
20 (or decrease) in the market value of such property of ...%
21 (insert percentage equal to the average annual percentage
22 increase or decrease for the prior 3 levy years, at the
23 time the submission of the question is initiated by the
24 taxing district, in the amount of (A) the equalized
25 assessed value of the taxable property in the taxing
26 district less (B) the new property included in the

1 equalized assessed value), the approximate amount of the
2 additional tax extendable against such property for the ...
3 levy year is estimated to be \$... and for the ... levy year
4 is estimated to be \$....

5 Paragraph (2) shall be included only if the increased
6 extension limitation will be applicable for more than one year
7 and shall list each levy year for which the increased extension
8 limitation will be applicable. The additional tax shown for
9 each levy year shall be the approximate dollar amount of the
10 increase over the amount of the most recently completed
11 extension at the time the submission of the question is
12 initiated by the taxing district. The approximate amount of the
13 additional tax extendable shown in paragraphs (1) and (2) shall
14 be calculated by multiplying \$100,000 (the fair market value of
15 the property without regard to any property tax exemptions) by
16 (i) the percentage level of assessment prescribed for that
17 property by statute, or by ordinance of the county board in
18 counties that classify property for purposes of taxation in
19 accordance with Section 4 of Article IX of the Illinois
20 Constitution; (ii) the most recent final equalization factor
21 certified to the county clerk by the Department of Revenue at
22 the time the taxing district initiates the submission of the
23 proposition to the electors; (iii) the last known aggregate
24 extension base of the taxing district at the time the
25 submission of the question is initiated by the taxing district;
26 and (iv) the difference between the percentage increase

1 proposed in the question and (A) the lesser of 5% or the
2 percentage increase in the Consumer Price Index for the prior
3 levy year (or an estimate of the percentage increase for the
4 prior levy year if the increase is unavailable at the time the
5 submission of the question is initiated by the taxing district)
6 or (B) 0%, as applicable; and dividing the result by the last
7 known equalized assessed value of the taxing district at the
8 time the submission of the question is initiated by the taxing
9 district. This amendatory Act of the 97th General Assembly is
10 intended to clarify the existing requirements of this Section,
11 and shall not be construed to validate any prior non-compliant
12 referendum language. Any notice required to be published in
13 connection with the submission of the question shall also
14 contain this supplemental information and shall not contain any
15 other supplemental information. Any error, miscalculation, or
16 inaccuracy in computing any amount set forth on the ballot or
17 in the notice that is not deliberate shall not invalidate or
18 affect the validity of any proposition approved. Notice of the
19 referendum shall be published and posted as otherwise required
20 by law, and the submission of the question shall be initiated
21 as provided by law.

22 (Source: P.A. 97-1087, eff. 8-24-12.)

23 (35 ILCS 200/18-213)

24 Sec. 18-213. Referenda on applicability of the Property Tax
25 Extension Limitation Law.

1 (a) The provisions of this Section do not apply to a taxing
2 district subject to this Law because a majority of its 1990
3 equalized assessed value is in a county or counties contiguous
4 to a county of 3,000,000 or more inhabitants, or because a
5 majority of its 1994 equalized assessed value is in an affected
6 county and the taxing district was not subject to this Law
7 before the 1995 levy year.

8 (b) Prior to levy year 2016, the ~~The~~ county board of a
9 county that is not subject to this Law may, by ordinance or
10 resolution, submit to the voters of the county the question of
11 whether to make all non-home rule taxing districts that have
12 all or a portion of their equalized assessed valuation situated
13 in the county subject to this Law in the manner set forth in
14 this Section.

15 For purposes of this Section only:

16 "Taxing district" has the same meaning provided in Section
17 1-150.

18 "Equalized assessed valuation" means the equalized
19 assessed valuation for a taxing district for the immediately
20 preceding levy year.

21 (c) The ordinance or resolution shall request the
22 submission of the proposition at any election, except a
23 consolidated primary election, for the purpose of voting for or
24 against making the Property Tax Extension Limitation Law
25 applicable to all non-home rule taxing districts that have all
26 or a portion of their equalized assessed valuation situated in

1 the county.

2 The question shall be placed on a separate ballot and shall
3 be in substantially the following form:

4 Shall the Property Tax Extension Limitation Law (35
5 ILCS 200/18-185 through 18-245), which limits annual
6 property tax extension increases, apply to non-home rule
7 taxing districts with all or a portion of their equalized
8 assessed valuation located in (name of county)?

9 Votes on the question shall be recorded as "yes" or "no".

10 (d) The county clerk shall order the proposition submitted
11 to the electors of the county at the election specified in the
12 ordinance or resolution. If part of the county is under the
13 jurisdiction of a board or boards of election commissioners,
14 the county clerk shall submit a certified copy of the ordinance
15 or resolution to each board of election commissioners, which
16 shall order the proposition submitted to the electors of the
17 taxing district within its jurisdiction at the election
18 specified in the ordinance or resolution.

19 (e) (1) With respect to taxing districts having all of
20 their equalized assessed valuation located in the county,
21 if a majority of the votes cast on the proposition are in
22 favor of the proposition, then this Law becomes applicable
23 to the taxing district beginning on January 1 of the year
24 following the date of the referendum.

25 (2) With respect to taxing districts that meet all the
26 following conditions this Law shall become applicable to

1 the taxing district beginning on January 1, 1997. The
2 districts to which this paragraph (2) is applicable

3 (A) do not have all of their equalized assessed
4 valuation located in a single county,

5 (B) have equalized assessed valuation in an
6 affected county,

7 (C) meet the condition that each county, other than
8 an affected county, in which any of the equalized
9 assessed valuation of the taxing district is located
10 has held a referendum under this Section at any
11 election, except a consolidated primary election, held
12 prior to the effective date of this amendatory Act of
13 1997, and

14 (D) have a majority of the district's equalized
15 assessed valuation located in one or more counties in
16 each of which the voters have approved a referendum
17 under this Section prior to the effective date of this
18 amendatory Act of 1997. For purposes of this Section,
19 in determining whether a majority of the equalized
20 assessed valuation of the taxing district is located in
21 one or more counties in which the voters have approved
22 a referendum under this Section, the equalized
23 assessed valuation of the taxing district in any
24 affected county shall be included with the equalized
25 assessed value of the taxing district in counties in
26 which the voters have approved the referendum.

1 (3) With respect to taxing districts that do not have
2 all of their equalized assessed valuation located in a
3 single county and to which paragraph (2) of subsection (e)
4 is not applicable, if each county other than an affected
5 county in which any of the equalized assessed valuation of
6 the taxing district is located has held a referendum under
7 this Section at any election, except a consolidated primary
8 election, held in any year and if a majority of the
9 equalized assessed valuation of the taxing district is
10 located in one or more counties that have each approved a
11 referendum under this Section, then this Law shall become
12 applicable to the taxing district on January 1 of the year
13 following the year in which the last referendum in a county
14 in which the taxing district has any equalized assessed
15 valuation is held. For the purposes of this Law, the last
16 referendum shall be deemed to be the referendum making this
17 Law applicable to the taxing district. For purposes of this
18 Section, in determining whether a majority of the equalized
19 assessed valuation of the taxing district is located in one
20 or more counties that have approved a referendum under this
21 Section, the equalized assessed valuation of the taxing
22 district in any affected county shall be included with the
23 equalized assessed value of the taxing district in counties
24 that have approved the referendum.

25 (f) Immediately after a referendum is held under this
26 Section, the county clerk of the county holding the referendum

1 shall give notice of the referendum having been held and its
2 results to all taxing districts that have all or a portion of
3 their equalized assessed valuation located in the county, the
4 county clerk of any other county in which any of the equalized
5 assessed valuation of any taxing district is located, and the
6 Department of Revenue. After the last referendum affecting a
7 multi-county taxing district is held, the Department of Revenue
8 shall determine whether the taxing district is subject to this
9 Law and, if so, shall notify the taxing district and the county
10 clerks of all of the counties in which a portion of the
11 equalized assessed valuation of the taxing district is located
12 that, beginning the following January 1, the taxing district is
13 subject to this Law. For each taxing district subject to
14 paragraph (2) of subsection (e) of this Section, the Department
15 of Revenue shall notify the taxing district and the county
16 clerks of all of the counties in which a portion of the
17 equalized assessed valuation of the taxing district is located
18 that, beginning January 1, 1997, the taxing district is subject
19 to this Law.

20 (g) Referenda held under this Section shall be conducted in
21 accordance with the Election Code.

22 (Source: P.A. 89-510, eff. 7-11-96; 89-718, eff. 3-7-97.)

23 (35 ILCS 200/18-214)

24 Sec. 18-214. Referenda on removal of the applicability of
25 the Property Tax Extension Limitation Law to non-home rule

1 taxing districts.

2 (a) The provisions of this Section do not apply to a taxing
3 district that is subject to this Law because a majority of its
4 1990 equalized assessed value is in a county or counties
5 contiguous to a county of 3,000,000 or more inhabitants, or
6 because a majority of its 1994 equalized assessed value is in
7 an affected county and the taxing district was not subject to
8 this Law before the 1995 levy year.

9 (b) For purposes of this Section only:

10 "Taxing district" means any non-home rule taxing district
11 that became subject to this Law under Section 18-213 of this
12 Law.

13 "Equalized assessed valuation" means the equalized
14 assessed valuation for a taxing district for the immediately
15 preceding levy year.

16 (c) The county board of a county that became subject to
17 this Law by a referendum approved by the voters of the county
18 under Section 18-213 may, by ordinance or resolution, in the
19 manner set forth in this Section, submit to the voters of the
20 county the question of whether this Law applies to all non-home
21 rule taxing districts that have all or a portion of their
22 equalized assessed valuation situated in the county in the
23 manner set forth in this Section.

24 (d) The ordinance or resolution shall request the
25 submission of the proposition at any election, except a
26 consolidated primary election, for the purpose of voting for or

1 against the continued application of the Property Tax Extension
2 Limitation Law to all non-home rule taxing districts that have
3 all or a portion of their equalized assessed valuation situated
4 in the county.

5 The question shall be placed on a separate ballot and shall
6 be in substantially the following form:

7 Shall the Property Tax Extension Limitation Law (35
8 ILCS 200/18-185 through 35 ILCS 200/18-245), which limits
9 annual property tax extension increases, apply to non-home
10 rule taxing districts with all or a portion of their
11 equalized assessed valuation located in (name of county)?

12 Votes on the question shall be recorded as "yes" or "no".

13 (e) The county clerk shall order the proposition submitted
14 to the electors of the county at the election specified in the
15 ordinance or resolution. If part of the county is under the
16 jurisdiction of a board or boards of election commissioners,
17 the county clerk shall submit a certified copy of the ordinance
18 or resolution to each board of election commissioners, which
19 shall order the proposition submitted to the electors of the
20 taxing district within its jurisdiction at the election
21 specified in the ordinance or resolution.

22 (f) With respect to taxing districts having all of their
23 equalized assessed valuation located in one county, if a
24 majority of the votes cast on the proposition are against the
25 proposition, then this Law shall not apply to the taxing
26 district beginning on January 1 of the year following the date

1 of the referendum.

2 (g) With respect to taxing districts that do not have all
3 of their equalized assessed valuation located in a single
4 county, if both of the following conditions are met, then this
5 Law shall no longer apply to the taxing district beginning on
6 January 1 of the year following the date of the referendum.

7 (1) Each county in which the district has any equalized
8 assessed valuation must either, (i) have held a referendum
9 under this Section, (ii) be an affected county, or (iii)
10 have held a referendum under Section 18-213 at which the
11 voters rejected the proposition at the most recent election
12 at which the question was on the ballot in the county.

13 (2) The majority of the equalized assessed valuation of
14 the taxing district, other than any equalized assessed
15 valuation in an affected county, is in one or more counties
16 in which the voters rejected the proposition. For purposes
17 of this Section, in determining whether a majority of the
18 equalized assessed valuation of the taxing district is
19 located in one or more counties in which the voters have
20 rejected the proposition under this Section, the equalized
21 assessed valuation of any taxing district in a county which
22 has held a referendum under Section 18-213 at which the
23 voters rejected that proposition, at the most recent
24 election at which the question was on the ballot in the
25 county, will be included with the equalized assessed value
26 of the taxing district in counties in which the voters have

1 rejected the referendum held under this Section.

2 (h) Immediately after a referendum is held under this
3 Section, the county clerk of the county holding the referendum
4 shall give notice of the referendum having been held and its
5 results to all taxing districts that have all or a portion of
6 their equalized assessed valuation located in the county, the
7 county clerk of any other county in which any of the equalized
8 assessed valuation of any such taxing district is located, and
9 the Department of Revenue. After the last referendum affecting
10 a multi-county taxing district is held, the Department of
11 Revenue shall determine whether the taxing district is no
12 longer subject to this Law and, if the taxing district is no
13 longer subject to this Law, the Department of Revenue shall
14 notify the taxing district and the county clerks of all of the
15 counties in which a portion of the equalized assessed valuation
16 of the taxing district is located that, beginning on January 1
17 of the year following the date of the last referendum, the
18 taxing district is no longer subject to this Law.

19 (i) Notwithstanding any other provision of law, no
20 referendum may be submitted under this Section for levy year
21 2016 or thereafter.

22 (Source: P.A. 89-718, eff. 3-7-97.)

23 (35 ILCS 200/18-242 new)

24 Sec. 18-242. Home . This Division 5 is a limitation, under
25 subsection (g) of Section 6 of Article VII of the Illinois

1 Constitution, on the power of home rule units to tax.

2 Section 5-15. The Local Government Energy Conservation Act
3 is amended by changing Section 3 as follows:

4 (50 ILCS 515/3)

5 Sec. 3. Applicable laws. Other State laws and related
6 administrative requirements apply to this Act, including, but
7 not limited to, the following laws and related administrative
8 requirements: the Illinois Human Rights Act, ~~the Prevailing~~
9 ~~Wage Act,~~ the Public Construction Bond Act, the Public Works
10 Preference Act (repealed on June 16, 2010 by Public Act
11 96-929), the Employment of Illinois Workers on Public Works
12 Act, the Freedom of Information Act, the Open Meetings Act, the
13 Illinois Architecture Practice Act of 1989, the Professional
14 Engineering Practice Act of 1989, the Structural Engineering
15 Practice Act of 1989, the Local Government Professional
16 Services Selection Act, and the Contractor Unified License and
17 Permit Bond Act.

18 (Source: P.A. 97-333, eff. 8-12-11.)

19 Section 5-20. The Local Government Facility Lease Act is
20 amended by changing Section 35 as follows:

21 (50 ILCS 615/35)

22 Sec. 35. Wage requirements. In order to protect the wages,

1 working conditions, and job opportunities of employees
2 employed by the lessee of leased facility property used for
3 airport purposes to perform work on the site of the leased
4 premises previously performed by employees of the lessor on the
5 site of the leased premises and who were in recognized
6 bargaining units at the time of the lease, the lessee, and any
7 subcontractor retained by the lessee to perform such work on
8 the site of the leased premises, shall be required to pay to
9 those employees an amount not less than the economic equivalent
10 of the standard of wages and benefits enjoyed by the lessor's
11 employees who previously performed that work. The lessor shall
12 certify to the lessee the amount of wages and benefits (or
13 their equivalent) as of the time of the lease, and any changes
14 to those amounts as they may occur during the term of the
15 lease. ~~All projects at the leased facility property used for~~
16 ~~airport purposes shall be considered public works for purposes~~
17 ~~of the Prevailing Wage Act.~~

18 (Source: P.A. 94-750, eff. 5-9-06.)

19 Section 5-25. The Counties Code is amended by changing
20 Section 5-1134 as follows:

21 (55 ILCS 5/5-1134)

22 Sec. 5-1134. Project labor agreements.

23 (a) ~~Any sports, arts, or entertainment facilities that~~
24 ~~receive revenue from a tax imposed under subsection (b) of~~

1 ~~Section 5-1030 of this Code shall be considered to be public~~
2 ~~works within the meaning of the Prevailing Wage Act.~~ The county
3 authorities responsible for the construction, renovation,
4 modification, or alteration of the sports, arts, or
5 entertainment facilities shall enter into project labor
6 agreements with labor organizations as defined in the National
7 Labor Relations Act to assure that no labor dispute interrupts
8 or interferes with the construction, renovation, modification,
9 or alteration of the projects.

10 (b) The project labor agreements must include the
11 following:

12 (1) provisions establishing the minimum hourly wage
13 for each class of labor organization employees;

14 (2) provisions establishing the benefits and other
15 compensation for such class of labor organization; and

16 (3) provisions establishing that no strike or disputes
17 will be engaged in by the labor organization employees.

18 The county, taxing bodies, municipalities, and the labor
19 organizations shall have the authority to include other terms
20 and conditions as they deem necessary.

21 (c) The project labor agreement shall be filed with the
22 Director of the Illinois Department of Labor in accordance with
23 procedures established by the Department. At a minimum, the
24 project labor agreement must provide the names, addresses, and
25 occupations of the owner of the facilities and the individuals
26 representing the labor organization employees participating in

1 the project labor agreement. The agreement must also specify
2 the terms and conditions required in subsection (b) of this
3 Section.

4 (d) In any agreement for the construction or rehabilitation
5 of a facility using revenue generated under subsection (b) of
6 Section 5-1030 of this Code, in connection with the
7 prequalification of general contractors for construction or
8 rehabilitation of the facility, it shall be required that a
9 commitment will be submitted detailing how the general
10 contractor will expend 15% or more of the aggregate dollar
11 value of the project as a whole with one or more minority-owned
12 businesses, female-owned businesses, or businesses owned by a
13 person with a disability, as these terms are defined in Section
14 2 of the Business Enterprise for Minorities, Females, and
15 Persons with Disabilities Act.

16 (Source: P.A. 98-313, eff. 8-12-13; 98-756, eff. 7-16-14.)

17 (60 ILCS 1/100-20 rep.)

18 Section 5-30. The Township Code is amended by repealing
19 Section 100-20.

20 Section 5-35. The School Code is amended by changing
21 Section 19b-15 as follows:

22 (105 ILCS 5/19b-15)

23 Sec. 19b-15. Applicable laws. Other State laws and related

1 administrative requirements apply to this Article, including,
2 but not limited to, the following laws and related
3 administrative requirements: the Illinois Human Rights Act,
4 ~~the Prevailing Wage Act,~~ the Public Construction Bond Act, the
5 Public Works Preference Act (repealed on June 16, 2010 by
6 Public Act 96-929), the Employment of Illinois Workers on
7 Public Works Act, the Freedom of Information Act, the Open
8 Meetings Act, the Illinois Architecture Practice Act of 1989,
9 the Professional Engineering Practice Act of 1989, the
10 Structural Engineering Practice Act of 1989, the Local
11 Government Professional Services Selection Act, and the
12 Contractor Unified License and Permit Bond Act.

13 (Source: P.A. 97-333, eff. 8-12-11.)

14 Section 5-40. The Public Community College Act is amended
15 by changing Section 1-3 as follows:

16 (110 ILCS 805/1-3)

17 Sec. 1-3. Applicable laws. Other State laws and related
18 administrative requirements apply to this Act, including, but
19 not limited to, the following laws and related administrative
20 requirements: the Illinois Human Rights Act, ~~the Prevailing~~
21 ~~Wage Act,~~ the Public Construction Bond Act, the Employment of
22 Illinois Workers on Public Works Act, the Freedom of
23 Information Act, the Open Meetings Act, the Illinois
24 Architecture Practice Act of 1989, the Professional

1 Engineering Practice Act of 1989, the Structural Engineering
2 Practice Act of 1989, the Local Government Professional
3 Services Selection Act, and the Contractor Unified License and
4 Permit Bond Act. The provisions of the Procurement of Domestic
5 Products Act shall apply to this Act to the extent practicable,
6 provided that the Procurement of Domestic Products Act must not
7 be applied to this Act in a manner that is inconsistent with
8 the requirements of this Act.

9 (Source: P.A. 97-333, eff. 8-12-11; 97-1105, eff. 8-27-12.)

10 Section 5-45. The Illinois Educational Labor Relations Act
11 is amended by changing Sections 4.5 and 7 and by adding Section
12 4.7 as follows:

13 (115 ILCS 5/4.5)

14 Sec. 4.5. Subjects of collective bargaining.

15 (a) Notwithstanding the existence of any other provision in
16 this Act or other law, collective bargaining between an
17 educational employer whose territorial boundaries are
18 coterminous with those of a city having a population in excess
19 of 500,000 and an exclusive representative of its employees may
20 include any of the following subjects:

21 (1) (Blank).

22 (2) Decisions to contract with a third party for one or
23 more services otherwise performed by employees in a
24 bargaining unit and the procedures for obtaining such

1 contract or the identity of the third party, except as
2 provided in subsection (d).

3 (3) Decisions to layoff or reduce in force employees, l
4 except as provided in subsection (d) with respect to a
5 layoff or reduction in force resulting from a service
6 contract.

7 (4) Decisions to determine class size, class staffing
8 and assignment, class schedules, academic calendar, length
9 of the work and school day with respect to a public school
10 district organized under Article 34 of the School Code
11 only, length of the work and school year with respect to a
12 public school district organized under Article 34 of the
13 School Code only, hours and places of instruction, or pupil
14 assessment policies.

15 (5) Decisions concerning use and staffing of
16 experimental or pilot programs and decisions concerning
17 use of technology to deliver educational programs and
18 services and staffing to provide the technology.

19 (b) The subject or matters described in subsection (a) are
20 permissive subjects of bargaining between an educational
21 employer and an exclusive representative of its employees and,
22 for the purpose of this Act, are within the sole discretion of
23 the educational employer to decide to bargain, provided that
24 the educational employer is required to bargain over the impact
25 of a decision concerning such subject or matter on the
26 bargaining unit upon request by the exclusive representative.

1 During this bargaining, the educational employer shall not be
2 precluded from implementing its decision. If, after a
3 reasonable period of bargaining, a dispute or impasse exists
4 between the educational employer and the exclusive
5 representative, the dispute or impasse shall be resolved
6 exclusively as set forth in subsection (b) of Section 12 of
7 this Act in lieu of a strike under Section 13 of this Act.
8 Neither the Board nor any mediator or fact-finder appointed
9 pursuant to subsection (a-10) of Section 12 of this Act shall
10 have jurisdiction over such a dispute or impasse.

11 (c) A provision in a collective bargaining agreement that
12 was rendered null and void because it involved a prohibited
13 subject of collective bargaining under this subsection (c) as
14 this subsection (c) existed before the effective date of this
15 amendatory Act of the 93rd General Assembly remains null and
16 void and shall not otherwise be reinstated in any successor
17 agreement unless the educational employer and exclusive
18 representative otherwise agree to include an agreement reached
19 on a subject or matter described in subsection (a) of this
20 Section as subsection (a) existed before this amendatory Act of
21 the 93rd General Assembly.

22 (d) In any public school district to which this subsection
23 applies, as provided in Section 4.7, public employees or a
24 labor organization may not bargain collectively on:

25 (1) the decision of the educational employer to
26 contract with a third party for any services, the process

1 for bidding on such a contract, the identity of the
2 provider of such services, or the effect of any such
3 contract on bargaining unit members, provided that this
4 subsection does not limit the ability of educational
5 employees or a labor organization to bid on any such
6 contract;

7 (2) any pay increase, either through changes to the pay
8 schedule or as a result of accumulated years of service, in
9 excess of the amount specified by resolution of the
10 governing body of the public school district;

11 (3) the provision of any health insurance, including
12 the payment of premiums, the extent of coverage, or the
13 identity of the insurer;

14 (4) the use of educational employee time for business
15 of the labor organization, other than reasonable time
16 provided to an educational employee to attend a grievance
17 hearing when his or her rights are substantially affected
18 by the hearing or his or her testimony is needed for the
19 determination of any substantial factual question;

20 (5) required levels of staffing for departments,
21 divisions, shifts, stations, or assignments;

22 (6) procedures, processes, forms, and criteria for
23 personnel evaluations, or the use of evaluations or
24 seniority in assignments, promotions, layoffs, and
25 reductions-in-force; or

26 (7) curriculum or standards of student academic

1 performance, conduct, and discipline in school.

2 (e) If subsection (b) of Section 4 of the Illinois Public
3 Labor Relations Act applies to a public school district,
4 educational employees or a labor organization may not bargain
5 collectively on the matters described in that subsection or on
6 the matters described in paragraph (7) of subsection (d) of
7 this Section.

8 (f) Any agreement, understanding, or practice, whether
9 written or oral, and whether express or implied, between any
10 labor organization and any educational employer made in
11 violation of this Section is hereby declared to be unlawful,
12 null and void, and of no legal effect.

13 (Source: P.A. 97-7, eff. 6-13-11; 97-8, eff. 6-13-11.)

14 (115 ILCS 5/4.7 new)

15 Sec. 4.7. Adoption of limitations on subjects of collective
16 bargaining.

17 (a) The governing body of a public school district may by
18 resolution prohibit elect to apply the limitations under
19 subsection (d) of Section 4.5 to bargaining with that public
20 school district.

21 (b) If a petition, signed by a number of registered voters
22 equal in number to at least 5% of the total number of
23 registered voters in a public school district, asking to apply
24 the limitations under subsection (d) of Section 4.5 to that
25 public school district is presented to the clerk of that public

1 school district, the clerk shall certify the question of
2 whether to apply such limitations to that public school
3 district to the proper election authority, who shall submit the
4 question at the next election in accordance with the general
5 election law.

6 The question of whether to apply the limitations under
7 subsection (d) of Section 4.5 shall be presented in
8 substantially the following form:

9 Shall (the legal name of the public school district) be
10 free to determine certain matters without negotiating with
11 employee unions, such as the use of service providers, the
12 decision to provide health benefits, caps on total payroll,
13 employees' use of government time for union matters,
14 required staffing levels, evaluation procedures, and
15 curriculum?

16 The votes must be recorded as "Yes" or "No". If a majority
17 of voters voting on the question are in favor of applying such
18 limitations, subsection (d) of Section 4.5 shall apply to
19 bargaining with that public school district.

20 (115 ILCS 5/7) (from Ch. 48, par. 1707)

21 Sec. 7. Recognition of exclusive bargaining
22 representatives - unit determination. The Board is empowered
23 to administer the recognition of bargaining representatives of
24 employees of public school districts, including employees of
25 districts which have entered into joint agreements, or

1 employees of public community college districts, or any State
2 college or university, and any State agency whose major
3 function is providing educational services, making certain
4 that each bargaining unit contains employees with an
5 identifiable community of interest and that no unit includes
6 both professional employees and nonprofessional employees
7 unless a majority of employees in each group vote for inclusion
8 in the unit.

9 (a) In determining the appropriateness of a unit, the Board
10 shall decide in each case, in order to ensure employees the
11 fullest freedom in exercising the rights guaranteed by this
12 Act, the unit appropriate for the purpose of collective
13 bargaining, based upon but not limited to such factors as
14 historical pattern of recognition, community of interest,
15 including employee skills and functions, degree of functional
16 integration, interchangeability and contact among employees,
17 common supervision, wages, hours and other working conditions
18 of the employees involved, and the desires of the employees.
19 Nothing in this Act, except as herein provided, shall interfere
20 with or negate the current representation rights or patterns
21 and practices of employee organizations which have
22 historically represented employees for the purposes of
23 collective bargaining, including but not limited to the
24 negotiations of wages, hours and working conditions,
25 resolutions of employees' grievances, or resolution of
26 jurisdictional disputes, ~~or the establishment and maintenance~~

1 ~~of prevailing wage rates,~~ unless a majority of the employees so
2 represented expresses a contrary desire under the procedures
3 set forth in this Act. This Section, however, does not prohibit
4 multi-unit bargaining. Notwithstanding the above factors,
5 where the majority of public employees of a craft so decide,
6 the Board shall designate such craft as a unit appropriate for
7 the purposes of collective bargaining.

8 The sole appropriate bargaining unit for tenured and
9 tenure-track academic faculty at each campus of the University
10 of Illinois shall be a unit that is comprised of
11 non-supervisory academic faculty employed more than half-time
12 and that includes all tenured and tenure-track faculty of that
13 University campus employed by the board of trustees in all of
14 the campus's undergraduate, graduate, and professional schools
15 and degree and non-degree programs (with the exception of the
16 college of medicine, the college of pharmacy, the college of
17 dentistry, the college of law, and the college of veterinary
18 medicine, each of which shall have its own separate unit),
19 regardless of current or historical representation rights or
20 patterns or the application of any other factors. Any decision,
21 rule, or regulation promulgated by the Board to the contrary
22 shall be null and void.

23 (b) An educational employer shall voluntarily recognize a
24 labor organization for collective bargaining purposes if that
25 organization appears to represent a majority of employees in
26 the unit. The employer shall post notice of its intent to so

1 recognize for a period of at least 20 school days on bulletin
2 boards or other places used or reserved for employee notices.
3 Thereafter, the employer, if satisfied as to the majority
4 status of the employee organization, shall send written
5 notification of such recognition to the Board for
6 certification. Any dispute regarding the majority status of a
7 labor organization shall be resolved by the Board which shall
8 make the determination of majority status.

9 Within the 20 day notice period, however, any other
10 interested employee organization may petition the Board to seek
11 recognition as the exclusive representative of the unit in the
12 manner specified by rules and regulations prescribed by the
13 Board, if such interested employee organization has been
14 designated by at least 15% of the employees in an appropriate
15 bargaining unit which includes all or some of the employees in
16 the unit intended to be recognized by the employer. In such
17 event, the Board shall proceed with the petition in the same
18 manner as provided in paragraph (c) of this Section.

19 (c) A labor organization may also gain recognition as the
20 exclusive representative by an election of the employees in the
21 unit. Petitions requesting an election may be filed with the
22 Board:

23 (1) by an employee or group of employees or any labor
24 organizations acting on their behalf alleging and
25 presenting evidence that 30% or more of the employees in a
26 bargaining unit wish to be represented for collective

1 bargaining or that the labor organization which has been
2 acting as the exclusive bargaining representative is no
3 longer representative of a majority of the employees in the
4 unit; or

5 (2) by an employer alleging that one or more labor
6 organizations have presented a claim to be recognized as an
7 exclusive bargaining representative of a majority of the
8 employees in an appropriate unit and that it doubts the
9 majority status of any of the organizations or that it
10 doubts the majority status of an exclusive bargaining
11 representative.

12 The Board shall investigate the petition and if it has
13 reasonable cause to suspect that a question of representation
14 exists, it shall give notice and conduct a hearing. If it finds
15 upon the record of the hearing that a question of
16 representation exists, it shall direct an election, which shall
17 be held no later than 90 days after the date the petition was
18 filed. Nothing prohibits the waiving of hearings by the parties
19 and the conduct of consent elections.

20 (c-5) The Board shall designate an exclusive
21 representative for purposes of collective bargaining when the
22 representative demonstrates a showing of majority interest by
23 employees in the unit. If the parties to a dispute are without
24 agreement on the means to ascertain the choice, if any, of
25 employee organization as their representative, the Board shall
26 ascertain the employees' choice of employee organization, on

1 the basis of dues deduction authorization or other evidence,
2 or, if necessary, by conducting an election. All evidence
3 submitted by an employee organization to the Board to ascertain
4 an employee's choice of an employee organization is
5 confidential and shall not be submitted to the employer for
6 review. The Board shall ascertain the employee's choice of
7 employee organization within 120 days after the filing of the
8 majority interest petition; however, the Board may extend time
9 by an additional 60 days, upon its own motion or upon the
10 motion of a party to the proceeding. If either party provides
11 to the Board, before the designation of a representative, clear
12 and convincing evidence that the dues deduction
13 authorizations, and other evidence upon which the Board would
14 otherwise rely to ascertain the employees' choice of
15 representative, are fraudulent or were obtained through
16 coercion, the Board shall promptly thereafter conduct an
17 election. The Board shall also investigate and consider a
18 party's allegations that the dues deduction authorizations and
19 other evidence submitted in support of a designation of
20 representative without an election were subsequently changed,
21 altered, withdrawn, or withheld as a result of employer fraud,
22 coercion, or any other unfair labor practice by the employer.
23 If the Board determines that a labor organization would have
24 had a majority interest but for an employer's fraud, coercion,
25 or unfair labor practice, it shall designate the labor
26 organization as an exclusive representative without conducting

1 an election. If a hearing is necessary to resolve any issues of
2 representation under this Section, the Board shall conclude its
3 hearing process and issue a certification of the entire
4 appropriate unit not later than 120 days after the date the
5 petition was filed. The 120-day period may be extended one or
6 more times by the agreement of all parties to a hearing to a
7 date certain.

8 (c-6) A labor organization or an employer may file a unit
9 clarification petition seeking to clarify an existing
10 bargaining unit. The Board shall conclude its investigation,
11 including any hearing process deemed necessary, and issue a
12 certification of clarified unit or dismiss the petition not
13 later than 120 days after the date the petition was filed. The
14 120-day period may be extended one or more times by the
15 agreement of all parties to a hearing to a date certain.

16 (d) An order of the Board dismissing a representation
17 petition, determining and certifying that a labor organization
18 has been fairly and freely chosen by a majority of employees in
19 an appropriate bargaining unit, determining and certifying
20 that a labor organization has not been fairly and freely chosen
21 by a majority of employees in the bargaining unit or certifying
22 a labor organization as the exclusive representative of
23 employees in an appropriate bargaining unit because of a
24 determination by the Board that the labor organization is the
25 historical bargaining representative of employees in the
26 bargaining unit, is a final order. Any person aggrieved by any

1 such order issued on or after the effective date of this
2 amendatory Act of 1987 may apply for and obtain judicial review
3 in accordance with provisions of the Administrative Review Law,
4 as now or hereafter amended, except that such review shall be
5 afforded directly in the Appellate Court of a judicial district
6 in which the Board maintains an office. Any direct appeal to
7 the Appellate Court shall be filed within 35 days from the date
8 that a copy of the decision sought to be reviewed was served
9 upon the party affected by the decision.

10 No election may be conducted in any bargaining unit during
11 the term of a collective bargaining agreement covering such
12 unit or subdivision thereof, except the Board may direct an
13 election after the filing of a petition between January 15 and
14 March 1 of the final year of a collective bargaining agreement.
15 Nothing in this Section prohibits the negotiation of a
16 collective bargaining agreement covering a period not
17 exceeding 3 years. A collective bargaining agreement of less
18 than 3 years may be extended up to 3 years by the parties if the
19 extension is agreed to in writing before the filing of a
20 petition under this Section. In such case, the final year of
21 the extension is the final year of the collective bargaining
22 agreement. No election may be conducted in a bargaining unit,
23 or subdivision thereof, in which a valid election has been held
24 within the preceding 12 month period.

25 (Source: P.A. 95-331, eff. 8-21-07; 96-813, eff. 10-30-09.)

1 Section 5-50. The Prevailing Wage Act is amended by
2 changing Section 2 as follows:

3 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

4 Sec. 2. This Act applies to the wages of laborers,
5 mechanics and other workers employed in any public works, as
6 hereinafter defined, by any public body and to anyone under
7 contracts for public works. This includes any maintenance,
8 repair, assembly, or disassembly work performed on equipment
9 whether owned, leased, or rented.

10 As used in this Act, unless the context indicates
11 otherwise:

12 "Public works" means all fixed works constructed or
13 demolished by any public body, or paid for wholly or in part
14 out of public funds. "Public works" as defined herein includes
15 all projects financed in whole or in part with bonds, grants,
16 loans, or other funds made available by or through the State or
17 any of its political subdivisions, including but not limited
18 to: bonds issued under the Industrial Project Revenue Bond Act
19 (Article 11, Division 74 of the Illinois Municipal Code), the
20 Industrial Building Revenue Bond Act, the Illinois Finance
21 Authority Act, the Illinois Sports Facilities Authority Act, or
22 the Build Illinois Bond Act; loans or other funds made
23 available pursuant to the Build Illinois Act; loans or other
24 funds made available pursuant to the Riverfront Development
25 Fund under Section 10-15 of the River Edge Redevelopment Zone

1 Act; or funds from the Fund for Illinois' Future under Section
2 6z-47 of the State Finance Act, ~~funds for school construction~~
3 ~~under Section 5 of the General Obligation Bond Act, funds~~
4 ~~authorized under Section 3 of the School Construction Bond Act,~~
5 ~~funds for school infrastructure under Section 6z 45 of the~~
6 ~~State Finance Act,~~ and funds for transportation purposes under
7 Section 4 of the General Obligation Bond Act. "Public works"
8 also includes (i) all projects financed in whole or in part
9 with funds from the Department of Commerce and Economic
10 Opportunity under the Illinois Renewable Fuels Development
11 Program Act for which there is no project labor agreement; (ii)
12 all work performed pursuant to a public private agreement under
13 the Public Private Agreements for the Illiana Expressway Act or
14 the Public-Private Agreements for the South Suburban Airport
15 Act; and (iii) all projects undertaken under a public-private
16 agreement under the Public-Private Partnerships for
17 Transportation Act. "Public works" also includes all projects
18 at leased facility property used for airport purposes under
19 Section 35 of the Local Government Facility Lease Act. "Public
20 works" also includes the construction of a new wind power
21 facility by a business designated as a High Impact Business
22 under Section 5.5(a) (3) (E) of the Illinois Enterprise Zone Act.
23 "Public works" does not include work done directly by any
24 public utility company, whether or not done under public
25 supervision or direction, or paid for wholly or in part out of
26 public funds. "Public works" also includes any corrective

1 action performed pursuant to Title XVI of the Environmental
2 Protection Act for which payment from the Underground Storage
3 Tank Fund is requested. "Public works" does not include
4 projects undertaken by the owner at an owner-occupied
5 single-family residence or at an owner-occupied unit of a
6 multi-family residence. "Public works" does not include work
7 performed for soil and water conservation purposes on
8 agricultural lands, whether or not done under public
9 supervision or paid for wholly or in part out of public funds,
10 done directly by an owner or person who has legal control of
11 those lands.

12 "Public works" does not include work done or projects
13 performed by or on behalf of a unit of local government or
14 school district whether or not done under public supervision or
15 paid for wholly or in part with public funds and whether or not
16 owned by a unit of local government or a school district.

17 "Construction" means all work on public works involving
18 laborers, workers or mechanics. This includes any maintenance,
19 repair, assembly, or disassembly work performed on equipment
20 whether owned, leased, or rented.

21 "Locality" means the county where the physical work upon
22 public works is performed, except (1) that if there is not
23 available in the county a sufficient number of competent
24 skilled laborers, workers and mechanics to construct the public
25 works efficiently and properly, "locality" includes any other
26 county nearest the one in which the work or construction is to

1 be performed and from which such persons may be obtained in
2 sufficient numbers to perform the work and (2) that, with
3 respect to contracts for highway work with the Department of
4 Transportation of this State, "locality" may at the discretion
5 of the Secretary of the Department of Transportation be
6 construed to include two or more adjacent counties from which
7 workers may be accessible for work on such construction.

8 "Public body" means the State or any officer, board or
9 commission of the State or any political subdivision or
10 department thereof, or any institution supported in whole or in
11 part by public funds; "public body" does not, however, include
12 a unit of local government or a school district, ~~and includes~~
13 ~~every county, city, town, village, township, school district,~~
14 ~~irrigation, utility, reclamation improvement or other district~~
15 ~~and every other political subdivision, district or~~
16 ~~municipality of the state whether such political subdivision,~~
17 ~~municipality or district operates under a special charter or~~
18 ~~not.~~

19 The terms "general prevailing rate of hourly wages",
20 "general prevailing rate of wages" or "prevailing rate of
21 wages" when used in this Act mean the hourly cash wages plus
22 annualized fringe benefits for training and apprenticeship
23 programs approved by the U.S. Department of Labor, Bureau of
24 Apprenticeship and Training, health and welfare, insurance,
25 vacations and pensions paid generally, in the locality in which
26 the work is being performed, to employees engaged in work of a

1 similar character on public works.

2 (Source: P.A. 97-502, eff. 8-23-11; 98-109, eff. 7-25-13;
3 98-482, eff. 1-1-14; 98-740, eff. 7-16-14; 98-756, eff.
4 7-16-14.)

5 Section 5-90. The State Mandates Act is amended by adding
6 Section 8.39 as follows:

7 (30 ILCS 805/8.39 new)

8 Sec. 8.39. Exempt mandate. Notwithstanding Sections 6 and 8
9 of this Act, no reimbursement by the State is required for the
10 implementation of any mandate created by this amendatory Act of
11 the 99th General Assembly.

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