



Sen. Steve Stadelman

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10300HB5005sam003

LRB103 37016 SPS 74256 a

1 AMENDMENT TO HOUSE BILL 5005

2 AMENDMENT NO. _____. Amend House Bill 5005, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 2, on page 70, immediately below line 2 by inserting the
5 following:

6 "Section 17. The Energy Transition Act is amended by
7 changing Sections 5-20 and 5-45 as follows:

8 "(20 ILCS 730/5-20)

9 (Section scheduled to be repealed on September 15, 2045)

10 Sec. 5-20. Clean Jobs Workforce Network Program.

11 (a) As used in this Section, "Program" means the Clean
12 Jobs Workforce Network Program.

13 (b) Subject to appropriation, the Department shall develop
14 and, through Regional Administrators, administer the Clean
15 Jobs Workforce Network Program to create a network of 14 ~~13~~
16 Program delivery Hub Sites with program elements delivered by

1 community-based organizations and their subcontractors
2 geographically distributed across the State including at least
3 one Hub Site located in or near each of the following areas:
4 Chicago (South Side), Chicago (Southwest and West Sides),
5 Waukegan, Rockford, Aurora, Joliet, Peoria, Champaign,
6 Danville, Decatur, Carbondale, East St. Louis, Kankakee, and
7 Alton.

8 (c) In admitting program participants, for each workforce
9 Hub Site, the Regional Administrators shall:

10 (1) in each Hub Site where the applicant pool allows:

11 (A) dedicate at least one-third of program
12 placements to applicants who reside in a geographic
13 area that is impacted by economic and environmental
14 challenges, defined as an area that is both (i) an R3
15 Area, as defined pursuant to Section 10-40 of the
16 Cannabis Regulation and Tax Act, and (ii) an
17 environmental justice community, as defined by the
18 Illinois Power Agency, excluding any racial or ethnic
19 indicators used by the agency unless and until the
20 constitutional basis for their inclusion in
21 determining program admissions is established. Among
22 applicants that satisfy these criteria, preference
23 shall be given to applicants who face barriers to
24 employment, such as low educational attainment, prior
25 involvement with the criminal legal system, and
26 language barriers; and applicants that are graduates

1 of or currently enrolled in the foster care system;
2 and

3 (B) dedicate at least two-thirds of program
4 placements to applicants that satisfy the criteria in
5 paragraph (1) or who reside in a geographic area that
6 is impacted by economic or environmental challenges,
7 defined as an area that is either (i) an R3 Area, as
8 defined pursuant to Section 10-40 of the Cannabis
9 Regulation and Tax Act, or (ii) an environmental
10 justice community, as defined by the Illinois Power
11 Agency, excluding any racial or ethnic indicators used
12 by the agency unless and until the constitutional
13 basis for their inclusion in determining program
14 admissions is established. Among applicants that
15 satisfy these criteria, preference shall be given to
16 applicants who face barriers to employment, such as
17 low educational attainment, prior involvement with the
18 criminal legal system, and language barriers; and
19 applicants that are graduates of or currently enrolled
20 in the foster care system; and

21 (2) prioritize the remaining program placements for:
22 applicants who are displaced energy workers as defined in
23 the Energy Community Reinvestment Act; persons who face
24 barriers to employment, including low educational
25 attainment, prior involvement with the criminal legal
26 system, and language barriers; and applicants who are

1 graduates of or currently enrolled in the foster care
2 system, regardless of the applicant's area of residence.

3 The Department and Regional Administrators shall protect
4 the confidentiality of any personal information provided by
5 program applicants regarding the applicant's status as a
6 formerly incarcerated person or foster care recipient;
7 however, the Department or Regional Administrators may publish
8 aggregated data on the number of participants that were
9 formerly incarcerated or foster care recipients so long as
10 that publication protects the identities of those persons.

11 Any person who applies to the program may elect not to
12 share with the Department or Regional Administrators whether
13 he or she is a graduate or currently enrolled in the foster
14 care system or was formerly convicted.

15 (d) Program elements for each Hub Site shall be provided
16 by a community-based organization. The Department shall
17 initially select a community-based organization in each Hub
18 Site and shall subsequently select a community-based
19 organization in each Hub Site every 3 years. Community-based
20 organizations delivering program elements outlined in
21 subsection (e) may provide all elements required or may
22 subcontract to other entities for provision of portions of
23 program elements, including, but not limited to,
24 administrative soft and hard skills for program participants,
25 delivery of specific training in the core curriculum, or
26 provision of other support functions for program delivery

1 compliance.

2 (e) The Clean Jobs Workforce Hubs Network shall:

3 (1) coordinate with Energy Transition Navigators: (i)
4 to increase participation in the Clean Jobs Workforce
5 Network Program and clean energy and related sector
6 workforce and training opportunities; (ii) coordinate
7 recruitment, communications, and ongoing engagement with
8 potential employers, including, but not limited to,
9 activities such as job matchmaking initiatives, hosting
10 events such as job fairs, and collaborating with other Hub
11 Sites to identify and implement best practices for
12 employer engagement; and (iii) leverage community-based
13 organizations, educational institutions, and
14 community-based and labor-based training providers to
15 ensure program-eligible individuals across the State have
16 dedicated and sustained support to enter and complete the
17 career pipeline for clean energy and related sector jobs;

18 (2) develop formal partnerships, including formal
19 sector partnerships between community-based organizations
20 and entities that provide clean energy jobs, including
21 businesses, nonprofit organizations, and worker-owned
22 cooperatives, to ensure that Program participants have
23 priority access to employment training and hiring
24 opportunities; and

25 (3) implement the Clean Jobs Curriculum to provide,
26 including, but not limited to, training, certification

1 preparation, job readiness, and skill development,
2 including soft skills, math skills, technical skills,
3 certification test preparation, and other development
4 needed, to Program participants.

5 (f) Funding for the Program is subject to appropriation
6 from the Energy Transition Assistance Fund.

7 (g) The Department shall require submission of quarterly
8 reports, including program performance metrics by each Hub
9 Site to the Regional Administrator of their Program Delivery
10 Area. Program performance metrics include, but are not limited
11 to:

12 (1) demographic data, including racial, gender,
13 residency in eligible communities, and geographic
14 distribution data, on Program trainees entering and
15 graduating the Program;

16 (2) demographic data, including racial, gender,
17 residency in eligible communities, and geographic
18 distribution data, on Program trainees who are placed in
19 employment, including the percentages of trainees by race,
20 gender, and geographic categories in each individual job
21 type or category and whether employment is union,
22 nonunion, or nonunion via temporary agency;

23 (3) trainee job acquisition and retention statistics,
24 including the duration of employment (start and end dates
25 of hires) by race, gender, and geography;

26 (4) hourly wages, including hourly overtime pay rate,

1 and benefits of trainees placed into employment by race,
2 gender, and geography;

3 (5) percentage of jobs by race, gender, and geography
4 held by Program trainees or graduates that are full-time
5 equivalent positions, meaning that the position held is
6 full-time, direct, and permanent based on 2,080 hours
7 worked per year (paid directly by the employer, whose
8 activities, schedule, and manner of work the employer
9 controls, and receives pay and benefits in the same manner
10 as permanent employees); and

11 (6) qualitative data consisting of open-ended
12 reporting on pertinent issues, including, but not limited
13 to, qualitative descriptions accompanying metrics or
14 identifying key successes and challenges.

15 (h) Within 3 years after the effective date of this Act,
16 the Department shall select an independent evaluator to review
17 and prepare a report on the performance of the Program and
18 Regional Administrators.

19 (Source: P.A. 102-662, eff. 9-15-21.)

20 (20 ILCS 730/5-45)

21 (Section scheduled to be repealed on September 15, 2045)

22 Sec. 5-45. Clean Energy Contractor Incubator Program.

23 (a) As used in this Section, "community-based
24 organization" means a nonprofit organization, including an
25 accredited public college or university that:

1 (1) has a history of providing business-related
2 assistance and knowledge to help entrepreneurs start, run,
3 and grow their businesses;

4 (2) has knowledge of construction and clean energy
5 trades;

6 (3) demonstrates relationships with local residents
7 and other organizations serving the community; and

8 (4) demonstrates the ability to effectively serve
9 diverse and underrepresented populations.

10 (b) Subject to appropriation, the Department shall
11 develop, and through the Regional Administrators, administer
12 the Clean Energy Contractor Incubator Program ("Program") to
13 create a network of 14 ~~13~~ Program delivery Hub Sites with
14 program elements delivered by community-based organizations
15 and their subcontractors geographically distributed across the
16 State, including at least one Hub Site located in or near each
17 of the following areas: Chicago (South Side), Chicago
18 (Southwest and West Sides), Waukegan, Rockford, Aurora,
19 Joliet, Peoria, Champaign, Danville, Decatur, Carbondale, East
20 St. Louis, Kankakee, and Alton.

21 (c) In admitting program participants, for each Contractor
22 Incubator Hub Site the Regional Administrators shall:

23 (1) in each Hub Site where the applicant pool allows:

24 (A) dedicate at least one-third of program
25 placements to the owners of clean energy contractor
26 businesses and nonprofits who reside in a geographic

1 area that is impacted by economic and environmental
2 challenges, defined as an area that is both (i) an R3
3 Area, as defined pursuant to Section 10-40 of the
4 Cannabis Regulation and Tax Act, and (ii) an
5 environmental justice community, as defined by the
6 Illinois Power Agency, excluding any racial or ethnic
7 indicators used by the agency unless and until the
8 constitutional basis for their inclusion in
9 determining program admissions is established. Among
10 applicants that satisfy these criteria, preference
11 shall be given to applicants who face barriers to
12 employment, such as low educational attainment, prior
13 involvement with the criminal legal system, and
14 language barriers; and applicants that are graduates
15 of or currently enrolled in the foster care system;
16 and

17 (B) dedicate at least two-thirds of program
18 placements to the owners of clean energy contractor
19 businesses and nonprofits that satisfy the criteria in
20 paragraph (1) or who reside in eligible communities.
21 Among applicants who live in eligible communities,
22 preference shall be given to applicants who face
23 barriers to employment, such as low educational
24 attainment, prior involvement with the criminal legal
25 system, and language barriers; and applicants that are
26 graduates of or currently enrolled in the foster care

1 system; and

2 (2) prioritize the remaining program placements for:
3 applicants who are displaced energy workers as defined in
4 the Energy Community Reinvestment Act; persons who face
5 barriers to employment, including low educational
6 attainment, prior involvement with the criminal legal
7 system, and language barriers; and applicants who are
8 graduates of or currently enrolled in the foster care
9 system, regardless of the applicants' area of residence.

10 Consideration shall also be given to any current or past
11 participant in the Clean Jobs Workforce Network Program,
12 Illinois Climate Works Preapprenticeship Program, or Returning
13 Residents Clean Energy Jobs Training Program.

14 The Department and Regional Administrators shall protect
15 the confidentiality of any personal information provided by
16 program applicants regarding the applicant's status as a
17 formerly incarcerated person or foster care recipient;
18 however, the Department or Regional Administrators may publish
19 aggregated data on the number of participants that were
20 formerly incarcerated or foster care recipients so long as
21 that publication protects the identities of those persons.

22 Any person who applies to the program may elect not to
23 share with the Department or Regional Administrators whether
24 he or she is a graduate or currently enrolled in the foster
25 care system or was formerly convicted.

26 (d) Program elements at each Hub Site shall be provided by

1 a local community-based organization. The Department shall
2 initially select a community-based organization in each Hub
3 Site and shall subsequently select a community-based
4 organization in each Hub Site every 3 years. Community-based
5 organizations delivering program elements outlined in
6 subsection (e) may provide all elements required or may
7 subcontract to other entities for provision of portions of
8 program elements, including, but not limited to,
9 administrative soft and hard skills for program participants,
10 delivery of specific training in the core curriculum, or
11 provision of other support functions for program delivery
12 compliance.

13 (e) The Clean Energy Contractor Incubator Program shall:

14 (1) provide access to low-cost capital for small clean
15 energy businesses and contractors;

16 (2) provide support for obtaining financial assurance,
17 including, but not limited to: bonding; back office
18 services; insurance, permits, training and certifications;
19 business planning; and low-interest loans;

20 (3) train, mentor, and provide other support needed to
21 allow participant contractors to: (i) build their
22 businesses and connect to specific projects, (ii) register
23 as approved vendors, (iii) engage in approved vendor
24 subcontracting and qualified installer opportunities, (iv)
25 develop partnering and networking skills, (v) compete for
26 capital and other resources, and (vi) execute clean

1 energy-related project installations and subcontracts;

2 (4) ensure that participant contractors, community
3 partners, and potential contractor clients are aware of
4 and engaged in the Program;

5 (5) connect participant contractors with the
6 Department of Labor for resources, training, and technical
7 support on prevailing wage compliance;

8 (6) provide recruitment and ongoing engagement with
9 entities that hire contractors and subcontractors,
10 programs providing renewable energy resource-related
11 projects, incentive programs, and approved vendor and
12 qualified installer opportunities, including, but not
13 limited to, activities such as matchmaking, events, and
14 collaborating with other Hub Sites.

15 (f) Funding for the Program and independent evaluations as
16 described in subsection (h) are subject to appropriation from
17 the Energy Transition Assistance Fund.

18 (g) The Department shall require submission of quarterly
19 reports including program performance metrics by each Hub Site
20 to the Regional Administrator of their Program Delivery Area.
21 Program performance metrics include, but are not limited to:

22 (1) demographic data including: race, gender,
23 geographic location, R3 residency, Environmental Justice
24 Community residency, foster care system participation, and
25 justice-involvement for the owners of contractors
26 applying, accepted into, and graduating from the Program;

1 (2) the number of projects completed by participant
2 contractors, alone or in partnership, by race, gender,
3 geographic location, R3 residency, Environmental Justice
4 Community residency, foster care system participation, and
5 justice-involvement for the owners of contractors;

6 (3) the number of partnerships with participant
7 contractors that are expected to result in contracts for
8 work by the participant contractor, by race, gender,
9 geographic location, R3 residency, Environmental Justice
10 Community residency, foster care system participation, and
11 justice-involvement for the owners of contractors;

12 (4) changes in participant contractors' business
13 revenue, by race, gender, geographic location, R3
14 residency, Environmental Justice Community residency,
15 foster care system participation, and justice-involvement
16 for the owners of contractors;

17 (5) the number of new hires by participant
18 contractors, by race, gender, geographic location, R3
19 residency, Environmental Justice Community residency,
20 foster care system participation, and justice-involvement;

21 (6) demographic data, including race, gender,
22 geographic location, R3 residency, Environmental Justice
23 Community residency, foster care system participation, and
24 justice-involvement, and average wage data, for new hires
25 by participant contractors;

26 (7) certifications held by participant contractors,

1 and number of participants holding each certification,
2 including, but not limited to, registration under the
3 Business Enterprise for Minorities, Women, and Persons
4 with Disabilities Act program and other programs intended
5 to certify BIPOC entities;

6 (8) the number of Program sessions attended by
7 participant contractors, aggregated by race; and

8 (9) indicators relevant for assessing the general
9 financial health of participant contractors.

10 (h) Within 3 years after the effective date of this Act,
11 the Department shall select an independent evaluator to review
12 and prepare a report on the performance of the Program and
13 Regional Administrators. The report shall be posted publicly.

14 (Source: P.A. 102-662, eff. 9-15-21.)"; and

15 on page 232, immediately below line 6, by inserting the
16 following:

17 "Section 82. The Private Business and Vocational Schools
18 Act of 2012 is amended by changing Section 30 as follows:

19 (105 ILCS 426/30)

20 Sec. 30. Exemptions. For purposes of this Act, the
21 following shall not be considered to be a private business and
22 vocational school:

23 (1) Any institution devoted entirely to the teaching

1 of religion or theology.

2 (2) Any in-service program of study and subject
3 offered by an employer, provided that no tuition is
4 charged and the instruction is offered only to employees
5 of the employer.

6 (3) Any educational institution that (A) enrolls a
7 majority of its students in degree programs and has
8 maintained an accredited status with a regional
9 accrediting agency that is recognized by the U.S.
10 Department of Education or (B) enrolls students in one or
11 more bachelor-level programs, enrolls a majority of its
12 students in degree programs, and is accredited by a
13 national or regional accrediting agency that is recognized
14 by the U.S. Department of Education or that (i) is
15 regulated by the Board under the Private College Act or
16 the Academic Degree Act or is exempt from such regulation
17 under either the Private College Act or the Academic
18 Degree Act solely for the reason that the educational
19 institution was in operation on the effective date of
20 either the Private College Act or the Academic Degree Act
21 or (ii) is regulated by the State Board of Education.

22 (4) Any institution and the franchisees of that
23 institution that exclusively offer a program of study in
24 income tax theory or return preparation at a total
25 contract price of no more than \$400, provided that the
26 total annual enrollment of the institution for all such

1 courses of instruction exceeds 500 students and further
2 provided that the total contract price for all instruction
3 offered to a student in any one calendar year does not
4 exceed \$3,000.

5 (5) Any person or organization selling mediated
6 instruction products through a media, such as tapes,
7 compact discs, digital video discs, or similar media, so
8 long as the instruction is not intended to result in the
9 acquisition of training for a specific employment field,
10 is not intended to meet a qualification for licensure or
11 certification in an employment field, or is not intended
12 to provide credit that can be applied toward a certificate
13 or degree program.

14 (6) Schools with no physical presence in this State.
15 Schools offering instruction or programs of study, but
16 that have no physical presence in this State, are not
17 required to receive Board approval. Such an institution
18 must not be considered not to have a physical presence in
19 this State unless it has received a written finding from
20 the Board that it has no physical presence. In determining
21 whether an institution has no physical presence, the Board
22 shall require all of the following:

23 (A) Evidence of authorization to operate in at
24 least one other state and that the school is in good
25 standing with that state's authorizing agency.

26 (B) Evidence that the school has a means of

1 receiving and addressing student complaints in
2 compliance with any federal or state requirements.

3 (C) Evidence that the institution is providing no
4 instruction in this State.

5 (D) Evidence that the institution is not providing
6 core academic support services, including, but not
7 limited to, admissions, evaluation, assessment,
8 registration, financial aid, academic scheduling, and
9 faculty hiring and support in this State.

10 (7) A school or program within a school that
11 exclusively provides yoga instruction, yoga teacher
12 training, or both.

13 (8) Organizations that receive funding from the
14 Department of Commerce and Economic Opportunity for
15 workforce development preparation programs as provided for
16 in the Energy Transition Act and the Illinois Works Jobs
17 Program Act in which participants are not charged tuition.
18 This paragraph does not include public institutions of
19 higher education or private institutions of higher
20 education, as defined in the Board of Higher Education
21 Act, or community colleges, as defined in the Public
22 Community College Act. For purposes of this paragraph, the
23 Department of Commerce and Economic Opportunity shall
24 provide the Board of Higher Education a complete list of
25 all qualifying organizations under this paragraph on July
26 1 of each year.

1 (9) Labor organizations, as defined in Section 10 of
2 the Collective Bargaining Freedom Act, that sponsor a
3 United States Department of Labor registered
4 apprenticeship program.

5 (Source: P.A. 102-1046, eff. 6-7-22.)"; and

6 on page 234, line 7, by replacing "law" with "law, except that
7 Section 17 takes effect July 1, 2025".