



LRB104 13324 RTM 25606 a

1 AMENDMENT TO SENATE BILL XXXX

2 AMENDMENT NO. _____. Amend Senate Bill XXXX by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.1030 and changing Section 6z-20 as follows:

6 (30 ILCS 105/5.1030 new)

7 Sec. 5.1030. The Regional Transit Enhancement Fund.

8 (30 ILCS 105/6z-20) (from Ch. 127, par. 142z-20)

9 Sec. 6z-20. County and Mass Transit District Fund. Of the
10 money received from the 6.25% general rate (and, beginning
11 July 1, 2000 and through December 31, 2000, the 1.25% rate on
12 motor fuel and gasohol, and beginning on August 6, 2010
13 through August 15, 2010, and beginning again on August 5, 2022
14 through August 14, 2022, the 1.25% rate on sales tax holiday
15 items) on sales subject to taxation under the Retailers'

1 Occupation Tax Act and Service Occupation Tax Act and paid
2 into the County and Mass Transit District Fund, distribution
3 to the Regional Transportation Authority tax fund, created
4 pursuant to Section 4.03 of the Regional Transportation
5 Authority Act, for deposit therein shall be made based upon
6 the retail sales occurring in a county having more than
7 3,000,000 inhabitants. The remainder shall be distributed to
8 each county having 3,000,000 or fewer inhabitants based upon
9 the retail sales occurring in each such county.

10 For the purpose of determining allocation to the local
11 government unit, a retail sale by a producer of coal or other
12 mineral mined in Illinois is a sale at retail at the place
13 where the coal or other mineral mined in Illinois is extracted
14 from the earth. This paragraph does not apply to coal or other
15 mineral when it is delivered or shipped by the seller to the
16 purchaser at a point outside Illinois so that the sale is
17 exempt under the United States Constitution as a sale in
18 interstate or foreign commerce.

19 Of the money received from the 6.25% general use tax rate
20 on tangible personal property which is purchased outside
21 Illinois at retail from a retailer and which is titled or
22 registered by any agency of this State's government and paid
23 into the County and Mass Transit District Fund, the amount for
24 which Illinois addresses for titling or registration purposes
25 are given as being in each county having more than 3,000,000
26 inhabitants shall be distributed into the Regional

1 Transportation Authority tax fund, created pursuant to Section
2 4.03 of the Regional Transportation Authority Act. The
3 remainder of the money paid from such sales shall be
4 distributed to each county based on sales for which Illinois
5 addresses for titling or registration purposes are given as
6 being located in the county. Any money paid into the Regional
7 Transportation Authority Occupation and Use Tax Replacement
8 Fund from the County and Mass Transit District Fund prior to
9 January 14, 1991, which has not been paid to the Authority
10 prior to that date, shall be transferred to the Regional
11 Transportation Authority tax fund.

12 Whenever the Department determines that a refund of money
13 paid into the County and Mass Transit District Fund should be
14 made to a claimant instead of issuing a credit memorandum, the
15 Department shall notify the State Comptroller, who shall cause
16 the order to be drawn for the amount specified, and to the
17 person named, in such notification from the Department. Such
18 refund shall be paid by the State Treasurer out of the County
19 and Mass Transit District Fund.

20 As soon as possible after the first day of each month,
21 beginning January 1, 2011, upon certification of the
22 Department of Revenue, the Comptroller shall order
23 transferred, and the Treasurer shall transfer, to the STAR
24 Bonds Revenue Fund the local sales tax increment, as defined
25 in the Innovation Development and Economy Act, collected
26 during the second preceding calendar month for sales within a

1 STAR bond district and deposited into the County and Mass
2 Transit District Fund, less 3% of that amount, which shall be
3 transferred into the Tax Compliance and Administration Fund
4 and shall be used by the Department, subject to appropriation,
5 to cover the costs of the Department in administering the
6 Innovation Development and Economy Act.

7 After the monthly transfer to the STAR Bonds Revenue Fund,
8 on or before the 25th day of each calendar month, the
9 Department shall prepare and certify to the Comptroller the
10 disbursement of stated sums of money to the Regional
11 Transportation Authority and to named counties, the counties
12 to be those entitled to distribution, as hereinabove provided,
13 of taxes or penalties paid to the Department during the second
14 preceding calendar month. The amount to be paid to the
15 Regional Transportation Authority and each county having
16 3,000,000 or fewer inhabitants shall be the amount (not
17 including credit memoranda) collected during the second
18 preceding calendar month by the Department and paid into the
19 County and Mass Transit District Fund, plus an amount the
20 Department determines is necessary to offset any amounts which
21 were erroneously paid to a different taxing body, and not
22 including an amount equal to the amount of refunds made during
23 the second preceding calendar month by the Department, and not
24 including any amount which the Department determines is
25 necessary to offset any amounts which were payable to a
26 different taxing body but were erroneously paid to the

1 Regional Transportation Authority or county, and not including
2 any amounts that are transferred to the STAR Bonds Revenue
3 Fund, ~~less 1.5% of the amount to be paid to the Regional~~
4 ~~Transportation Authority, which shall be transferred into the~~
5 ~~Tax Compliance and Administration Fund.~~ The Department, at the
6 time of each monthly disbursement to the Regional
7 Transportation Authority, shall prepare and certify to the
8 State Comptroller the amount to be transferred into the Tax
9 Compliance and Administration Fund under this Section. Within
10 10 days after receipt, by the Comptroller, of the disbursement
11 certification to the Regional Transportation Authority,
12 counties, and the Tax Compliance and Administration Fund
13 provided for in this Section to be given to the Comptroller by
14 the Department, the Comptroller shall cause the orders to be
15 drawn for the respective amounts in accordance with the
16 directions contained in such certification.

17 When certifying the amount of a monthly disbursement to
18 the Regional Transportation Authority or to a county under
19 this Section, the Department shall increase or decrease that
20 amount by an amount necessary to offset any misallocation of
21 previous disbursements. The offset amount shall be the amount
22 erroneously disbursed within the 6 months preceding the time a
23 misallocation is discovered.

24 The provisions directing the distributions from the
25 special fund in the State Treasury provided for in this
26 Section and from the Regional Transportation Authority tax

1 fund created by Section 4.03 of the Regional Transportation
2 Authority Act shall constitute an irrevocable and continuing
3 appropriation of all amounts as provided herein. The State
4 Treasurer and State Comptroller are hereby authorized to make
5 distributions as provided in this Section.

6 In construing any development, redevelopment, annexation,
7 preannexation or other lawful agreement in effect prior to
8 September 1, 1990, which describes or refers to receipts from
9 a county or municipal retailers' occupation tax, use tax or
10 service occupation tax which now cannot be imposed, such
11 description or reference shall be deemed to include the
12 replacement revenue for such abolished taxes, distributed from
13 the County and Mass Transit District Fund or Local Government
14 Distributive Fund, as the case may be.

15 (Source: P.A. 102-700, eff. 4-19-22.)

16 Section 10. The Metropolitan Transit Authority Act is
17 amended by changing Sections 9a, 9b, 13, 30, and 34 as follows:

18 (70 ILCS 3605/9a) (from Ch. 111 2/3, par. 309a)

19 Sec. 9a. Powers of the Authority with respect to the
20 Regional Transportation Authority.

21 (a)In addition to all its other powers, the Authority
22 shall, in all its dealings with the Regional Transportation
23 Authority established by the "Regional Transportation
24 Authority Act", enacted by the 78th General Assembly, have the

1 following powers:

2 (1) ~~(a)~~ to cooperate with the Regional Transportation
3 Authority in the exercise by the Regional Transportation
4 Authority of all the powers granted it by such Act;

5 (2) ~~(b)~~ to receive funds from the Regional
6 Transportation Authority pursuant to Sections 2.02, 4.01,
7 4.02, 4.09 and 4.10 of the "Regional Transportation
8 Authority Act", all as provided in the "Regional
9 Transportation Authority Act";

10 (3) ~~(c)~~ to receive financial grants from the Regional
11 Transportation Authority or a Service Board, as defined in
12 the "Regional Transportation Authority Act", upon such
13 terms and conditions as shall be set forth in a grant
14 contract between either the Authority and the Regional
15 Transportation Authority or the Authority and another
16 Service Board, which contract or agreement may be for such
17 number of years or duration as the parties may agree, all
18 as provided in the "Regional Transportation Authority
19 Act";

20 (4) ~~(d)~~ to acquire from the Regional Transportation
21 Authority any Public Transportation Facility, as defined
22 in the "Regional Transportation Authority Act", by
23 purchase contract, gift, grant, exchange for other
24 property or rights in property, lease (or sublease) or
25 installment or conditional purchase contracts, which
26 contracts or leases may provide for consideration to be

1 paid in annual installments during a period not exceeding
2 40 years; such property may be acquired subject to such
3 conditions, restrictions, liens or security or other
4 interests of other parties as the Authority may deem
5 appropriate and in each case the Authority may acquire or
6 dispose of a joint, leasehold, easement, license or other
7 partial interest in such property;

8 (5) ~~(e)~~ to sell, sell by installment contract, lease
9 (or sublease) as lessor, or transfer to, or grant to or
10 provide for the use by the Regional Transportation
11 Authority any Public Transportation Facility, as defined
12 in the "Regional Transportation Authority Act", upon such
13 terms and for such consideration, or for no consideration,
14 as the Authority may deem proper;

15 (6) ~~(f)~~ to cooperate with the Regional Transportation
16 Authority for the protection of employees of the Authority
17 and users of public transportation facilities against
18 crime and unsafe conditions and also to protect such
19 facilities; such cooperation may include, without
20 limitation, agreements for the coordination or merger of
21 police or security forces;

22 (7) ~~(g)~~ to file such budgets, financial plans and
23 reports with and transfer such records, papers or
24 documents to the Regional Transportation Authority as may
25 be agreed upon with, or required by the Regional
26 Transportation Authority, all as provided in the "Regional

1 Transportation Authority Act".

2 (b) The powers provided to the Authority under this
3 Section or elsewhere provided in this Act are subject and
4 subordinate to the power of the Regional Transportation
5 Authority under subsection (a-5) of Section 2.01 of the
6 Regional Transportation Authority Act notwithstanding any
7 provision of this Act to the contrary.

8 (Source: P.A. 90-273, eff. 7-30-97.)

9 (70 ILCS 3605/9b) (from Ch. 111 2/3, par. 309b)

10 Sec. 9b. The Authority shall comply with any written
11 directive of the Executive Director of the Regional
12 Transportation Authority issued under subsection (a-5) of
13 Section 2.01 of the Regional Transportation Authority Act and
14 the requirements imposed upon a Service Board in Sections
15 4.06, 4.09(d), and 4.11 of the Regional Transportation
16 Authority Act and with the requirements of Section 2.11 of the
17 Regional Transportation Authority Act. The Authority shall
18 present evidence that it has complied with Section 27a of this
19 Act to the Regional Transportation Authority.

20 (Source: P.A. 102-559, eff. 8-20-21.)

21 (70 ILCS 3605/13) (from Ch. 111 2/3, par. 313)

22 Sec. 13. Subject and subordinate to subsection (a-5) of
23 Section 2.01 of the Regional Transportation Authority Act, the
24 ~~The~~ Authority shall have power to purchase equipment, such as

1 cars, trolley buses, and motor buses, and may execute
2 agreements, leases and equipment trust certificates in the
3 form customarily used in such cases appropriate to effect such
4 purchase and may dispose of such equipment trust certificates.
5 All money required to be paid by the Authority under the
6 provisions of such agreements, leases, and equipment trust
7 certificates shall be payable solely from the revenue or
8 income to be derived from the transportation system and from
9 grants and loans as provided in Section 15 of this Act. Payment
10 for such equipment, or rentals therefor, may be made in
11 installments, and the deferred installments may be evidenced
12 by equipment trust certificates payable solely from such
13 revenue or income, and title to such equipment shall not vest
14 in the Authority until the equipment trust certificates are
15 paid.

16 The agreement to purchase may direct the vendor to sell
17 and assign the equipment to a bank or trust company, duly
18 authorized to transact business in the State of Illinois, as
19 Trustee, for the benefit and security of the equipment trust
20 certificates and may direct the Trustee to deliver the
21 equipment to one or more designated officers of the Authority
22 and may authorize the Trustee simultaneously therewith to
23 execute and deliver a lease of the equipment to the Authority.

24 The agreements and leases shall be duly acknowledged
25 before some person authorized by law to take acknowledgements
26 of deeds and in the form required for acknowledgement of deeds

1 and such agreements, leases and equipment trust certificates
2 shall be authorized by ordinance of the Board and shall
3 contain such covenants, conditions and provisions as may be
4 deemed necessary or appropriate to insure the payment of the
5 equipment trust certificates from the revenue or income to be
6 derived from the transportation system.

7 The covenants, conditions and provisions of the
8 agreements, leases, and equipment trust certificates shall not
9 conflict with any of the provisions of any trust agreement
10 securing the payment of bonds or certificates of the
11 Authority.

12 An executed copy of each such agreement and lease shall be
13 filed in the office of the Secretary of State, who shall be
14 entitled to receive one dollar for each such copy filed with
15 him and which filing shall constitute notice to any subsequent
16 judgment creditor or any subsequent purchaser. Each vehicle so
17 purchased and leased shall have the name of the owner and
18 lessor plainly marked upon both sides thereof, followed by the
19 words "Owner and Lessor."

20 (Source: Laws 1945, p. 1171.)

21 (70 ILCS 3605/30) (from Ch. 111 2/3, par. 330)

22 Sec. 30. The Board shall make all rules and regulations
23 governing the operation of the transportation system, shall
24 determine all routings and change the same whenever it is
25 deemed advisable by the Board, subject to the provisions of

1 any ordinance granting rights to the Authority. Immediately
2 following the effective date of this amendatory Act of the
3 104th General Assembly, the Board is responsible for
4 recommending rates and charges for transportation to the
5 Authority. Fares determined by the Authority under Section
6 2.04 of the Regional Transportation Authority Act ~~Except as~~
7 ~~provided in Sections 2.04 and 4.11(b)(5) of the Regional~~
8 ~~Transportation Authority Act, the Board shall fix rates, fares~~
9 ~~and charges for transportation, provided that they~~ shall be at
10 all times sufficient in the aggregate to provide revenues (a)
11 for the payment of the interest on and principal of all bonds,
12 certificates and other obligations payable from said revenues
13 and to meet all other charges upon such revenues as provided by
14 any trust agreement executed by the Authority in connection
15 with the issuance of bonds or certificates under this Act, (b)
16 for the payment of all operating costs including all charges
17 which may be incurred pursuant to Sections 29 and 39 of this
18 Act and all other costs and charges incidental to the
19 operation of the transportation system, (c) for the payment of
20 all costs and charges incurred pursuant to Sections 37 and 38
21 of this Act and any other costs and charges for acquisition,
22 installation, construction or for replacement or
23 reconstruction of equipment, structures or rights of way not
24 financed through issuance of bonds or certificates under
25 Section 12 of this Act, and (d) for any compensation required
26 to be paid to any municipality for the use of streets, subways

1 and other public ways. The Board may provide free
2 transportation within any municipality in and by which they
3 are employed for firemen and public health nurses, when in
4 uniform, and policemen when in uniform or, when not in
5 uniform, upon presentation of identification as policemen, and
6 shall provide free transportation to sworn law enforcement
7 personnel of the Cook County Sheriff's Department when in
8 uniform or, when not in uniform, upon presentation of
9 identification as sworn law enforcement personnel of the Cook
10 County Sheriff's Department, and may provide free
11 transportation for employees of the Authority when in uniform
12 or upon presentation of identification as such employees, and
13 may enter into agreements with the United States Post Office
14 Department for the transportation of mail, and the payment of
15 compensation to the Authority in lieu of fares for the
16 transportation of letter carriers, when in uniform at all
17 times.

18 The Board may also provide free transportation, or
19 transportation at reduced fares, to all or designated classes
20 of pupils in attendance at public schools of school districts
21 within or partly within the territorial limits of the
22 Authority, or in attendance at private schools offering grades
23 of instruction comparable to those offered in public schools,
24 under such conditions as shall be prescribed by the Board,
25 and, if otherwise authorized by law, the Board may contract
26 with public school boards and representatives of private

1 schools, for reimbursement of pupil transportation costs from
2 public funds.

3 (Source: P.A. 97-85, eff. 7-7-11.)

4 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

5 Sec. 34. Budget and Program. The Authority, subject and
6 subordinate to the powers of the Regional Transportation
7 Authority in subsection (a-5) of Section 2.01 and Section 4.11
8 of the Regional Transportation Authority Act, shall control
9 the finances of the Authority. It shall by ordinance
10 appropriate money to perform the Authority's purposes and
11 provide for payment of debts and expenses of the Authority.
12 Each year the Authority shall prepare and publish a
13 comprehensive annual budget and five-year capital program
14 document, and a financial plan for the 2 years thereafter
15 describing the state of the Authority and presenting for the
16 forthcoming fiscal year and the two following years the
17 Authority's plans for such operations and capital expenditures
18 as it intends to undertake and the means by which it intends to
19 finance them. The proposed budget, financial plan, and
20 five-year capital program shall be based on the Regional
21 Transportation Authority's estimate of funds to be made
22 available to the Authority by or through the Regional
23 Transportation Authority and shall conform in all respects to
24 the requirements established by the Regional Transportation
25 Authority. The proposed budget, financial plan, and five-year

1 capital program shall contain a statement of the funds
2 estimated to be on hand at the beginning of the fiscal year,
3 the funds estimated to be received from all sources for such
4 year and the funds estimated to be on hand at the end of such
5 year. The proposed budget, financial plan, and five-year
6 capital program shall be available at no cost for public
7 inspection at the Authority's main office and at the Regional
8 Transportation Authority's main office at least 3 weeks prior
9 to any public hearing. Before the proposed budget, financial
10 plan, and five-year capital program are submitted to the
11 Regional Transportation Authority, the Authority shall hold at
12 least one public hearing thereon in each of the counties in
13 which the Authority provides service. All Board members of the
14 Authority shall attend a majority of the public hearings
15 unless reasonable cause is given for their absence. After the
16 public hearings, the Board of the Authority shall hold at
17 least one meeting for consideration of the proposed program
18 and budget with the Cook County Board. After conducting such
19 hearings and holding such meetings and after making such
20 changes in the proposed budget, financial plan, and five-year
21 capital program as the Board deems appropriate, it shall adopt
22 an annual budget ordinance at least by November 15th preceding
23 the beginning of each fiscal year. The budget, financial plan,
24 and five-year capital program shall then be submitted to the
25 Regional Transportation Authority as provided in Section 4.11
26 of the Regional Transportation Authority Act. In the event

1 that the Board of the Regional Transportation Authority
2 determines that the budget, financial plan, and five-year
3 capital program do not meet the standards of said Section
4 4.11, the Board of the Authority shall make such changes as are
5 necessary to meet such requirements and adopt an amended
6 budget ordinance. The amended budget ordinance shall be
7 resubmitted to the Regional Transportation Authority pursuant
8 to said Section 4.11. The ordinance shall appropriate such
9 sums of money as are deemed necessary to defray all necessary
10 expenses and obligations of the Authority, specifying purposes
11 and the objects or programs for which appropriations are made
12 and the amount appropriated for each object or program.
13 Additional appropriations, transfers between items and other
14 changes in such ordinance which do not alter the basis upon
15 which the balanced budget determination was made by the
16 Regional Transportation Authority may be made from time to
17 time by the Board.

18 The budget shall:

19 (i) show a balance between (A) anticipated revenues
20 from all sources including operating subsidies and (B) the
21 costs of providing the services specified and of funding
22 any operating deficits or encumbrances incurred in prior
23 periods, including provision for payment when due of
24 principal and interest on outstanding indebtedness;

25 (ii) show cash balances including the proceeds of any
26 anticipated cash flow borrowing sufficient to pay with

1 reasonable promptness all costs and expenses as incurred;

2 (iii) recommend ~~provide~~ for a level of fares or
3 charges and operating or administrative costs for the
4 public transportation provided by or subject to the
5 jurisdiction of the Board sufficient to allow the Board to
6 meet its required system generated revenue recovery ratio
7 as determined in accordance with subsection (a) of Section
8 4.11 of the Regional Transportation Authority Act;

9 (iv) be based upon and employ assumptions and
10 projections which are reasonable and prudent;

11 (v) have been prepared in accordance with sound
12 financial practices as determined by the Board of the
13 Regional Transportation Authority;

14 (vi) meet such other financial, budgetary, or fiscal
15 requirements that the Board of the Regional Transportation
16 Authority may by rule or regulation establish; and

17 (vii) be consistent with the goals and objectives
18 adopted by the Regional Transportation Authority in the
19 Strategic Plan.

20 The Board shall establish a fiscal operating year. At
21 least thirty days prior to the beginning of the first full
22 fiscal year after the creation of the Authority, and annually
23 thereafter, the Board shall cause to be prepared a tentative
24 budget which shall include all operation and maintenance
25 expense for the ensuing fiscal year. The tentative budget
26 shall be considered by the Board and, subject to any revision

1 and amendments as may be determined, shall be adopted prior to
2 the first day of the ensuing fiscal year as the budget for that
3 year. No expenditures for operations and maintenance in excess
4 of the budget shall be made during any fiscal year except by
5 the affirmative vote of at least five members of the Board. It
6 shall not be necessary to include in the annual budget any
7 statement of necessary expenditures for pensions or retirement
8 annuities, or for interest or principal payments on bonds or
9 certificates, or for capital outlays, but it shall be the duty
10 of the Board to make provision for payment of same from
11 appropriate funds. The Board may not alter its fiscal year
12 without the prior approval of the Board of the Regional
13 Transportation Authority.

14 (Source: P.A. 95-708, eff. 1-18-08.)

15 Section 15. The Regional Transportation Authority Act is
16 amended by changing Sections 1.02, 2.01, 2.02, 2.03, 2.04,
17 2.05, 2.12b, 2.39, 3A.09, 3A.10, 3B.09, 3B.10, 4.01, 4.03,
18 4.03.3, 4.06, and 4.09 and by adding Sections 2.06.05, 2.43,
19 2.44, 2.45, 2.46, and 2.47 as follows:

20 (70 ILCS 3615/1.02) (from Ch. 111 2/3, par. 701.02)

21 Sec. 1.02. Findings and Purpose.

22 (a) The General Assembly finds;

23 (i) Public transportation is, as provided in Section 7
24 of Article XIII of the Illinois Constitution, an essential

1 public purpose for which public funds may be expended and
2 that Section authorizes the State to provide financial
3 assistance to units of local government for distribution
4 to providers of public transportation. There is an urgent
5 need to reform and continue a unit of local government to
6 assure the proper management of public transportation and
7 to receive and distribute State or federal operating
8 assistance and to raise and distribute revenues for local
9 operating assistance. System generated revenues are not
10 adequate for such service and a public need exists to
11 provide for, aid and assist public transportation in the
12 northeastern area of the State, consisting of Cook,
13 DuPage, Kane, Lake, McHenry and Will Counties.

14 (ii) Comprehensive and coordinated regional public
15 transportation is essential to the public health, safety
16 and welfare. It is essential to economic well-being,
17 maintenance of full employment, conservation of sources of
18 energy and land for open space and reduction of traffic
19 congestion and for providing and maintaining a healthful
20 environment for the benefit of present and future
21 generations in the metropolitan region. Public
22 transportation improves the mobility of the public and
23 improves access to jobs, commercial facilities, schools
24 and cultural attractions. Public transportation decreases
25 air pollution and other environmental hazards resulting
26 from excessive use of automobiles and allows for more

1 efficient land use and planning.

2 (iii) Because system generated receipts are not
3 presently adequate, public transportation facilities and
4 services in the northeastern area are in grave financial
5 condition. With existing methods of financing,
6 coordination and management, and relative convenience of
7 automobiles, such public transportation facilities are not
8 providing adequate public transportation to insure the
9 public health, safety and welfare.

10 (iv) Additional commitments to the public
11 transportation needs of persons with disabilities, the
12 economically disadvantaged, and the elderly are necessary.

13 (v) To solve these problems, it is necessary to
14 provide for the creation of a regional transportation
15 authority with the powers necessary to insure adequate
16 public transportation.

17 (b) The General Assembly further finds, in connection with
18 this amendatory Act of 1983:

19 (i) Substantial, recurring deficits in the operations
20 of public transportation services subject to the
21 jurisdiction of the Regional Transportation Authority and
22 periodic cash shortages have occurred either of which
23 could bring about a loss of public transportation services
24 throughout the metropolitan region at any time;

25 (ii) A substantial or total loss of public
26 transportation services or any segment thereof would

1 create an emergency threatening the safety and well-being
2 of the people in the northeastern area of the State; and

3 (iii) To meet the urgent needs of the people of the
4 metropolitan region that such an emergency be averted and
5 to provide financially sound methods of managing the
6 provision of public transportation services in the
7 northeastern area of the State, it is necessary, while
8 maintaining and continuing the existing Authority, to
9 modify the powers and responsibilities of the Authority,
10 to reallocate responsibility for operating decisions, to
11 change the composition and appointment of the Board of
12 Directors thereof, and to immediately establish a new
13 Board of Directors.

14 (c) The General Assembly further finds in connection with
15 this amendatory Act of the 95th General Assembly:

16 (i) The economic vitality of northeastern Illinois
17 requires regionwide and systemwide efforts to increase
18 ridership on the transit systems, constrain road
19 congestion within the metropolitan region, and allocate
20 resources for transportation so as to assist in the
21 development of an adequate, efficient, geographically
22 equitable and coordinated regional transportation system
23 that is in a state of good repair.

24 (ii) To achieve the purposes of this amendatory Act of
25 the 95th General Assembly, the powers and duties of the
26 Authority must be enhanced to improve overall planning and

1 coordination, to achieve an integrated and efficient
2 regional transit system, to advance the mobility of
3 transit users, and to increase financial transparency of
4 the Authority and the Service Boards.

5 (d) It is the purpose of this Act to provide for, aid and
6 assist public transportation in the northeastern area of the
7 State without impairing the overall quality of existing public
8 transportation by providing for the creation of a single
9 authority responsive to the people and elected officials of
10 the area and with the power and competence to develop,
11 implement, and enforce plans that promote adequate, efficient,
12 geographically equitable and coordinated public
13 transportation, provide financial review of the providers of
14 public transportation in the metropolitan region and
15 facilitate public transportation provided by Service Boards
16 which is attractive and economical to users, comprehensive,
17 coordinated among its various elements, economical, safe,
18 efficient and coordinated with area and State plans.

19 (e) The General Assembly further finds in connection with
20 this amendatory Act of the 104th General Assembly:

21 (1) Public transit is essential to the economy,
22 climate, and equity of the Chicago region, and transit
23 service should be reliable and accessible for all
24 residents of northeastern Illinois.

25 (2) The COVID-19 pandemic and the growth of remote
26 work changed travel patterns in metropolitan Chicago and

1 led to declines in ridership and fare revenue to support
2 transit operations. When paired with the historic
3 underfunding of transit operations, this disruption
4 created a fiscal cliff that must be addressed to prevent
5 severe service cuts and fare increases that would cripple
6 the transit system and, therefore, damage the region's
7 economy and climate.

8 (3) To maintain and improve transit service, operating
9 revenue must be increased using revenue sources that
10 provide stability and sustainability for transit operators
11 so they can plan and invest in frequent and reliable
12 service for all residents. At current levels, sales tax
13 revenue is insufficient and unsustainable for supporting
14 the levels of transit service communities need. Multiple
15 independent reviews of the transit system's needs,
16 including the Plan of Action for Regional Transit
17 conducted by the Chicago Metropolitan Agency for Planning
18 at the request of the General Assembly, called for State
19 and local governments not only to fill the system's
20 projected budget gap of more than \$770 million annually in
21 order to maintain service, but also to increase operating
22 funding by at least \$1.5 billion annually to support
23 frequent and reliable service for all residents. Included
24 in this increase should be full funding for
25 federal-mandated and State-mandated ADA paratransit
26 service and free and reduced fare programs, which cost

1 more than \$400 million annually even though recent State
2 reimbursement levels cover less than 8% of the total cost.

3 (4) To maximize the impact of new operating funding,
4 provide greater accountability, and ensure all riders
5 experience a safe, reliable, efficient, integrated transit
6 network, the powers and responsibility of the Authority
7 must be strengthened as part of a historic restructuring
8 of the region's transit governance. Rather than
9 distributing key responsibilities across organizations,
10 the reforms featured in this amendatory Act result in one
11 agency, the Regional Transportation Authority, being
12 accountable to riders and legislators on the most
13 important systemwide issues: fares, service quality, and
14 capital investment. With a strengthened RTA responsible
15 for regularly monitoring key systemwide issues, the
16 region's transit operators can focus exclusively on
17 day-to-day operations, subject to input and oversight
18 provided by local leaders who know their communities best.

19 (5) Achieving fully coordinated and integrated service
20 requires granting the Regional Transportation Authority
21 more regular input and authority over operating agencies'
22 annual operating and capital budgets. The changes made to
23 this Act by this amendatory Act of the 104th General
24 Assembly require each of the operating agencies to report
25 to the Board quarterly on progress in implementing
26 operating and capital budgets, and developing budgets for

1 the upcoming year, rather than holding a single vote in
2 December for the following year's budget. The strengthened
3 Regional Transportation Authority Board has the ability
4 certify progress of transit operators and take steps to
5 mitigate shortfalls in service delivery or make other
6 changes, as needed.

7 (6) When paired with sustainable and sufficient
8 funding, the amendments of this amendatory Act of the
9 104th General Assembly establish a unified transit system
10 for northeastern Illinois featuring frequent, fully
11 integrated service to increase mobility and access to
12 opportunity for all residents while ensuring increased
13 efficiency and accountability for legislators and
14 taxpayers.

15 (Source: P.A. 98-1027, eff. 1-1-15; 99-143, eff. 7-27-15.)

16 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

17 Sec. 2.01. General Allocation of Responsibility for Public
18 Transportation.

19 (a) In order to accomplish the purposes as set forth in
20 this Act, the responsibility for planning, operating, and
21 funding public transportation in the metropolitan region shall
22 be allocated as described in this Act. The Authority shall:

23 (i) adopt plans that implement the public policy of
24 the State to provide adequate, efficient, geographically
25 equitable and coordinated public transportation throughout

1 the metropolitan region;

2 (ii) set goals, objectives, and standards for the
3 Authority, the Service Boards, and transportation
4 agencies;

5 (iii) develop performance measures to inform the
6 public about the extent to which the provision of public
7 transportation in the metropolitan region meets those
8 goals, objectives, and standards;

9 (iv) allocate operating and capital funds made
10 available to support public transportation in the
11 metropolitan region;

12 (v) provide financial oversight of the Service Boards;
13 and

14 (vi) coordinate the provision of public transportation
15 and the investment in public transportation facilities to
16 enhance the integration of public transportation
17 throughout the metropolitan region, all as provided in
18 this Act.

19 The Service Boards shall, on a continuing basis determine
20 the level, nature and kind of public transportation which
21 should be provided for the metropolitan region in order to
22 meet the plans, goals, objectives, and standards adopted by
23 the Authority. The Service Boards may provide public
24 transportation by purchasing such service from transportation
25 agencies through purchase of service agreements, by grants to
26 such agencies or by operating such service, all pursuant to

1 this Act and the "Metropolitan Transit Authority Act", as now
2 or hereafter amended. Certain of its actions to implement the
3 responsibilities allocated to the Authority in this subsection
4 (a) shall be taken in 3 public documents adopted by the
5 affirmative vote of at least 12 of its then Directors: A
6 Strategic Plan; a Five-Year Capital Program; and an Annual
7 Budget and Two-Year Financial Plan.

8 (a-5) Notwithstanding any other provision of this Act or
9 any other law to the contrary, in order for the Authority to
10 implement and administer its powers, responsibilities, and
11 obligations under this Section or Section 2.01a, 2.01b, 2.02,
12 2.04, 2.05, 2.06, 2.06.05, 2.20, 2.39, 2.44, 2.45, 2.46, 2.47,
13 4.01, 4.03, 4.03.3, 4.06, 4.09, or 4.11, the Authority shall
14 have, in addition to any powers elsewhere provided, the
15 authority, at any time and in its discretion, to direct,
16 supersede, or countermand any operating decision and any other
17 decision or action of a Service Board regarding (1) fares,
18 services, charges, and transfer policies; (2) goals,
19 objectives, prioritization, performance measures, policies,
20 and standards of public transportation services and
21 facilities; (3) budgeting; (4) procurements, purchase of
22 service contracts, or grants; or (5) operating and capital
23 fund allocations or expenditures. In conjunction with its
24 authority to direct, supersede, or countermand, the Authority
25 shall have ready access at any time to information regarding
26 Service Board operations and has the right to demand and

1 receive information from a Service Board concerning any aspect
2 of the Service Board's operations at any time.

3 The Executive Director shall have the power to exercise
4 the authority set forth in this subsection on behalf of the
5 Authority through the issuance of a written directive to the
6 relevant Service Board. The authority of the Executive
7 Director under this subsection includes, but is not limited
8 to, the power to (1) withhold operating and capital funds to a
9 Service Board; (2) claw back any funds allocated or disbursed
10 to a Service Board; (3) reallocate to the Authority operating
11 and capital funds for a Service Board; (4) terminate or modify
12 any contract or agreement of a Service Board, except an
13 employment or collective bargaining agreement; and (5) impose
14 on others actions that the Executive Director may determine
15 are necessary for a Service Board to effectuate and achieve
16 compliance with a written directive issued by the Executive
17 Director.

18 Any written directive the Executive Director issues to a
19 Service Board under this subsection shall be legally binding
20 on the Service Board, the Service Board's officers, employees,
21 contractors, and any transportation agency providing public
22 transportation services or facilities on behalf of the Service
23 Board. Any written directive the Executive Director issues
24 under this subsection is subject at any time to disapproval or
25 modification by the Authority through an affirmative vote of
26 the Board. The Authority may, in its discretion, adopt an

1 ordinance that sets forth the parameters and manner in which
2 the Executive Director may exercise the authority set forth in
3 this subsection, including the process by which the Board may
4 disapprove or modify a written directive of the Executive
5 Director. The Authority may establish in that ordinance
6 procedures that require Service Boards to provide the
7 Authority with advance notice of operating decisions or other
8 decisions or actions that the Authority determines in its
9 discretion bear significantly upon public transportation
10 services or facilities so that the Executive Director, on
11 behalf of the Authority, has a reasonable opportunity to
12 evaluate and then decide whether to direct, supersede, or
13 countermand a Service Board's decision or action.

14 (b) The Authority shall subject the operating and capital
15 plans and expenditures of the Service Boards in the
16 metropolitan region with regard to public transportation to
17 continuing review so that the Authority may budget and expend
18 its funds with maximum effectiveness and efficiency. The
19 Authority shall conduct audits of each of the Service Boards
20 no less than every 5 years. Such audits may include
21 management, performance, financial, and infrastructure
22 condition audits. The Authority may conduct management,
23 performance, financial, and infrastructure condition audits of
24 transportation agencies that receive funds from the Authority.
25 The Authority may direct a Service Board to conduct any such
26 audit of a transportation agency that receives funds from such

1 Service Board, and the Service Board shall comply with such
2 request to the extent it has the right to do so. These audits
3 of the Service Boards or transportation agencies may be
4 project or service specific audits to evaluate their
5 achievement of the goals and objectives of that project or
6 service and their compliance with any applicable requirements.
7 (Source: P.A. 98-1027, eff. 1-1-15.)

8 (70 ILCS 3615/2.02) (from Ch. 111 2/3, par. 702.02)

9 Sec. 2.02. Purchase of service contracts; grants.

10 (a) The Service Boards may purchase public transportation
11 from transportation agencies upon such terms and conditions as
12 may be set forth in purchase of service agreements between the
13 Service Boards and the transportation agencies.

14 (b) Grants may be made either by: (i) the Authority to a
15 Service Board; or (ii) a Service Board to either a
16 transportation agency or another Service Board, all for
17 operating and other expenses, or for developing or planning
18 public transportation or for constructing or acquiring public
19 transportation facilities, all upon such terms and conditions
20 as that Service Board or the Authority shall prescribe or as
21 that Service Board and the Authority or that Service Board and
22 the transportation agency shall agree in any grant contract.

23 (c) The Board shall adopt, to the extent it determines
24 feasible, guidelines setting forth uniform standards for the
25 making of grants and purchase of service agreements. Such

1 grant contracts or purchase of service agreements may be for
2 such number of years or duration as the parties shall agree.

3 Any purchase of service agreement with a transportation
4 agency which is not a public body shall be upon terms and
5 conditions which will allow the transportation agency to
6 receive for the public transportation provided pursuant to the
7 agreement net income, after reasonable deductions for
8 depreciation and other proper and necessary reserves, equal to
9 an amount which is a reasonable return upon the value of such
10 portion of the transportation agency's property as is used and
11 useful in rendering such transportation service. This
12 paragraph shall be construed in a manner consistent with the
13 principles applicable to such a transportation agency in rate
14 proceedings under the Public Utilities Act. This paragraph
15 shall not be construed to provide for the funding of reserves
16 or guarantee that such a transportation agency shall in fact
17 receive any return. A Service Board shall, within 180 days
18 after receiving a written request from a transportation agency
19 which is not a public body, tender and offer to enter into with
20 such transportation agency a purchase of service agreement
21 that is in conformity with this Act and that covers the public
22 transportation services by rail (other than experimental or
23 demonstration services) which such agency is providing at the
24 time of such request and which services either were in
25 operation for at least one year immediately preceding the
26 effective date of this Act or were in operation pursuant to a

1 purchase of service or grant agreement with the Authority or
2 Service Board. No such tender by a Service Board need be made
3 before April 1, 1975. The first purchase of service agreement
4 so requested shall not, unless the parties agree otherwise,
5 become effective prior to June 30, 1975. If, following such a
6 request and tender, a Service Board and the transportation
7 agency do not agree upon the amount of compensation to be
8 provided to the agency by the Service Board under the purchase
9 of service agreement or fares and charges under the purchase
10 of service agreement, either of them may submit such
11 unresolved issues to the Illinois Commerce Commission for
12 determination. The Commission shall determine the unresolved
13 issues in conformity with this Act. The Commission's
14 determination shall be set forth in writing, together with
15 such terms as are agreed by the parties and any other
16 unresolved terms as tendered by the Service Board, in a single
17 document which shall constitute the entire purchase of service
18 agreement between the Service Board and the transportation
19 agency, which agreement, in the absence of contrary agreement
20 by the parties, shall be for a term of 3 years effective as of
21 July 1, 1975, or, if the agreement is requested to succeed a
22 currently effective or recently expired purchase of service
23 agreement between the parties, as of the date of such
24 expiration. The decision of the Commission shall be binding
25 upon the Service Board and the transportation agency, subject
26 to judicial review as provided in the Public Utilities Act,

1 but the parties may at any time mutually amend or terminate a
2 purchase of service agreement. Prompt settlement between the
3 parties shall be made of any sums owing under the terms of the
4 purchase of service agreement so established for public
5 transportation services performed on and after the effective
6 date of any such agreement. If the Authority reduces the
7 amount of operating subsidy available to a Service Board under
8 the provisions of Section 4.09 or Section 4.11, the Service
9 Board shall, from those funds available to it under Section
10 4.02, first discharge its financial obligations under the
11 terms of a purchase of service contract to any transportation
12 agency which is not a public body, unless such transportation
13 agency has failed to take any action requested by the Service
14 Board, which under the terms of the purchase of service
15 contract the Service Board can require the transportation
16 agency to take, which would have the effect of reducing the
17 financial obligation of the Service Board to the
18 transportation agency. The provisions of this paragraph (c)
19 shall not preclude a Service Board and a transportation agency
20 from otherwise entering into a purchase of service or grant
21 agreement in conformity with this Act or an agreement for the
22 Authority or a Service Board to purchase or a Service Board to
23 operate that agency's public transportation facilities, and
24 shall not limit the exercise of the right of eminent domain by
25 the Authority pursuant to this Act.

26 (d) Any transportation agency providing public

1 transportation pursuant to a purchase of service or grant
2 agreement with the Authority or a Service Board shall be
3 subject to the Illinois Human Rights Act and the remedies and
4 procedures established thereunder. Such agency shall file an
5 affirmative action program for employment by it with regard to
6 public transportation so provided with the Department of Human
7 Rights within one year of the purchase of service or grant
8 agreement, to ensure that applicants are employed and that
9 employees are treated during employment, without unlawful
10 discrimination. Such affirmative action program shall include
11 provisions relating to hiring, upgrading, demotion, transfer,
12 recruitment, recruitment advertising, selection for training
13 and rates of pay or other forms of compensation. No unlawful
14 discrimination as defined and prohibited in the Illinois Human
15 Rights Act in any such employment shall be made in any term or
16 aspect of employment and discrimination based upon political
17 reasons or factors shall be prohibited.

18 (e) A Service Board, subject to the provisions of
19 paragraph (c) of this Section, may not discriminate against a
20 transportation agency with which it has a purchase of service
21 contract or grant agreement in any condition affecting the
22 operation of the public transportation facility including the
23 level of subsidy provided, the quality or standard of public
24 transportation to be provided or in meeting the financial
25 obligations to transportation agencies under the terms of a
26 purchase of service or grant contract. Any transportation

1 agency that believes that a Service Board is discriminating
2 against it may, after attempting to resolve the alleged
3 discrimination by meeting with the Service Board with which it
4 has a purchase of service or grant contract, appeal to the
5 Authority. The Board shall name 3 of its members, other than a
6 member of the board of the concerned Service Board, to serve as
7 a panel to arbitrate the dispute. The panel shall render a
8 recommended decision to the Board which shall be binding on
9 the Service Board and the transportation agency if adopted by
10 the Board. The panel may not require the Service Board to take
11 any action which would increase the operating budget of the
12 Service Board. The decision of the Board shall be enforceable
13 in a court of general jurisdiction.

14 (f) The provisions of this Section that authorize a
15 Service Board to take specified actions are subject to and
16 subordinate to any action taken by the Authority under
17 subsection (a-5) of Section 2.01.

18 (Source: P.A. 100-863, eff. 8-14-18.)

19 (70 ILCS 3615/2.03) (from Ch. 111 2/3, par. 702.03)
20 Sec. 2.03. Operations. Subject and subordinate to the
21 power of the Authority under subsection (a-5) of Section 2.01,
22 a ~~A~~ Service Board may provide public transportation by
23 operating public transportation facilities. A Service Board
24 may enter into operating agreements with any individual,
25 corporation or other person or private or public entity to

1 operate such facilities on behalf of the Service Board.

2 (Source: P.A. 83-886.)

3 (70 ILCS 3615/2.04) (from Ch. 111 2/3, par. 702.04)

4 Sec. 2.04. Fares and Nature of Service.

5 (a) The Authority shall (i) set fares and charges for
6 public transportation services in the metropolitan region,
7 including public transportation provided by transportation
8 agencies pursuant to purchase of service or grant agreements
9 with the Authority or the Service Boards and (ii) establish
10 the nature and standards of public transportation to be
11 provided in accordance with the Strategic Plan and Service
12 Standards. ~~Whenever a Service Board provides any public~~
13 ~~transportation by operating public transportation facilities,~~
14 ~~the Service Board shall provide for the level and nature of~~
15 ~~fares or charges to be made for such services, and the nature~~
16 ~~and standards of public transportation to be so provided that~~
17 ~~meet the goals and objectives adopted by the Authority in the~~
18 ~~Strategic Plan. Provided, however that if the Board adopts a~~
19 ~~budget and financial plan for a Service Board in accordance~~
20 ~~with the provisions in Section 4.11(b)(5), the Board may~~
21 ~~consistent with the terms of any purchase of service contract~~
22 ~~provide for the level and nature of fares to be made for such~~
23 ~~services under the jurisdiction of that Service Board, and the~~
24 ~~nature and standards of public transportation to be so~~
25 ~~provided.~~

1 (b) Whenever a Service Board provides any public
2 transportation pursuant to grants made after June 30, 1975, to
3 transportation agencies for operating expenses (other than
4 with regard to experimental programs) or pursuant to any
5 purchase of service agreement, the purchase of service
6 agreement or grant contract shall provide for the level and
7 nature of fares or charges to be made for such services, and
8 the nature and standards of public transportation to be so
9 provided. A Service Board shall require all transportation
10 agencies with which it contracts, or from which it purchases
11 transportation services or to which it makes grants to provide
12 half fare transportation for their student riders if any of
13 such agencies provide for half fare transportation to their
14 student riders.

15 (c) In so providing for the fares or charges and the nature
16 and standards of public transportation, any purchase of
17 service agreements or grant contracts shall provide, among
18 other matters, for the terms or cost of transfers or
19 interconnections between different modes of transportation and
20 different public transportation agencies, schedules or routes
21 of such service, changes which may be made in such service, the
22 nature and condition of the facilities used in providing
23 service, the manner of collection and disposition of fares or
24 charges, the records and reports to be kept and made
25 concerning such service, for interchangeable tickets or other
26 coordinated or uniform methods of collection of charges, and

1 shall further require that the transportation agency comply
2 with any determination made by the Board of the Authority
3 under and subject to the provisions of Section 2.12b of this
4 Act. In regard to any such service, the Authority and the
5 Service Boards shall give attention to and may undertake
6 programs to promote use of public transportation and to
7 provide coordinated ticket sales and passenger information. In
8 the case of a grant to a transportation agency which remains
9 subject to Illinois Commerce Commission supervision and
10 regulation, the Service Boards shall exercise the powers set
11 forth in this Section in a manner consistent with such
12 supervision and regulation by the Illinois Commerce
13 Commission.

14 (d) By January 1, 2013, the Authority, in consultation
15 with the Service Boards and the general public, must develop a
16 policy regarding transfer fares on all fixed-route public
17 transportation services provided by the Service Boards. The
18 policy shall also set forth the fare sharing agreements
19 between the Service Boards that apply to interagency fare
20 passes and tickets. The policy established by the Authority
21 shall be submitted to each of the Service Boards for its
22 approval or comments and objection. After receiving the
23 policy, the Service Boards have 90 days to approve or take
24 other action regarding the policy. If all of the Service
25 Boards agree to the policy, then a regional agreement shall be
26 created and signed by each of the Service Boards. The terms of

1 the agreement may be changed upon petition by any of the
2 Service Boards and by agreement of the other Service Boards.

3 (e) By January 1, 2015, the Authority must develop and
4 implement a regional fare payment system. The regional fare
5 payment system must use and conform with established
6 information security industry standards and requirements of
7 the financial industry. The system must allow consumers to use
8 contactless credit cards, debit cards, and prepaid cards to
9 pay for all fixed-route public transportation services.
10 Beginning in 2012 and each year thereafter until 2015, the
11 Authority must submit an annual report to the Governor and
12 General Assembly describing the progress of the Authority and
13 each of the Service Boards in implementing the regional fare
14 payment system. The Authority must adopt rules to implement
15 the requirements set forth in this Section.

16 (f) By January 1, 2027, the Authority, in coordination
17 with the Service Boards, shall begin a joint procurement for a
18 next generation fare collection system, including a unified
19 mobile ticket application, that shall be procured and
20 implemented by February 1, 2029, as a unified regional fare
21 payment system. All agreements for, or related to, a regional
22 fare payment system must include provisions for data sharing
23 that allow the Authority and the Service Boards access to all
24 data generated by the fare collection system.

25 (g) The Authority shall administer all special fare
26 programs, including free and reduced fares for seniors and

1 people with disabilities, and other special fare programs or
2 contracts offered by the Service Boards to K-12 students,
3 military personnel, and others.

4 (h) Subject to appropriation, by no later than 2 years
5 after the effective date of this amendatory Act of the 104th
6 General Assembly, the Authority shall implement:

7 (1) an income-based reduced fare program; and

8 (2) a program across public transportation service
9 providers for providing free services to a rider for any
10 additional fares for the duration of a daily, weekly,
11 monthly, or 30-day pass once the rider has purchased
12 enough regular one-way fares to reach the cost of an
13 applicable pass.

14 (i) Notwithstanding any provision of law to the contrary,
15 for the State fiscal year beginning July 1, 2025, the
16 Authority shall annually certify the cost of providing free
17 and reduced fares in subsections (g) and (h) of Section 2.04 as
18 part of the budget process detailed in Section 4.01, as well as
19 ADA Paratransit services as defined by in Section 2.30, and
20 the State shall annually appropriate funding from the General
21 Revenue Fund to reimburse the service boards for providing the
22 rides. For fiscal year 2025, the estimated cost of free and
23 reduced fares in the region is \$150 million, and the estimated
24 cost of providing ADA Paratransit services is \$250 million.

25 (Source: P.A. 97-85, eff. 7-7-11.)

1 (70 ILCS 3615/2.05) (from Ch. 111 2/3, par. 702.05)

2 Sec. 2.05. Centralized Services; Acquisition and
3 Construction.

4 (a) The Authority may ~~at the request of two or more Service~~
5 ~~Boards,~~ serve, or designate a Service Board to serve, as a
6 centralized purchasing agent for the Service Boards ~~so~~
7 ~~requesting.~~

8 (b) The Authority may ~~at the request of two or more Service~~
9 ~~Boards~~ perform other centralized services such as ridership
10 information and transfers between services under the
11 jurisdiction of the Service Boards where such centralized
12 services financially benefit the region as a whole. Provided,
13 however, that the Board may require transfers only upon an
14 affirmative vote of 12 of its then Directors.

15 (c) A Service Board or the Authority may for the benefit of
16 a Service Board, to meet its purposes, construct or acquire
17 any public transportation facility for use by a Service Board
18 or for use by any transportation agency and may acquire any
19 such facilities from any transportation agency, including also
20 without limitation any reserve funds, employees' pension or
21 retirement funds, special funds, franchises, licenses,
22 patents, permits and papers, documents and records of the
23 agency. In connection with any such acquisition from a
24 transportation agency the Authority may assume obligations of
25 the transportation agency with regard to such facilities or
26 property or public transportation operations of such agency.

1 In connection with any construction or acquisition, the
2 Authority shall make relocation payments as may be required by
3 federal law or by the requirements of any federal agency
4 authorized to administer any federal program of aid.

5 (d) The Authority shall, after consulting with the Service
6 Boards, develop regionally coordinated and consolidated sales,
7 marketing, advertising, and public information programs that
8 promote the use and coordination of, and transfers among,
9 public transportation services in the metropolitan region. The
10 Authority shall develop and adopt, with the affirmative vote
11 of at least 12 of its then Directors, standards rules, and
12 regulations for the Authority and the Service Boards regarding
13 such programs to ensure that the Service Boards' independent
14 programs conform with the Authority's regional programs.

15 (e) By July 1, 2027, the Authority shall manage digital
16 and web-based, real-time vehicle arrival information for use
17 by riders for all fixed-route public transportation services.
18 Relevant Service Board infrastructure, administrative support,
19 and contracts may be transferred to the Authority for future
20 centralized customer information services.

21 (Source: P.A. 95-708, eff. 1-18-08.)

22 (70 ILCS 3615/2.06.05 new)

23 Sec. 2.06.05. Bus rapid transit. The Authority shall put
24 forth a bus priority plan that identifies corridors to
25 increase bus speeds across the region. The Authority shall be

1 the primary transit agency to partner with departments of
2 transportation to advance the installation of priority
3 infrastructure on the public way. The Authority's plan shall
4 be implemented within 5 years of adoption.

5 (70 ILCS 3615/2.12b)

6 Sec. 2.12b. Coordination of Fares and Service. Upon the
7 request of a Service Board, the Executive Director of the
8 Authority may, upon the affirmative vote of 9 of the then
9 Directors of the Authority, intervene in any matter involving
10 (i) a dispute between Service Boards or a Service Board and a
11 transportation agency providing service on behalf of a Service
12 Board with respect to the terms of transfer between, and the
13 allocation of revenues from fares and charges for,
14 transportation services provided by the parties or (ii) a
15 dispute between 2 Service Boards with respect to coordination
16 of service, route duplication, or a change in service. Any
17 Service Board or transportation agency involved in such
18 dispute shall meet with the Executive Director, cooperate in
19 good faith to attempt to resolve the dispute, and provide any
20 books, records, and other information requested by the
21 Executive Director. If the Executive Director is unable to
22 mediate a resolution of any dispute, he or she may provide a
23 written determination recommending a change in the fares or
24 charges or the allocation of revenues for such service or
25 directing a change in the nature or provider of service that is

1 the subject of the dispute. The Executive Director shall base
2 such determination upon the goals and objectives of the
3 Strategic Plan established pursuant to Section 2.01a(b). Such
4 determination shall be presented to the Board of the Authority
5 and, if approved by the affirmative vote of at least 9 of the
6 then Directors of the Authority, shall be final and shall be
7 implemented by any affected Service Board and transportation
8 agency within the time frame required by the determination.
9 The provisions of this Section are subject and subordinate to
10 any action taken by the Authority under subsection (a-5) of
11 Section 2.01.

12 (Source: P.A. 95-708, eff. 1-18-08.)

13 (70 ILCS 3615/2.39)

14 Sec. 2.39. Prioritization process for Northeastern
15 Illinois transit projects.

16 (a) The Authority shall develop a transparent
17 prioritization process for metropolitan region transit capital
18 projects to identify projects that would most effectively
19 achieve the goals of the Strategic Plan and improve the
20 quality of public transportation services contemplated by the
21 service standards.

22 ~~The Authority shall develop a transparent prioritization~~
23 ~~process for Northeastern Illinois transit projects receiving~~
24 ~~State capital funding. The prioritization process must~~
25 ~~consider, at a minimum: (1) access to key destinations such as~~

1 ~~jobs, retail, healthcare, and recreation, (2) reliability~~
2 ~~improvement, (3) capacity needs, (4) safety, (5) state of good~~
3 ~~repair, (6) racial equity and mobility justice, and (7)~~
4 ~~economic development. All State capital funding awards shall~~
5 ~~be made by the Regional Transportation Authority in accordance~~
6 ~~with the prioritization process. An appropriate public input~~
7 ~~process shall be established. The Authority shall make a~~
8 ~~report to the General Assembly each year describing the~~
9 ~~prioritization process and its use in funding awards.~~

10 (b) The Authority shall use the prioritization process
11 when developing its Five-Year Capital Program under Section
12 5.09 and for its other capital planning processes.

13 ~~A summary of the project evaluation process, measures,~~
14 ~~program, and scores or prioritization criteria for all~~
15 ~~candidate projects shall be published on the Authority's~~
16 ~~website in a timely manner.~~

17 (c) The prioritization process must consider, at a
18 minimum:

19 (1) increasing access to key destinations, including,
20 jobs, retail, healthcare, and recreation;

21 (2) reliability improvement;

22 (3) capacity needs;

23 (4) safety;

24 (5) state of good repair;

25 (6) racial equity and mobility justice;

26 (7) environmental protection;

1 (8) service standards; and

2 (9) economic development.

3 ~~Starting April 1, 2022, no project shall be included in~~
4 ~~the 5-year capital program, or amendments to that program,~~
5 ~~without being evaluated under the selection process described~~
6 ~~in this Section.~~

7 (d) All capital funding awards shall be made by the
8 Authority in accordance with the prioritization process. An
9 appropriate public input process shall be established. The
10 Authority shall make a report to the General Assembly each
11 year describing the prioritization process and its use in
12 funding awards.

13 (e) A summary of the project evaluation process, measures,
14 program, and scores or prioritization criteria for all
15 candidate projects shall be published on the Authority's
16 website in a timely manner.

17 (f) No project shall be included in the Five-Year Capital
18 Program, or amendments to that program, without being
19 evaluated under the selection process described in this
20 Section.

21 (g) The Authority shall have principal responsibility for
22 initiating any alternatives analysis and preliminary
23 environmental assessment required by federal or State law for
24 any new public transportation service or facility in the
25 metropolitan region in addition to conducting public and
26 stakeholder engagement activities to inform planning

1 decisions.

2 (Source: P.A. 102-573, eff. 8-24-21.)

3 (70 ILCS 3615/2.43 new)

4 Sec. 2.43. The Regional Transit Enhancement Fund. The
5 Regional Transit Enhancement Fund is established as a special
6 fund in the State treasury. Subject to appropriation and as
7 directed by the Board following the procedures described in
8 subsection (a) of Section 2.44, moneys in the Fund may be
9 expended for any purpose allowed under this Act.

10 (70 ILCS 3615/2.44 new)

11 Sec. 2.44. Service standards.

12 (a) Beginning 6 months after the effective date of this
13 amendatory Act of the 104th General Assembly, the Board shall
14 annually certify a baseline level of transit service for the
15 region upon the affirmative vote of at least 12 of its
16 Directors. Funds deposited into the Regional Transit
17 Enhancement Fund shall first be distributed to the Service
18 Boards to fund any gap between expenses and revenues to
19 deliver the baseline level of transit service, which is
20 defined within 5% of service hours or miles delivered in the
21 prior year. Remaining funds deposited into the Regional
22 Transit Enhancement Fund shall be distributed to the Service
23 Boards to deliver additional service needed to meet the
24 service standards identified in subsection (b).

1 (1) This Section applies only after the General
2 Assembly appropriates sufficient funding to meet the
3 baseline transit service need identified in this
4 subsection.

5 (2) This Section does not apply to any tax collected
6 from Section 4.03, any funds distributed to the Service
7 Boards based on Section 4.03.3, or any funds distributed
8 by this subsection.

9 (b) The Authority shall adopt service standards in
10 conjunction with its Strategic Plan and Five-Year Capital
11 Program. All funding that meets the enhanced level of transit
12 service requirement as defined by the Board ordinance is
13 subject to the following service standards.

14 (1) The service standards shall identify quantitative
15 and qualitative attributes of quality public transit
16 service using metrics drawn from the performance of
17 high-quality transit systems in global metropolitan areas
18 with comparable populations and metropolitan economies as
19 the metropolitan region.

20 (2) The service standards shall include a framework
21 that describes the appropriate characteristics for each
22 type of service or mode. These characteristics include,
23 but are not limited to, mode, frequency, time span,
24 vehicle type, stop spacing, vehicle and stop amenities,
25 network connectivity, route directness, route deviation,
26 and coverage of service.

1 (3) The service standards shall include the transition
2 of commuter rail in the metropolitan region to a regional
3 rail service pattern or the retention of commuter rail
4 with additional regional rail service.

5 (4) The service standards shall cover the entire
6 metropolitan region and include the development of transit
7 propensity thresholds for each type of service or mode.
8 Transit propensity metrics shall include, but are not
9 limited to, minimum transit access to residents living
10 near transit stops and stations, population density,
11 employment density, low-income populations, disabled
12 populations, zero-car households, intersection density,
13 and the presence of sidewalks.

14 (5) The service standards shall be adjusted as
15 appropriate to accommodate the addition of modes of public
16 transportation not currently being provided by the
17 Authority, which may include, but is not limited to:
18 streetcar; light rail; full-scale bus rapid transit; a
19 transition from commuter rail to regional rail or a
20 combination of commuter and regional rail; and electrified
21 versions of current combustion engine vehicle systems.

22 (6) The Board shall review and make any necessary
23 adjustments to the Service Standards at least once every 5
24 years in conjunction with its adoption of the Authority's
25 Strategic Plan.

26 (7) The Authority shall determine the level of service

1 hours that can be increased by the service boards with
2 available funding in the enhanced transit fund annually as
3 part of the operating budget process. If the enhanced
4 transit fund cannot support service increases to fully
5 meet the service standards, the directors shall adopt a
6 balanced budget and proposed limited service changes
7 within that budget.

8 (8) The Authority shall compile and publish reports
9 comparing the actual public transportation system
10 performance measured against the service standards. Such
11 performance measures shall include customer-related
12 performance data measured by line, route, or subregion, as
13 determined by the Authority, on at least the following:

14 (A) travel times and on-time performance;

15 (B) ridership data;

16 (C) equipment failure rates;

17 (D) employee and customer safety;

18 (E) cleanliness of vehicles and stations;

19 (F) service productivity; and

20 (G) customer satisfaction.

21 (9) Transportation agencies that receive funding from
22 the Authority shall prepare and submit to the Authority
23 the reports with regard to these performance measures in
24 the frequency and form required by the Authority. The
25 Authority shall compile and publish the reports on its
26 website on a regular basis, no less than monthly.

1 (10) The service standards and performance measures
2 shall not be used as the basis for disciplinary action
3 against any employee of the Authority, except to the
4 extent the employment and disciplinary practices of the
5 Authority provide for the action.

6 (70 ILCS 3615/2.45 new)
7 Sec. 2.45. Illinois Jobs Plan.

8 (a) As used in this Section:

9 "Covered transportation agency" means the Chicago Transit
10 Authority, the Commuter Rail Division and the Suburban Bus
11 Division of the Regional Transportation Authority, the
12 Regional Transportation Authority, and all of their
13 subsidiaries and affiliates.

14 "Covered transportation contract" means a contract for the
15 acquisition of public transportation equipment, including, but
16 not limited to, rolling stock, locomotives, and buses with a
17 base-buy value of \$10,000,000 or more.

18 "Illinois Jobs Plan" means a component of an application
19 submitted by applicants for covered transportation contracts
20 where bidders are required to state, at a minimum, all of the
21 following:

22 (1) The minimum number of full-time equivalent jobs
23 that will be retained and created if awarded the contract.

24 (2) The minimum wage and benefit amounts by job
25 classification for nonsupervisory workers on the contract.

1 (3) The minimum number of jobs that will be
2 specifically retained and created for disadvantaged
3 workers as defined in Section 15-10 of the Community
4 Energy, Climate, and Jobs Planning Act, if awarded the
5 contract.

6 (4) A detailed description of and proposed amounts for
7 worker training by job classification.

8 (b) Notwithstanding any law requiring a government entity
9 to award contracts to the lowest responsible bidder, beginning
10 January 1, 2026, covered transportation agencies shall award
11 all covered transportation contracts using a competitive
12 best-value procurement process and shall require bidders to
13 submit an Illinois Jobs Plan for themselves and any
14 participating subcontractor as part of their solicitation
15 responses.

16 (c) Covered transportation agencies shall adopt and
17 publish procedures and guidelines for evaluating bidder
18 qualifications in accordance with this Section. Solicitation
19 documents shall disclose the minimum qualification
20 requirements and shall specify the criteria that will be
21 assigned a weighted value. The evaluation process shall use a
22 scoring method based on those factors, including the Illinois
23 Jobs Plan, and the contract price. The Illinois Jobs Plan
24 shall be scored as part of the overall proposal and
25 incorporated as a material term of the final contract.

26 (d) Contractors and participating subcontractors on

1 covered transportation contracts shall be required to submit
2 annual Illinois Jobs Plan reports to covered transportation
3 agencies demonstrating compliance with their Illinois Jobs
4 Plan commitments. The Illinois Jobs Plan and annual compliance
5 reports shall be made available to the public and shall not be
6 considered trade secret, confidential, privileged, or
7 otherwise exempt from disclosure under paragraph (g) of
8 subsection (1) of Section 7 of the Freedom of Information Act.

9 (e) This Section does not apply to a contract awarded
10 based on a solicitation issued before January 1, 2026.

11 (70 ILCS 3615/2.46 new)

12 Sec. 2.46. Joint development feasibility report. Before
13 January 1, 2027, the Authority shall conduct a study and
14 submit a report to the Governor and General Assembly regarding
15 the feasibility of joint real estate development to enhance
16 real estate near fixed-route transit throughout northeastern
17 Illinois.

18 (70 ILCS 3615/2.47 new)

19 Sec. 2.47. Transit Ambassador Pilot Program.

20 (a) By July 1, 2026, 2 separate Transit Ambassador
21 Programs shall be implemented to cover services provided by
22 the Chicago Transit Authority and the Suburban Bus Division.
23 The Chicago Transit Authority and the Suburban Bus Division
24 shall each implement a Transit Ambassador Program, composed of

1 employees of each respective Service Board.

2 (b) The purpose of the Transit Ambassador Programs shall
3 be to ensure the safety of transit system passengers and
4 personnel, provide assistance to passengers, and promote
5 compliance with system rules and governing laws.

6 (c) The Service Boards that have Transit Ambassador
7 Programs shall bargain with the unions with which it has
8 collective bargaining relationships to determine the initial
9 unit placement, hours, duties, qualifications, training,
10 compensation, and benefits of any positions created or
11 modified through or because of the Transit Ambassador Program.

12 Such duties may include:

13 (1) monitoring passenger activity and compliance with
14 laws and rules;

15 (2) inspecting passenger fares;

16 (3) providing navigational and other passenger
17 assistance; and

18 (4) working with law enforcement and social service
19 agencies to address unsafe conditions, violations of
20 rules, regulations, and laws by passengers and to connect
21 persons with relevant social, medical, and other services.

22 (d) Employees hired to perform Transit Ambassador duties
23 shall be full-time employees of the Service Board establishing
24 the program.

25 (e) Those employed by the Chicago Transit Authority as
26 Customer Service Assistants shall be offered the positions

1 established pursuant to the Chicago Transit Authority Rail
2 Transit Ambassador Program before hiring any other personnel
3 for the positions.

4 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

5 Sec. 3A.09. General powers. In addition to any powers
6 elsewhere provided to the Suburban Bus Board, it shall have
7 all of the powers specified in Section 2.20 of this Act except
8 for the powers specified in Section 2.20(a)(v). Any powers
9 provided under this Article and elsewhere provided to the
10 Suburban Bus Board are subject and subordinate to the powers
11 of the Authority under subsection (a-5) of Section 2.01
12 notwithstanding any provision of this Act to the contrary. The
13 Board shall also have the power:

14 (a) to cooperate with the Regional Transportation
15 Authority in the exercise by the Regional Transportation
16 Authority of all the powers granted it by such Act;

17 (b) to receive funds from the Regional Transportation
18 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and
19 4.10 of the Regional Transportation Authority Act, all as
20 provided in the Regional Transportation Authority Act;

21 (c) to receive financial grants from the Regional
22 Transportation Authority or a Service Board, as defined in
23 the Regional Transportation Authority Act, upon such terms
24 and conditions as shall be set forth in a grant contract
25 between either the Division and the Regional

1 Transportation Authority or the Division and another
2 Service Board, which contract or agreement may be for such
3 number of years or duration as the parties agree, all as
4 provided in the Regional Transportation Authority Act;

5 (d) to perform all functions necessary for the
6 provision of paratransit services under Section 2.30 of
7 this Act;

8 (e) to borrow money for the purposes of: (i)
9 constructing a new garage in the northwestern Cook County
10 suburbs, (ii) converting the South Cook garage in Markham
11 to a Compressed Natural Gas facility, (iii) constructing a
12 new paratransit garage in DuPage County, (iv) expanding
13 the North Shore garage in Evanston to accommodate
14 additional indoor bus parking, and (v) purchasing new
15 transit buses. For the purpose of evidencing the
16 obligation of the Suburban Bus Board to repay any money
17 borrowed as provided in this subsection, the Suburban Bus
18 Board may issue revenue bonds from time to time pursuant
19 to ordinance adopted by the Suburban Bus Board, subject to
20 the approval of the Regional Transportation Authority of
21 each such issuance by the affirmative vote of 12 of its
22 then Directors; provided that the Suburban Bus Board may
23 not issue bonds for the purpose of financing the
24 acquisition, construction, or improvement of any facility
25 other than those listed in this subsection (e). All such
26 bonds shall be payable solely from the revenues or income

1 or any other funds that the Suburban Bus Board may
2 receive, provided that the Suburban Bus Board may not
3 pledge as security for such bonds the moneys, if any, that
4 the Suburban Bus Board receives from the Regional
5 Transportation Authority pursuant to Section 4.03.3(f) of
6 the Regional Transportation Authority Act. The bonds shall
7 bear interest at a rate not to exceed the maximum rate
8 authorized by the Bond Authorization Act and shall mature
9 at such time or times not exceeding 25 years from their
10 respective dates. Bonds issued pursuant to this paragraph
11 must be issued with scheduled principal or mandatory
12 redemption payments in equal amounts in each fiscal year
13 over the term of the bonds, with the first principal or
14 mandatory redemption payment scheduled within the fiscal
15 year in which bonds are issued or within the next
16 succeeding fiscal year. At least 25%, based on total
17 principal amount, of all bonds authorized pursuant to this
18 Section shall be sold pursuant to notice of sale and
19 public bid. No more than 75%, based on total principal
20 amount, of all bonds authorized pursuant to this Section
21 shall be sold by negotiated sale. The maximum principal
22 amount of the bonds that may be issued may not exceed
23 \$100,000,000. The bonds shall have all the qualities of
24 negotiable instruments under the laws of this State. To
25 secure the payment of any or all of such bonds and for the
26 purpose of setting forth the covenants and undertakings of

1 the Suburban Bus Board in connection with the issuance
2 thereof and the issuance of any additional bonds payable
3 from such revenue or income as well as the use and
4 application of the revenue or income received by the
5 Suburban Bus Board, the Suburban Bus Board may execute and
6 deliver a trust agreement or agreements; provided that no
7 lien upon any physical property of the Suburban Bus Board
8 shall be created thereby. A remedy for any breach or
9 default of the terms of any such trust agreement by the
10 Suburban Bus Board may be by mandamus proceedings in any
11 court of competent jurisdiction to compel performance and
12 compliance therewith, but the trust agreement may
13 prescribe by whom or on whose behalf such action may be
14 instituted. Under no circumstances shall any bonds issued
15 by the Suburban Bus Board or any other obligation of the
16 Suburban Bus Board in connection with the issuance of such
17 bonds be or become an indebtedness or obligation of the
18 State of Illinois, the Regional Transportation Authority,
19 or any other political subdivision of or municipality
20 within the State, nor shall any such bonds or obligations
21 be or become an indebtedness of the Suburban Bus Board
22 within the purview of any constitutional limitation or
23 provision, and it shall be plainly stated on the face of
24 each bond that it does not constitute such an indebtedness
25 or obligation but is payable solely from the revenues or
26 income as aforesaid; and

1 (f) to adopt ordinances and make all rules and
2 regulations proper or necessary to regulate the use,
3 operation, and maintenance of its property and facilities
4 and to carry into effect the powers granted to the
5 Suburban Bus Board, with any necessary fines or penalties,
6 such as the suspension of riding privileges or
7 confiscation of fare media under Section 2.40, as the
8 Board deems proper.

9 (Source: P.A. 103-281, eff. 1-1-24.)

10 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)
11 Sec. 3A.10. Budget and Program. The Suburban Bus Board,
12 subject and subordinate to the powers of the Authority in
13 subsection (a-5) of Section 2.01 and Section 4.11, shall
14 control the finances of the Division. It shall by ordinance
15 appropriate money to perform the Division's purposes and
16 provide for payment of debts and expenses of the Division.
17 Each year the Suburban Bus Board shall prepare and publish a
18 comprehensive annual budget and proposed five-year capital
19 program document, and a financial plan for the 2 years
20 thereafter describing the state of the Division and presenting
21 for the forthcoming fiscal year and the 2 following years the
22 Suburban Bus Board's plans for such operations and capital
23 expenditures as it intends to undertake and the means by which
24 it intends to finance them. The proposed budget, financial
25 plan, and five-year capital program shall be based on the

1 Authority's estimate of funds to be made available to the
2 Suburban Bus Board by or through the Authority and shall
3 conform in all respects to the requirements established by the
4 Authority. The proposed budget, financial plan, and five-year
5 capital program shall contain a statement of the funds
6 estimated to be on hand at the beginning of the fiscal year,
7 the funds estimated to be received from all sources for such
8 year and the funds estimated to be on hand at the end of such
9 year. The fiscal year of the Division shall be the same as the
10 fiscal year of the Authority. Before the proposed budget,
11 financial plan, and five-year capital program are submitted to
12 the Authority, the Suburban Bus Board shall hold at least one
13 public hearing thereon in each of the counties in the
14 metropolitan region in which the Division provides service.
15 The Suburban Bus Board shall hold at least one meeting for
16 consideration of the proposed budget, financial plan, and
17 five-year capital program with the county board of each of the
18 several counties in the metropolitan region in which the
19 Division provides service. After conducting such hearings and
20 holding such meetings and after making such changes in the
21 proposed budget, financial plan, and five-year capital program
22 as the Suburban Bus Board deems appropriate, it shall adopt an
23 annual budget ordinance at least by November 15 next preceding
24 the beginning of each fiscal year. The budget, financial plan,
25 and five-year capital program shall then be submitted to the
26 Authority as provided in Section 4.11. In the event that the

1 Board of the Authority determines that the budget and
2 financial plan do not meet the standards of Section 4.11, the
3 Suburban Bus Board shall make such changes as are necessary to
4 meet such requirements and adopt an amended budget ordinance.
5 The amended budget ordinance shall be resubmitted to the
6 Authority pursuant to Section 4.11. The ordinance shall
7 appropriate such sums of money as are deemed necessary to
8 defray all necessary expenses and obligations of the Division,
9 specifying purposes and the objects or programs for which
10 appropriations are made and the amount appropriated for each
11 object or program. Additional appropriations, transfers
12 between items and other changes in such ordinance which do not
13 alter the basis upon which the balanced budget determination
14 was made by the Board of the Authority may be made from time to
15 time by the Suburban Bus Board.

16 The budget shall:

17 (i) show a balance between (A) anticipated revenues
18 from all sources including operating subsidies and (B) the
19 costs of providing the services specified and of funding
20 any operating deficits or encumbrances incurred in prior
21 periods, including provision for payment when due of
22 principal and interest on outstanding indebtedness;

23 (ii) show cash balances including the proceeds of any
24 anticipated cash flow borrowing sufficient to pay with
25 reasonable promptness all costs and expenses as incurred;

26 (iii) recommend ~~provide for~~ a level of fares or

1 charges and operating or administrative costs for the
2 public transportation provided by or subject to the
3 jurisdiction of the Suburban Bus Board sufficient to allow
4 the Suburban Bus Board to meet its required system
5 generated revenues recovery ratio and, beginning with the
6 2007 fiscal year, its system generated ADA paratransit
7 services revenue recovery ratio;

8 (iv) be based upon and employ assumptions and
9 projections which are reasonable and prudent;

10 (v) have been prepared in accordance with sound
11 financial practices as determined by the Board of the
12 Authority;

13 (vi) meet such other uniform financial, budgetary, or
14 fiscal requirements that the Board of the Authority may by
15 rule or regulation establish; and

16 (vii) be consistent with the goals and objectives
17 adopted by the Regional Transportation Authority in the
18 Strategic Plan.

19 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)

20 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

21 Sec. 3B.09. General Powers. In addition to any powers
22 elsewhere provided to the Commuter Rail Board, it shall have
23 all of the powers specified in Section 2.20 of this Act except
24 for the powers specified in paragraph (v) of subsection (a) of
25 Section 2.20(a)(v). Any powers provided in this Article and

1 elsewhere provided to the Commuter Rail Board are subject and
2 subordinate to the powers of the Authority under subsection
3 (a-5) of Section 2.01 notwithstanding any provision of this
4 Act to the contrary. The Board shall also have the power:

5 (a) to cooperate with the Regional Transportation
6 Authority in the exercise by the Regional Transportation
7 Authority of all the powers granted it by such Act;

8 (b) to receive funds from the Regional Transportation
9 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10
10 of the "Regional Transportation Authority Act", all as
11 provided in the "Regional Transportation Authority Act";

12 (c) to receive financial grants from the Regional
13 Transportation Authority or a Service Board, as defined in the
14 "Regional Transportation Authority Act", upon such terms and
15 conditions as shall be set forth in a grant contract between
16 either the Division and the Regional Transportation Authority
17 or the Division and another Service Board, which contract or
18 agreement may be for such number of years or duration as the
19 parties may agree, all as provided in the "Regional
20 Transportation Authority Act"; and

21 (d) to borrow money for the purpose of acquiring,
22 constructing, reconstructing, extending, or improving any
23 Public Transportation Facilities (as defined in Section 1.03
24 of the Regional Transportation Authority Act) operated by or
25 to be operated by or on behalf of the Commuter Rail Division.
26 For the purpose of evidencing the obligation of the Commuter

1 Rail Board to repay any money borrowed as provided in this
2 subsection, the Commuter Rail Board may issue revenue bonds
3 from time to time pursuant to ordinance adopted by the
4 Commuter Rail Board, subject to the approval of the Regional
5 Transportation Authority of each such issuance by the
6 affirmative vote of 12 of its then Directors; provided that
7 the Commuter Rail Board may not issue bonds for the purpose of
8 financing the acquisition, construction, or improvement of a
9 corporate headquarters building. All such bonds shall be
10 payable solely from the revenues or income or any other funds
11 that the Commuter Rail Board may receive, provided that the
12 Commuter Rail Board may not pledge as security for such bonds
13 the moneys, if any, that the Commuter Rail Board receives from
14 the Regional Transportation Authority pursuant to Section
15 4.03.3(f) of the Regional Transportation Authority Act. The
16 bonds shall bear interest at a rate not to exceed the maximum
17 rate authorized by the Bond Authorization Act and shall mature
18 at such time or times not exceeding 25 years from their
19 respective dates. Bonds issued pursuant to this paragraph must
20 be issued with scheduled principal or mandatory redemption
21 payments in equal amounts in each fiscal year over the term of
22 the bonds, with the first principal or mandatory redemption
23 payment scheduled within the fiscal year in which bonds are
24 issued or within the next succeeding fiscal year. At least
25 25%, based on total principal amount, of all bonds authorized
26 pursuant to this Section shall be sold pursuant to notice of

1 sale and public bid. No more than 75%, based on total principal
2 amount, of all bonds authorized pursuant to this Section shall
3 be sold by negotiated sale. The maximum principal amount of
4 the bonds that may be issued and outstanding at any time may
5 not exceed \$1,000,000,000. The bonds shall have all the
6 qualities of negotiable instruments under the laws of this
7 State. To secure the payment of any or all of such bonds and
8 for the purpose of setting forth the covenants and
9 undertakings of the Commuter Rail Board in connection with the
10 issuance thereof and the issuance of any additional bonds
11 payable from such revenue or income as well as the use and
12 application of the revenue or income received by the Commuter
13 Rail Board, the Commuter Rail Board may execute and deliver a
14 trust agreement or agreements; provided that no lien upon any
15 physical property of the Commuter Rail Board shall be created
16 thereby. A remedy for any breach or default of the terms of any
17 such trust agreement by the Commuter Rail Board may be by
18 mandamus proceedings in any court of competent jurisdiction to
19 compel performance and compliance therewith, but the trust
20 agreement may prescribe by whom or on whose behalf such action
21 may be instituted. Under no circumstances shall any bonds
22 issued by the Commuter Rail Board or any other obligation of
23 the Commuter Rail Board in connection with the issuance of
24 such bonds be or become an indebtedness or obligation of the
25 State of Illinois, the Regional Transportation Authority, or
26 any other political subdivision of or municipality within the

1 State, nor shall any such bonds or obligations be or become an
2 indebtedness of the Commuter Rail Board within the purview of
3 any constitutional limitation or provision, and it shall be
4 plainly stated on the face of each bond that it does not
5 constitute such an indebtedness or obligation but is payable
6 solely from the revenues or income as aforesaid.

7 (Source: P.A. 95-708, eff. 1-18-08.)

8 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

9 Sec. 3B.10. Budget and Program. The Commuter Rail Board,
10 subject and subordinate to the powers of the Authority in
11 subsection (a-5) of Section 2.01 and Section 4.11, shall
12 control the finances of the Division. It shall by ordinance
13 appropriate money to perform the Division's purposes and
14 provide for payment of debts and expenses of the Division.
15 Each year the Commuter Rail Board shall prepare and publish a
16 comprehensive annual budget and proposed five-year capital
17 program document, and a financial plan for the two years
18 thereafter describing the state of the Division and presenting
19 for the forthcoming fiscal year and the two following years
20 the Commuter Rail Board's plans for such operations and
21 capital expenditures as the Commuter Rail Board intends to
22 undertake and the means by which it intends to finance them.
23 The proposed budget, financial plan, and five-year capital
24 program shall be based on the Authority's estimate of funds to
25 be made available to the Commuter Rail Board by or through the

1 Authority and shall conform in all respects to the
2 requirements established by the Authority. The proposed
3 budget, financial plan, and five-year capital program shall
4 contain a statement of the funds estimated to be on hand at the
5 beginning of the fiscal year, the funds estimated to be
6 received from all sources for such year and the funds
7 estimated to be on hand at the end of such year. The fiscal
8 year of the Division shall be the same as the fiscal year of
9 the Authority. Before the proposed budget, financial plan, and
10 five-year capital program are submitted to the Authority, the
11 Commuter Rail Board shall hold at least one public hearing
12 thereon in each of the counties in the metropolitan region in
13 which the Division provides service. The Commuter Rail Board
14 shall hold at least one meeting for consideration of the
15 proposed budget, financial plan, and five-year capital plan
16 with the county board of each of the several counties in the
17 metropolitan region in which the Division provides service.
18 After conducting such hearings and holding such meetings and
19 after making such changes in the proposed budget, financial
20 plan, and five-year capital plan as the Commuter Rail Board
21 deems appropriate, the board shall adopt its annual budget
22 ordinance at least by November 15 next preceding the beginning
23 of each fiscal year. The budget, financial plan, and five-year
24 capital program shall then be submitted to the Authority as
25 provided in Section 4.11. In the event that the Board of the
26 Authority determines that the budget and program, and

1 financial plan do not meet the standards of Section 4.11, the
2 Commuter Rail Board shall make such changes as are necessary
3 to meet such requirements and adopt an amended budget
4 ordinance. The amended budget ordinance shall be resubmitted
5 to the Authority pursuant to Section 4.11. The ordinance shall
6 appropriate such sums of money as are deemed necessary to
7 defray all necessary expenses and obligations of the Division,
8 specifying purposes and the objects or programs for which
9 appropriations are made and the amount appropriated for each
10 object or program. Additional appropriations, transfers
11 between items and other changes in such ordinance which do not
12 alter the basis upon which the balanced budget determination
13 was made by the Board of the Authority may be made from time to
14 time by the Commuter Rail Board.

15 The budget shall:

16 (i) show a balance between (A) anticipated revenues
17 from all sources including operating subsidies and (B) the
18 costs of providing the services specified and of funding
19 any operating deficits or encumbrances incurred in prior
20 periods, including provision for payment when due of
21 principal and interest on outstanding indebtedness;

22 (ii) show cash balances including the proceeds of any
23 anticipated cash flow borrowing sufficient to pay with
24 reasonable promptness all costs and expenses as incurred;

25 (iii) recommend ~~provide for~~ a level of fares or
26 charges for the public transportation provided by or

1 subject to the jurisdiction of such Commuter Rail Board
2 sufficient to allow the Commuter Rail Board to meet its
3 required system generated revenue recovery ratio;

4 (iv) be based upon and employ assumptions and
5 projections which the Board of the Authority finds to be
6 reasonable and prudent;

7 (v) have been prepared in accordance with sound
8 financial practices as determined by the Board of the
9 Authority;

10 (vi) meet such other uniform financial, budgetary, or
11 fiscal requirements that the Board of the Authority may by
12 rule or regulation establish; and

13 (vii) be consistent with the goals and objectives
14 adopted by the Regional Transportation Authority in the
15 Strategic Plan.

16 (Source: P.A. 95-708, eff. 1-18-08.)

17 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

18 Sec. 4.01. Budget and Program.

19 (a) The Board shall control the finances of the Authority.
20 It shall by ordinance adopted by the affirmative vote of at
21 least 12 of its then Directors (i) appropriate money to
22 perform the Authority's purposes and provide for payment of
23 debts and expenses of the Authority, (ii) take action with
24 respect to the budget and two-year financial plan of each
25 Service Board, as provided in Section 4.11, (iii) take action

1 with respect to funding for enhanced regional transit services
2 as described in Section 2.44, and (iv) ~~(iii)~~ adopt an Annual
3 Budget and Two-Year Financial Plan for the Authority that
4 includes the annual budget and two-year financial plan of each
5 Service Board that has been approved by the Authority. The
6 Annual Budget and Two-Year Financial Plan shall contain a
7 statement of the funds estimated to be on hand for the
8 Authority and each Service Board at the beginning of the
9 fiscal year, the funds estimated to be received from all
10 sources for such year, the estimated expenses and obligations
11 of the Authority and each Service Board for all purposes,
12 including expenses for contributions to be made with respect
13 to pension and other employee benefits, and the funds
14 estimated to be on hand at the end of such year. The Annual
15 Budget and Two-Year Financial Plan shall also include a
16 statement certifying that the Service Boards have reported
17 service standards to the Board as part of Section 4.11 on
18 system financial results, and the Board shall certify that
19 they have met the service standards criteria described in
20 Section 2.44. The fiscal year of the Authority and each
21 Service Board shall begin on January 1st and end on the
22 succeeding December 31st. By July 1st of each year the
23 Director of the Illinois Governor's Office of Management and
24 Budget (formerly Bureau of the Budget) shall submit to the
25 Authority an estimate of revenues for the next fiscal year of
26 the Authority to be collected from the taxes imposed by the

1 Authority and the amounts to be available in the Public
2 Transportation Fund and the Regional Transportation Authority
3 Occupation and Use Tax Replacement Fund and the amounts
4 otherwise to be appropriated by the State to the Authority for
5 its purposes. The Authority shall file a copy of its Annual
6 Budget and Two-Year Financial Plan with the General Assembly
7 and the Governor after its adoption. Before the proposed
8 Annual Budget and Two-Year Financial Plan is adopted, the
9 Authority shall hold at least one public hearing thereon in
10 the metropolitan region, and shall meet with the county board
11 or its designee of each of the several counties in the
12 metropolitan region. After conducting such hearings and
13 holding such meetings and after making such changes in the
14 proposed Annual Budget and Two-Year Financial Plan as the
15 Board deems appropriate, the Board shall adopt its annual
16 appropriation and Annual Budget and Two-Year Financial Plan
17 ordinance. The ordinance may be adopted only upon the
18 affirmative votes of 12 of its then Directors. The ordinance
19 shall appropriate such sums of money as are deemed necessary
20 to defray all necessary expenses and obligations of the
21 Authority, specifying purposes and the objects or programs for
22 which appropriations are made and the amount appropriated for
23 each object or program. Additional appropriations, transfers
24 between items and other changes in such ordinance may be made
25 from time to time by the Board upon the affirmative votes of 12
26 of its then Directors.

1 (b) The Annual Budget and Two-Year Financial Plan shall
2 show a balance between anticipated revenues from all sources
3 and anticipated expenses including funding of operating
4 deficits or the discharge of encumbrances incurred in prior
5 periods and payment of principal and interest when due, and
6 shall show cash balances sufficient to pay with reasonable
7 promptness all obligations and expenses as incurred.

8 The Annual Budget and Two-Year Financial Plan must show:

9 (i) that the level of fares and charges for mass
10 transportation provided by, or under grant or purchase of
11 service contracts of, the Service Boards is sufficient to
12 cause the aggregate of all projected fare revenues from
13 such fares and charges received in each fiscal year to
14 equal (1) before fiscal year 2026, at least 50% of the
15 aggregate costs of providing such public transportation in
16 such fiscal year or (2) beginning fiscal year 2026, at
17 least 20% of the aggregate costs of providing such public
18 transportation in such fiscal year. ~~However, due to the~~
19 ~~fiscal impacts of the COVID 19 pandemic, the aggregate of~~
20 ~~all projected fare revenues from such fares and charges~~
21 ~~received in fiscal years 2021, 2022, 2023, 2024, and 2025~~
22 ~~may be less than 50% of the aggregate costs of providing~~
23 ~~such public transportation in those fiscal years.~~ "Fare
24 revenues" include the proceeds of all fares and charges
25 for services provided, contributions received in
26 connection with public transportation from units of local

1 government other than the Authority, except for
2 contributions received by the Chicago Transit Authority
3 from a real estate transfer tax imposed under subsection
4 (i) of Section 8-3-19 of the Illinois Municipal Code, and
5 from the State pursuant to subsection (i) of Section
6 2705-305 of the Department of Transportation Law (20 ILCS
7 2705/2705-305), and all other operating revenues properly
8 included consistent with generally accepted accounting
9 principles but do not include: the proceeds of any
10 borrowings, and, beginning with the 2007 fiscal year, all
11 revenues and receipts, including but not limited to fares
12 and grants received from the federal, State or any unit of
13 local government or other entity, derived from providing
14 ADA paratransit service pursuant to Section 2.30 of the
15 Regional Transportation Authority Act. "Costs" include all
16 items properly included as operating costs consistent with
17 generally accepted accounting principles, including
18 administrative costs, but do not include: depreciation;
19 payment of principal and interest on bonds, notes or other
20 evidences of obligation for borrowed money issued by the
21 Authority; payments with respect to public transportation
22 facilities made pursuant to subsection (b) of Section 2.20
23 of this Act; any payments with respect to rate protection
24 contracts, credit enhancements or liquidity agreements
25 made under Section 4.14; any other cost to which it is
26 reasonably expected that a cash expenditure will not be

1 made; costs for passenger security including grants,
2 contracts, personnel, equipment and administrative
3 expenses, except in the case of the Chicago Transit
4 Authority, in which case the term does not include costs
5 spent annually by that entity for protection against crime
6 as required by Section 27a of the Metropolitan Transit
7 Authority Act; the payment by the Chicago Transit
8 Authority of Debt Service, as defined in Section 12c of
9 the Metropolitan Transit Authority Act, on bonds or notes
10 issued pursuant to that Section; the payment by the
11 Commuter Rail Division of debt service on bonds issued
12 pursuant to Section 3B.09; expenses incurred by the
13 Suburban Bus Division for the cost of new public
14 transportation services funded from grants pursuant to
15 Section 2.01e of this amendatory Act of the 95th General
16 Assembly for a period of 2 years from the date of
17 initiation of each such service; costs as exempted by the
18 Board for projects pursuant to Section 2.09 of this Act;
19 or, beginning with the 2007 fiscal year, expenses related
20 to providing ADA paratransit service pursuant to Section
21 2.30 of the Regional Transportation Authority Act; and in
22 fiscal years 2008 through 2012 inclusive, costs in the
23 amount of \$200,000,000 in fiscal year 2008, reducing by
24 \$40,000,000 in each fiscal year thereafter until this
25 exemption is eliminated; and expenses incurred by any and
26 all Service Boards for the cost of new public

1 transportation services for a period of 2 years from the
2 date of initiation of each service; and

3 (ii) that the level of fares charged for ADA
4 paratransit services is sufficient to cause the aggregate
5 of all projected revenues from such fares charged and
6 received in each fiscal year to equal (1) before fiscal
7 year 2026, at least 10% of the aggregate costs of
8 providing such ADA paratransit services or (2) beginning
9 fiscal year 2026, at least 5% of the aggregate costs of
10 providing such ADA paratransit services. ~~However, due to~~

11 ~~the fiscal impacts of the COVID-19 pandemic, the aggregate~~
12 ~~of all projected fare revenues from such fares and charges~~
13 ~~received in fiscal years 2021, 2022, 2023, 2024, and 2025~~
14 ~~may be less than 10% of the aggregate costs of providing~~
15 ~~such ADA paratransit services in those fiscal years.~~ For

16 purposes of this Act, the percentages in this subsection
17 (b) (ii) shall be referred to as the "system generated ADA
18 paratransit services revenue recovery ratio". For purposes

19 of the system generated ADA paratransit services revenue
20 recovery ratio, "costs" shall include all items properly
21 included as operating costs consistent with generally
22 accepted accounting principles. However, the Board may
23 exclude from costs an amount that does not exceed the
24 allowable "capital costs of contracting" for ADA
25 paratransit services pursuant to the Federal Transit
26 Administration guidelines for the Urbanized Area Formula

1 Program.

2 The Authority shall file a statement certifying that the
3 Service Boards published the data described in subsection
4 (b-5) with the General Assembly and the Governor after
5 adoption of the Annual Budget and Two-Year Financial Plan
6 required by subsection (a). If the Authority fails to file a
7 statement certifying publication of the data, then the
8 appropriations to the Department of Transportation for grants
9 to the Authority intended to reimburse the Service Boards for
10 providing free and reduced fares shall be withheld.

11 (b-5) For fiscal years 2024, fiscal year ~~and~~ 2025, and
12 each year fiscal year thereafter, the Service Boards must
13 publish a monthly comprehensive set of data regarding transit
14 service and safety. The data included shall include
15 information to track operations including:

16 (1) staffing levels, including numbers of budgeted
17 positions, current positions employed, hired staff,
18 attrition, staff in training, and absenteeism rates;

19 (2) scheduled service and delivered service, including
20 percentage of scheduled service delivered by day, service
21 by mode of transportation, service by route and rail line,
22 total number of revenue miles driven, excess wait times by
23 day, by mode of transportation, by bus route, and by stop;
24 and

25 (3) safety on the system, including the number of
26 incidents of crime and code of conduct violations on

1 system, any performance measures used to evaluate the
2 effectiveness of investments in private security, safety
3 equipment, and other security investments in the system.
4 If no performance measures exist to evaluate the
5 effectiveness of these safety investments, the Service
6 Boards and Authority shall develop and publish these
7 performance measures.

8 The Authority and Service Boards shall solicit input and
9 ideas on publishing data on the service reliability,
10 operations, and safety of the system from the public and
11 groups representing transit riders, workers, and businesses.

12 (c) The actual administrative expenses of the Authority
13 for the fiscal year commencing January 1, 1985 may not exceed
14 \$5,000,000. The actual administrative expenses of the
15 Authority for the fiscal year commencing January 1, 1986, and
16 for each fiscal year thereafter shall not exceed the maximum
17 administrative expenses for the previous fiscal year plus 5%.
18 "Administrative expenses" are defined for purposes of this
19 Section as all expenses except: (1) capital expenses and
20 purchases of the Authority on behalf of the Service Boards;
21 (2) payments to Service Boards; and (3) payment of principal
22 and interest on bonds, notes or other evidence of obligation
23 for borrowed money issued by the Authority; (4) costs for
24 passenger security including grants, contracts, personnel,
25 equipment and administrative expenses; (5) payments with
26 respect to public transportation facilities made pursuant to

1 subsection (b) of Section 2.20 of this Act; and (6) any
2 payments with respect to rate protection contracts, credit
3 enhancements or liquidity agreements made pursuant to Section
4 4.14.

5 (d) This subsection applies only until the Department
6 begins administering and enforcing an increased tax under
7 Section 4.03(m) as authorized by this amendatory Act of the
8 95th General Assembly. After withholding 15% of the proceeds
9 of any tax imposed by the Authority and 15% of money received
10 by the Authority from the Regional Transportation Authority
11 Occupation and Use Tax Replacement Fund, the Board shall
12 allocate the proceeds and money remaining to the Service
13 Boards as follows: (1) an amount equal to 85% of the proceeds
14 of those taxes collected within the City of Chicago and 85% of
15 the money received by the Authority on account of transfers to
16 the Regional Transportation Authority Occupation and Use Tax
17 Replacement Fund from the County and Mass Transit District
18 Fund attributable to retail sales within the City of Chicago
19 shall be allocated to the Chicago Transit Authority; (2) an
20 amount equal to 85% of the proceeds of those taxes collected
21 within Cook County outside the City of Chicago and 85% of the
22 money received by the Authority on account of transfers to the
23 Regional Transportation Authority Occupation and Use Tax
24 Replacement Fund from the County and Mass Transit District
25 Fund attributable to retail sales within Cook County outside
26 of the city of Chicago shall be allocated 30% to the Chicago

1 Transit Authority, 55% to the Commuter Rail Board and 15% to
2 the Suburban Bus Board; and (3) an amount equal to 85% of the
3 proceeds of the taxes collected within the Counties of DuPage,
4 Kane, Lake, McHenry and Will shall be allocated 70% to the
5 Commuter Rail Board and 30% to the Suburban Bus Board.

6 (e) This subsection applies only until the Department
7 begins administering and enforcing an increased tax under
8 Section 4.03(m) as authorized by this amendatory Act of the
9 95th General Assembly. Moneys received by the Authority on
10 account of transfers to the Regional Transportation Authority
11 Occupation and Use Tax Replacement Fund from the State and
12 Local Sales Tax Reform Fund shall be allocated among the
13 Authority and the Service Boards as follows: 15% of such
14 moneys shall be retained by the Authority and the remaining
15 85% shall be transferred to the Service Boards as soon as may
16 be practicable after the Authority receives payment. Moneys
17 which are distributable to the Service Boards pursuant to the
18 preceding sentence shall be allocated among the Service Boards
19 on the basis of each Service Board's distribution ratio. The
20 term "distribution ratio" means, for purposes of this
21 subsection (e) of this Section 4.01, the ratio of the total
22 amount distributed to a Service Board pursuant to subsection
23 (d) of Section 4.01 for the immediately preceding calendar
24 year to the total amount distributed to all of the Service
25 Boards pursuant to subsection (d) of Section 4.01 for the
26 immediately preceding calendar year.

1 (f) To carry out its duties and responsibilities under
2 this Act, the Board shall employ staff which shall: (1)
3 propose for adoption by the Board of the Authority rules for
4 the Service Boards that establish (i) forms and schedules to
5 be used and information required to be provided with respect
6 to a five-year capital program, annual budgets, and two-year
7 financial plans and regular reporting of actual results
8 against adopted budgets and financial plans, (ii) financial
9 practices to be followed in the budgeting and expenditure of
10 public funds, (iii) assumptions and projections that must be
11 followed in preparing and submitting its annual budget and
12 two-year financial plan or a five-year capital program; (2)
13 evaluate for the Board public transportation programs operated
14 or proposed by the Service Boards and transportation agencies
15 in terms of the goals and objectives set out in the Strategic
16 Plan; (3) keep the Board and the public informed of the extent
17 to which the Service Boards and transportation agencies are
18 meeting the goals and objectives adopted by the Authority in
19 the Strategic Plan; and (4) assess the efficiency or adequacy
20 of public transportation services provided by a Service Board
21 and make recommendations for change in that service to the end
22 that the moneys available to the Authority may be expended in
23 the most economical manner possible with the least possible
24 duplication.

25 (g) All Service Boards, transportation agencies,
26 comprehensive planning agencies, including the Chicago

1 Metropolitan Agency for Planning, or transportation planning
2 agencies in the metropolitan region shall furnish to the
3 Authority such information pertaining to public transportation
4 or relevant for plans therefor as it may from time to time
5 require. The Executive Director, or his or her designee,
6 shall, for the purpose of securing any such information
7 necessary or appropriate to carry out any of the powers and
8 responsibilities of the Authority under this Act, have access
9 to, and the right to examine, all books, documents, papers or
10 records of a Service Board or any transportation agency
11 receiving funds from the Authority or Service Board, and such
12 Service Board or transportation agency shall comply with any
13 request by the Executive Director, or his or her designee,
14 within 30 days or an extended time provided by the Executive
15 Director.

16 (h) No Service Board shall undertake any capital
17 improvement which is not identified in the Five-Year Capital
18 Program.

19 (i) Each Service Board shall furnish to the Board access
20 to its financial information including, but not limited to,
21 audits and reports. The Board shall have real-time access to
22 the financial information of the Service Boards; however, the
23 Board shall be granted read-only access to the Service Board's
24 financial information.

25 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

1 (70 ILCS 3615/4.03)

2 Sec. 4.03. Taxes.

3 (a) In order to carry out any of the powers or purposes of
4 the Authority, the Board may, by ordinance adopted with the
5 concurrence of 12 of the then Directors, impose throughout the
6 metropolitan region any or all of the taxes provided in this
7 Section. Except as otherwise provided in this Act, taxes
8 imposed under this Section and civil penalties imposed
9 incident thereto shall be collected and enforced by the State
10 Department of Revenue. The Department shall have the power to
11 administer and enforce the taxes and to determine all rights
12 for refunds for erroneous payments of the taxes. Nothing in
13 Public Act 95-708 is intended to invalidate any taxes
14 currently imposed by the Authority. The increased vote
15 requirements to impose a tax shall only apply to actions taken
16 after January 1, 2008 (the effective date of Public Act
17 95-708).

18 (b) The Board may impose a public transportation tax upon
19 all persons engaged in the metropolitan region in the business
20 of selling at retail motor fuel for operation of motor
21 vehicles upon public highways. The tax shall be at a rate not
22 to exceed 5% of the gross receipts from the sales of motor fuel
23 in the course of the business. As used in this Act, the term
24 "motor fuel" shall have the same meaning as in the Motor Fuel
25 Tax Law. The Board may provide for details of the tax. The
26 provisions of any tax shall conform, as closely as may be

1 practicable, to the provisions of the Municipal Retailers
2 Occupation Tax Act, including, without limitation, conformity
3 to penalties with respect to the tax imposed and as to the
4 powers of the State Department of Revenue to promulgate and
5 enforce rules and regulations relating to the administration
6 and enforcement of the provisions of the tax imposed, except
7 that reference in the Act to any municipality shall refer to
8 the Authority and the tax shall be imposed only with regard to
9 receipts from sales of motor fuel in the metropolitan region,
10 at rates as limited by this Section.

11 (c) In connection with the tax imposed under paragraph (b)
12 of this Section, the Board may impose a tax upon the privilege
13 of using in the metropolitan region motor fuel for the
14 operation of a motor vehicle upon public highways, the tax to
15 be at a rate not in excess of the rate of tax imposed under
16 paragraph (b) of this Section. The Board may provide for
17 details of the tax.

18 (d) The Board may impose a motor vehicle parking tax upon
19 the privilege of parking motor vehicles at off-street parking
20 facilities in the metropolitan region at which a fee is
21 charged, and may provide for reasonable classifications in and
22 exemptions to the tax, for administration and enforcement
23 thereof and for civil penalties and refunds thereunder and may
24 provide criminal penalties thereunder, the maximum penalties
25 not to exceed the maximum criminal penalties provided in the
26 Retailers' Occupation Tax Act. The Authority may collect and

1 enforce the tax itself or by contract with any unit of local
2 government. The State Department of Revenue shall have no
3 responsibility for the collection and enforcement unless the
4 Department agrees with the Authority to undertake the
5 collection and enforcement. As used in this paragraph, the
6 term "parking facility" means a parking area or structure
7 having parking spaces for more than 2 vehicles at which motor
8 vehicles are permitted to park in return for an hourly, daily,
9 or other periodic fee, whether publicly or privately owned,
10 but does not include parking spaces on a public street, the use
11 of which is regulated by parking meters.

12 (e) The Board may impose a Regional Transportation
13 Authority Retailers' Occupation Tax upon all persons engaged
14 in the business of selling tangible personal property at
15 retail in the metropolitan region. In Cook County, the tax
16 rate shall be 1.25% of the gross receipts from sales of food
17 for human consumption that is to be consumed off the premises
18 where it is sold (other than alcoholic beverages, food
19 consisting of or infused with adult use cannabis, soft drinks,
20 candy, and food that has been prepared for immediate
21 consumption) and tangible personal property taxed at the 1%
22 rate under the Retailers' Occupation Tax Act, and 1% of the
23 gross receipts from other taxable sales made in the course of
24 that business. In DuPage, Kane, Lake, McHenry, and Will
25 counties, the tax rate shall be 0.75% of the gross receipts
26 from all taxable sales made in the course of that business. The

1 rate of tax imposed in DuPage, Kane, Lake, McHenry, and Will
2 counties under this Section on sales of aviation fuel on or
3 after December 1, 2019 shall, however, be 0.25% unless the
4 Regional Transportation Authority in DuPage, Kane, Lake,
5 McHenry, and Will counties has an "airport-related purpose"
6 and the additional 0.50% of the 0.75% tax on aviation fuel is
7 expended for airport-related purposes. If there is no
8 airport-related purpose to which aviation fuel tax revenue is
9 dedicated, then aviation fuel is excluded from the additional
10 0.50% of the 0.75% tax. The tax imposed under this Section and
11 all civil penalties that may be assessed as an incident
12 thereof shall be collected and enforced by the State
13 Department of Revenue. The Department shall have full power to
14 administer and enforce this Section; to collect all taxes and
15 penalties so collected in the manner hereinafter provided; and
16 to determine all rights to credit memoranda arising on account
17 of the erroneous payment of tax or penalty hereunder. In the
18 administration of, and compliance with this Section, the
19 Department and persons who are subject to this Section shall
20 have the same rights, remedies, privileges, immunities,
21 powers, and duties, and be subject to the same conditions,
22 restrictions, limitations, penalties, exclusions, exemptions,
23 and definitions of terms, and employ the same modes of
24 procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,
25 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions
26 therein other than the State rate of tax), 2c, 3 (except as to

1 the disposition of taxes and penalties collected, and except
2 that the retailer's discount is not allowed for taxes paid on
3 aviation fuel that are subject to the revenue use requirements
4 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133), 4, 5, 5a, 5b, 5c,
5 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7, 8, 9,
6 10, 11, 12, and 13 of the Retailers' Occupation Tax Act and
7 Section 3-7 of the Uniform Penalty and Interest Act, as fully
8 as if those provisions were set forth herein.

9 The Board and DuPage, Kane, Lake, McHenry, and Will
10 counties must comply with the certification requirements for
11 airport-related purposes under Section 2-22 of the Retailers'
12 Occupation Tax Act. For purposes of this Section,
13 "airport-related purposes" has the meaning ascribed in Section
14 6z-20.2 of the State Finance Act. This exclusion for aviation
15 fuel only applies for so long as the revenue use requirements
16 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the
17 Authority.

18 Persons subject to any tax imposed under the authority
19 granted in this Section may reimburse themselves for their
20 seller's tax liability hereunder by separately stating the tax
21 as an additional charge, which charge may be stated in
22 combination in a single amount with State taxes that sellers
23 are required to collect under the Use Tax Act, under any
24 bracket schedules the Department may prescribe.

25 Whenever the Department determines that a refund should be
26 made under this Section to a claimant instead of issuing a

1 credit memorandum, the Department shall notify the State
2 Comptroller, who shall cause the warrant to be drawn for the
3 amount specified, and to the person named, in the notification
4 from the Department. The refund shall be paid by the State
5 Treasurer out of the Regional Transportation Authority tax
6 fund established under paragraph (n) of this Section or the
7 Local Government Aviation Trust Fund, as appropriate.

8 If a tax is imposed under this subsection (e), a tax shall
9 also be imposed under subsections (f) and (g) of this Section.

10 For the purpose of determining whether a tax authorized
11 under this Section is applicable, a retail sale by a producer
12 of coal or other mineral mined in Illinois, is a sale at retail
13 at the place where the coal or other mineral mined in Illinois
14 is extracted from the earth. This paragraph does not apply to
15 coal or other mineral when it is delivered or shipped by the
16 seller to the purchaser at a point outside Illinois so that the
17 sale is exempt under the Federal Constitution as a sale in
18 interstate or foreign commerce.

19 No tax shall be imposed or collected under this subsection
20 on the sale of a motor vehicle in this State to a resident of
21 another state if that motor vehicle will not be titled in this
22 State.

23 Nothing in this Section shall be construed to authorize
24 the Regional Transportation Authority to impose a tax upon the
25 privilege of engaging in any business that under the
26 Constitution of the United States may not be made the subject

1 of taxation by this State.

2 (f) If a tax has been imposed under paragraph (e), a
3 Regional Transportation Authority Service Occupation Tax shall
4 also be imposed upon all persons engaged⁷ in the metropolitan
5 region in the business of making sales of service⁷ who² as an
6 incident to making the sales of service, transfer tangible
7 personal property within the metropolitan region, either in
8 the form of tangible personal property or in the form of real
9 estate as an incident to a sale of service. In Cook County, the
10 tax rate shall be: (1) 1.25% of the serviceman's cost price of
11 food prepared for immediate consumption and transferred
12 incident to a sale of service subject to the service
13 occupation tax by an entity that is located in the
14 metropolitan region and that is licensed under the Hospital
15 Licensing Act, the Nursing Home Care Act, the Assisted Living
16 and Shared Housing Act, the Specialized Mental Health
17 Rehabilitation Act of 2013, the ID/DD Community Care Act, the
18 MC/DD Act, or the Child Care Act of 1969, or an entity that
19 holds a permit issued pursuant to the Life Care Facilities
20 Act; (2) 1.25% of the selling price of food for human
21 consumption that is to be consumed off the premises where it is
22 sold (other than alcoholic beverages, food consisting of or
23 infused with adult use cannabis, soft drinks, candy, and food
24 that has been prepared for immediate consumption) and tangible
25 personal property taxed at the 1% rate under the Service
26 Occupation Tax Act; and (3) 1% of the selling price from other

1 taxable sales of tangible personal property transferred. In
2 DuPage, Kane, Lake, McHenry, and Will counties, the rate shall
3 be 0.75% of the selling price of all tangible personal
4 property transferred. The rate of tax imposed in DuPage, Kane,
5 Lake, McHenry, and Will counties under this Section on sales
6 of aviation fuel on or after December 1, 2019 shall, however,
7 be 0.25% unless the Regional Transportation Authority in
8 DuPage, Kane, Lake, McHenry, and Will counties has an
9 "airport-related purpose" and the additional 0.50% of the
10 0.75% tax on aviation fuel is expended for airport-related
11 purposes. If there is no airport-related purpose to which
12 aviation fuel tax revenue is dedicated, then aviation fuel is
13 excluded from the additional 0.5% of the 0.75% tax.

14 The Board and DuPage, Kane, Lake, McHenry, and Will
15 counties must comply with the certification requirements for
16 airport-related purposes under Section 2-22 of the Retailers'
17 Occupation Tax Act. For purposes of this Section,
18 "airport-related purposes" has the meaning ascribed in Section
19 6z-20.2 of the State Finance Act. This exclusion for aviation
20 fuel only applies for so long as the revenue use requirements
21 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the
22 Authority.

23 The tax imposed under this paragraph and all civil
24 penalties that may be assessed as an incident thereof shall be
25 collected and enforced by the State Department of Revenue. The
26 Department shall have full power to administer and enforce

1 this paragraph; to collect all taxes and penalties due
2 hereunder; to dispose of taxes and penalties collected in the
3 manner hereinafter provided; and to determine all rights to
4 credit memoranda arising on account of the erroneous payment
5 of tax or penalty hereunder. In the administration of and
6 compliance with this paragraph, the Department and persons who
7 are subject to this paragraph shall have the same rights,
8 remedies, privileges, immunities, powers, and duties, and be
9 subject to the same conditions, restrictions, limitations,
10 penalties, exclusions, exemptions, and definitions of terms,
11 and employ the same modes of procedure, as are prescribed in
12 Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all
13 provisions therein other than the State rate of tax), 4
14 (except that the reference to the State shall be to the
15 Authority), 5, 7, 8 (except that the jurisdiction to which the
16 tax shall be a debt to the extent indicated in that Section 8
17 shall be the Authority), 9 (except as to the disposition of
18 taxes and penalties collected, and except that the returned
19 merchandise credit for this tax may not be taken against any
20 State tax, and except that the retailer's discount is not
21 allowed for taxes paid on aviation fuel that are subject to the
22 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
23 47133), 10, 11, 12 (except the reference therein to Section 2b
24 of the Retailers' Occupation Tax Act), 13 (except that any
25 reference to the State shall mean the Authority), the first
26 paragraph of Section 15, 16, 17, 18, 19, and 20 of the Service

1 Occupation Tax Act and Section 3-7 of the Uniform Penalty and
2 Interest Act, as fully as if those provisions were set forth
3 herein.

4 Persons subject to any tax imposed under the authority
5 granted in this paragraph may reimburse themselves for their
6 serviceman's tax liability hereunder by separately stating the
7 tax as an additional charge, that charge may be stated in
8 combination in a single amount with State tax that servicemen
9 are authorized to collect under the Service Use Tax Act, under
10 any bracket schedules the Department may prescribe.

11 Whenever the Department determines that a refund should be
12 made under this paragraph to a claimant instead of issuing a
13 credit memorandum, the Department shall notify the State
14 Comptroller, who shall cause the warrant to be drawn for the
15 amount specified, and to the person named in the notification
16 from the Department. The refund shall be paid by the State
17 Treasurer out of the Regional Transportation Authority tax
18 fund established under paragraph (n) of this Section or the
19 Local Government Aviation Trust Fund, as appropriate.

20 Nothing in this paragraph shall be construed to authorize
21 the Authority to impose a tax upon the privilege of engaging in
22 any business that under the Constitution of the United States
23 may not be made the subject of taxation by the State.

24 (g) If a tax has been imposed under paragraph (e), a tax
25 shall also be imposed upon the privilege of using in the
26 metropolitan region, any item of tangible personal property

1 that is purchased outside the metropolitan region at retail
2 from a retailer, and that is titled or registered with an
3 agency of this State's government. In Cook County, the tax
4 rate shall be 1% of the selling price of the tangible personal
5 property, as "selling price" is defined in the Use Tax Act. In
6 DuPage, Kane, Lake, McHenry, and Will counties, the tax rate
7 shall be 0.75% of the selling price of the tangible personal
8 property, as "selling price" is defined in the Use Tax Act. The
9 tax shall be collected from persons whose Illinois address for
10 titling or registration purposes is given as being in the
11 metropolitan region. The tax shall be collected by the
12 Department of Revenue for the Regional Transportation
13 Authority. The tax must be paid to the State, or an exemption
14 determination must be obtained from the Department of Revenue,
15 before the title or certificate of registration for the
16 property may be issued. The tax or proof of exemption may be
17 transmitted to the Department by way of the State agency with
18 which, or the State officer with whom, the tangible personal
19 property must be titled or registered if the Department and
20 the State agency or State officer determine that this
21 procedure will expedite the processing of applications for
22 title or registration.

23 The Department shall have full power to administer and
24 enforce this paragraph; to collect all taxes, penalties, and
25 interest due hereunder; to dispose of taxes, penalties, and
26 interest collected in the manner hereinafter provided; and to

1 determine all rights to credit memoranda or refunds arising on
2 account of the erroneous payment of tax, penalty, or interest
3 hereunder. In the administration of and compliance with this
4 paragraph, the Department and persons who are subject to this
5 paragraph shall have the same rights, remedies, privileges,
6 immunities, powers, and duties, and be subject to the same
7 conditions, restrictions, limitations, penalties, exclusions,
8 exemptions, and definitions of terms and employ the same modes
9 of procedure, as are prescribed in Sections 2 (except the
10 definition of "retailer maintaining a place of business in
11 this State"), 3 through 3-80 (except provisions pertaining to
12 the State rate of tax, and except provisions concerning
13 collection or refunding of the tax by retailers), 4, 11, 12,
14 12a, 14, 15, 19 (except the portions pertaining to claims by
15 retailers and except the last paragraph concerning refunds),
16 20, 21, and 22 of the Use Tax Act, and are not inconsistent
17 with this paragraph, as fully as if those provisions were set
18 forth herein.

19 Whenever the Department determines that a refund should be
20 made under this paragraph to a claimant instead of issuing a
21 credit memorandum, the Department shall notify the State
22 Comptroller, who shall cause the order to be drawn for the
23 amount specified, and to the person named in the notification
24 from the Department. The refund shall be paid by the State
25 Treasurer out of the Regional Transportation Authority tax
26 fund established under paragraph (n) of this Section.

1 (g-5) If, on January 1, 2025, a unit of local government
2 has in effect a tax under subsections (e), (f), and (g), or if,
3 after January 1, 2025, a unit of local government imposes a tax
4 under subsections (e), (f), and (g), then that tax applies to
5 leases of tangible personal property in effect, entered into,
6 or renewed on or after that date in the same manner as the tax
7 under this Section and in accordance with the changes made by
8 Public Act 103-592 ~~this amendatory Act of the 103rd General~~
9 ~~Assembly.~~

10 (h) The Authority may impose a replacement vehicle tax of
11 \$50 on any passenger car as defined in Section 1-157 of the
12 Illinois Vehicle Code purchased within the metropolitan region
13 by or on behalf of an insurance company to replace a passenger
14 car of an insured person in settlement of a total loss claim.
15 The tax imposed may not become effective before the first day
16 of the month following the passage of the ordinance imposing
17 the tax and receipt of a certified copy of the ordinance by the
18 Department of Revenue. The Department of Revenue shall collect
19 the tax for the Authority in accordance with Sections 3-2002
20 and 3-2003 of the Illinois Vehicle Code.

21 The Department shall immediately pay over to the State
22 Treasurer, ex officio, as trustee, all taxes collected
23 hereunder.

24 As soon as possible after the first day of each month,
25 beginning January 1, 2011, upon certification of the
26 Department of Revenue, the Comptroller shall order

1 transferred, and the Treasurer shall transfer, to the STAR
2 Bonds Revenue Fund the local sales tax increment, as defined
3 in the Innovation Development and Economy Act, collected under
4 this Section during the second preceding calendar month for
5 sales within a STAR bond district.

6 After the monthly transfer to the STAR Bonds Revenue Fund,
7 on or before the 25th day of each calendar month, the
8 Department shall prepare and certify to the Comptroller the
9 disbursement of stated sums of money to the Authority. The
10 amount to be paid to the Authority shall be the amount
11 collected hereunder during the second preceding calendar month
12 by the Department, less any amount determined by the
13 Department to be necessary for the payment of refunds, and
14 less any amounts that are transferred to the STAR Bonds
15 Revenue Fund. Within 10 days after receipt by the Comptroller
16 of the disbursement certification to the Authority provided
17 for in this Section to be given to the Comptroller by the
18 Department, the Comptroller shall cause the orders to be drawn
19 for that amount in accordance with the directions contained in
20 the certification.

21 (i) The Board may not impose any other taxes except as it
22 may from time to time be authorized by law to impose.

23 (j) A certificate of registration issued by the State
24 Department of Revenue to a retailer under the Retailers'
25 Occupation Tax Act or under the Service Occupation Tax Act
26 shall permit the registrant to engage in a business that is

1 taxed under the tax imposed under paragraphs (b), (e), (f) or
2 (g) of this Section and no additional registration shall be
3 required under the tax. A certificate issued under the Use Tax
4 Act or the Service Use Tax Act shall be applicable with regard
5 to any tax imposed under paragraph (c) of this Section.

6 (k) The provisions of any tax imposed under paragraph (c)
7 of this Section shall conform as closely as may be practicable
8 to the provisions of the Use Tax Act, including, without
9 limitation, conformity as to penalties with respect to the tax
10 imposed and as to the powers of the State Department of Revenue
11 to promulgate and enforce rules and regulations relating to
12 the administration and enforcement of the provisions of the
13 tax imposed. The taxes shall be imposed only on use within the
14 metropolitan region and at rates as provided in the paragraph.

15 (l) The Board in imposing any tax as provided in
16 paragraphs (b) and (c) of this Section, shall, after seeking
17 the advice of the State Department of Revenue, provide means
18 for retailers, users or purchasers of motor fuel for purposes
19 other than those with regard to which the taxes may be imposed
20 as provided in those paragraphs to receive refunds of taxes
21 improperly paid, which provisions may be at variance with the
22 refund provisions as applicable under the Municipal Retailers
23 Occupation Tax Act. The State Department of Revenue may
24 provide for certificates of registration for users or
25 purchasers of motor fuel for purposes other than those with
26 regard to which taxes may be imposed as provided in paragraphs

1 (b) and (c) of this Section to facilitate the reporting and
2 nontaxability of the exempt sales or uses.

3 (m) Any ordinance imposing or discontinuing any tax under
4 this Section shall be adopted and a certified copy thereof
5 filed with the Department on or before June 1, whereupon the
6 Department of Revenue shall proceed to administer and enforce
7 this Section on behalf of the Regional Transportation
8 Authority as of September 1 next following such adoption and
9 filing. Beginning January 1, 1992, an ordinance or resolution
10 imposing or discontinuing the tax hereunder shall be adopted
11 and a certified copy thereof filed with the Department on or
12 before the first day of July, whereupon the Department shall
13 proceed to administer and enforce this Section as of the first
14 day of October next following such adoption and filing.
15 Beginning January 1, 1993, an ordinance or resolution
16 imposing, increasing, decreasing, or discontinuing the tax
17 hereunder shall be adopted and a certified copy thereof filed
18 with the Department, whereupon the Department shall proceed to
19 administer and enforce this Section as of the first day of the
20 first month to occur not less than 60 days following such
21 adoption and filing. Any ordinance or resolution of the
22 Authority imposing a tax under this Section and in effect on
23 August 1, 2007 shall remain in full force and effect and shall
24 be administered by the Department of Revenue under the terms
25 and conditions and rates of tax established by such ordinance
26 or resolution until the Department begins administering and

1 enforcing an increased tax under this Section as authorized by
2 Public Act 95-708. The tax rates authorized by Public Act
3 95-708 are effective only if imposed by ordinance of the
4 Authority.

5 (n) Except as otherwise provided in this subsection (n),
6 the State Department of Revenue shall, upon collecting any
7 taxes as provided in this Section, pay the taxes over to the
8 State Treasurer as trustee for the Authority. The taxes shall
9 be held in a trust fund outside the State Treasury. If an
10 airport-related purpose has been certified, taxes and
11 penalties collected in DuPage, Kane, Lake, McHenry and Will
12 counties on aviation fuel sold on or after December 1, 2019
13 from the 0.50% of the 0.75% rate shall be immediately paid over
14 by the Department to the State Treasurer, ex officio, as
15 trustee, for deposit into the Local Government Aviation Trust
16 Fund. The Department shall only pay moneys into the Local
17 Government Aviation Trust Fund under this Act for so long as
18 the revenue use requirements of 49 U.S.C. 47107(b) and 49
19 U.S.C. 47133 are binding on the Authority. On or before the
20 25th day of each calendar month, the State Department of
21 Revenue shall prepare and certify to the Comptroller of the
22 State of Illinois and to the Authority (i) the amount of taxes
23 collected in each county other than Cook County in the
24 metropolitan region, (not including, if an airport-related
25 purpose has been certified, the taxes and penalties collected
26 from the 0.50% of the 0.75% rate on aviation fuel sold on or

1 after December 1, 2019 that are deposited into the Local
2 Government Aviation Trust Fund) (ii) the amount of taxes
3 collected within the City of Chicago, and (iii) the amount
4 collected in that portion of Cook County outside of Chicago,
5 each amount less the amount necessary for the payment of
6 refunds to taxpayers located in those areas described in items
7 (i), (ii), and (iii), ~~and less 1.5% of the remainder, which~~
8 ~~shall be transferred from the trust fund into the Tax~~
9 ~~Compliance and Administration Fund.~~ The Department, at the
10 time of each monthly disbursement to the Authority, shall
11 prepare and certify to the State Comptroller the amount to be
12 transferred into the Tax Compliance and Administration Fund
13 under this subsection. Within 10 days after receipt by the
14 Comptroller of the certification of the amounts, the
15 Comptroller shall cause an order to be drawn for ~~the transfer~~
16 ~~of the amount certified into the Tax Compliance and~~
17 ~~Administration Fund and~~ the payment of two-thirds of the
18 amounts certified in item (i) of this subsection to the
19 Authority and one-third of the amounts certified in item (i)
20 of this subsection to the respective counties other than Cook
21 County and the amount certified in items (ii) and (iii) of this
22 subsection to the Authority.

23 In addition to the disbursement required by the preceding
24 paragraph, an allocation shall be made in July 1991 and each
25 year thereafter to the Regional Transportation Authority. The
26 allocation shall be made in an amount equal to the average

1 monthly distribution during the preceding calendar year
2 (excluding the 2 months of lowest receipts) and the allocation
3 shall include the amount of average monthly distribution from
4 the Regional Transportation Authority Occupation and Use Tax
5 Replacement Fund. The distribution made in July 1992 and each
6 year thereafter under this paragraph and the preceding
7 paragraph shall be reduced by the amount allocated and
8 disbursed under this paragraph in the preceding calendar year.
9 The Department of Revenue shall prepare and certify to the
10 Comptroller for disbursement the allocations made in
11 accordance with this paragraph.

12 (o) Failure to adopt a budget ordinance or otherwise to
13 comply with Section 4.01 of this Act or to adopt a Five-year
14 Capital Program or otherwise to comply with paragraph (b) of
15 Section 2.01 of this Act shall not affect the validity of any
16 tax imposed by the Authority otherwise in conformity with law.

17 (p) At no time shall a public transportation tax or motor
18 vehicle parking tax authorized under paragraphs (b), (c), and
19 (d) of this Section be in effect at the same time as any
20 retailers' occupation, use or service occupation tax
21 authorized under paragraphs (e), (f), and (g) of this Section
22 is in effect.

23 Any taxes imposed under the authority provided in
24 paragraphs (b), (c), and (d) shall remain in effect only until
25 the time as any tax authorized by paragraph (e), (f), or (g) of
26 this Section is ~~are~~ imposed and becomes effective. Once any

1 tax authorized by paragraph (e), (f), or (g) is imposed the
2 Board may not reimpose taxes as authorized in paragraphs (b),
3 (c), and (d) of the Section unless any tax authorized by
4 paragraph (e), (f), or (g) of this Section becomes ineffective
5 by means other than an ordinance of the Board.

6 (q) Any existing rights, remedies and obligations
7 (including enforcement by the Regional Transportation
8 Authority) arising under any tax imposed under paragraph (b),
9 (c), or (d) of this Section shall not be affected by the
10 imposition of a tax under paragraph (e), (f), or (g) of this
11 Section.

12 (Source: P.A. 102-700, eff. 4-19-22; 103-592, eff. 1-1-25;
13 103-781, eff. 8-5-24; revised 11-26-24.)

14 (70 ILCS 3615/4.03.3)

15 Sec. 4.03.3. Distribution of Revenues. This Section
16 applies only after the Department begins administering and
17 enforcing an increased tax under Section 4.03(m) as authorized
18 by this amendatory Act of the 95th General Assembly. After
19 providing for payment of its obligations with respect to bonds
20 and notes issued under the provisions of Section 4.04 and
21 obligations related to those bonds and notes and separately
22 accounting for the tax on aviation fuel deposited into the
23 Local Government Aviation Trust Fund, the Authority shall
24 disburse the remaining proceeds from taxes it has received
25 from the Department of Revenue under this Article IV and the

1 remaining proceeds it has received from the State under
2 Section 4.09(a) as follows:

3 (a) With respect to taxes imposed by the Authority under
4 Section 4.03, after withholding 15% of 80% of the receipts
5 from those taxes collected in Cook County at a rate of 1.25%,
6 15% of 75% of the receipts from those taxes collected in Cook
7 County at the rate of 1%, 15% of one-half of the receipts from
8 those taxes collected in DuPage, Kane, Lake, McHenry, and Will
9 Counties, and 15% of money received by the Authority from the
10 Regional Transportation Authority Occupation and Use Tax
11 Replacement Fund or from the Regional Transportation Authority
12 tax fund created in Section 4.03(n), the Board shall allocate
13 the proceeds and money remaining to the Service Boards as
14 follows:

15 (1) an amount equal to (i) 85% of 80% of the receipts
16 from those taxes collected within the City of Chicago at a
17 rate of 1.25%, (ii) 85% of 75% of the receipts from those
18 taxes collected in the City of Chicago at the rate of 1%,
19 and (iii) 85% of the money received by the Authority on
20 account of transfers to the Regional Transportation
21 Authority Occupation and Use Tax Replacement Fund or to
22 the Regional Transportation Authority tax fund created in
23 Section 4.03(n) from the County and Mass Transit District
24 Fund attributable to retail sales within the City of
25 Chicago shall be allocated to the Chicago Transit
26 Authority;

1 (2) an amount equal to (i) 85% of 80% of the receipts
2 from those taxes collected within Cook County outside of
3 the City of Chicago at a rate of 1.25%, (ii) 85% of 75% of
4 the receipts from those taxes collected within Cook County
5 outside the City of Chicago at a rate of 1%, and (iii) 85%
6 of the money received by the Authority on account of
7 transfers to the Regional Transportation Authority
8 Occupation and Use Tax Replacement Fund or to the Regional
9 Transportation Authority tax fund created in Section
10 4.03(n) from the County and Mass Transit District Fund
11 attributable to retail sales within Cook County outside of
12 the City of Chicago shall be allocated 30% to the Chicago
13 Transit Authority, 55% to the Commuter Rail Board, and 15%
14 to the Suburban Bus Board; and

15 (3) an amount equal to 85% of one-half of the receipts
16 from the taxes collected within the Counties of DuPage,
17 Kane, Lake, McHenry, and Will shall be allocated 70% to
18 the Commuter Rail Board and 30% to the Suburban Bus Board.

19 (b) Moneys received by the Authority on account of
20 transfers to the Regional Transportation Authority Occupation
21 and Use Tax Replacement Fund from the State and Local Sales Tax
22 Reform Fund shall be allocated among the Authority and the
23 Service Boards as follows: 15% of such moneys shall be
24 retained by the Authority and the remaining 85% shall be
25 transferred to the Service Boards as soon as may be
26 practicable after the Authority receives payment. Moneys which

1 are distributable to the Service Boards pursuant to the
2 preceding sentence shall be allocated among the Service Boards
3 on the basis of each Service Board's distribution ratio. The
4 term "distribution ratio" means, for purposes of this
5 subsection (b), the ratio of the total amount distributed to a
6 Service Board pursuant to subsection (a) of Section 4.03.3 for
7 the immediately preceding calendar year to the total amount
8 distributed to all of the Service Boards pursuant to
9 subsection (a) of Section 4.03.3 for the immediately preceding
10 calendar year.

11 (c) (i) 20% of the receipts from those taxes collected in
12 Cook County under Section 4.03 at the rate of 1.25%, (ii) 25%
13 of the receipts from those taxes collected in Cook County
14 under Section 4.03 at the rate of 1%, (iii) 50% of the receipts
15 from those taxes collected in DuPage, Kane, Lake, McHenry, and
16 Will Counties under Section 4.03, and (iv) amounts received
17 from the State under paragraph (2) of subsection (a) of
18 Section 4.09, amounts received under paragraphs (3) and (3.5)
19 of subsection (a) of Section 4.09, amounts received under
20 paragraph (3.10) of subsection (a) of ~~(a)(2) and items (i),~~
21 ~~(ii), and (iii) of~~ Section 4.09, and amounts received under
22 subsection (c) of Section 4.09 ~~(a)(3)~~ shall be allocated as
23 follows: the amount required to be deposited into the ADA
24 Paratransit Fund described in Section 2.01d, the amount
25 required to be deposited into the Suburban Community Mobility
26 Fund described in Section 2.01e, and the amount required to be

1 deposited into the Innovation, Coordination and Enhancement
2 Fund described in Section 2.01c, and the balance shall be
3 allocated 48% to the Chicago Transit Authority, 39% to the
4 Commuter Rail Board, and 13% to the Suburban Bus Board.

5 (d) Amounts received from the State under Section 4.09
6 (a)(3)(iv) shall be distributed 100% to the Chicago Transit
7 Authority.

8 (e) With respect to those taxes collected in DuPage, Kane,
9 Lake, McHenry, and Will Counties and paid directly to the
10 counties under Section 4.03, the County Board of each county
11 shall use those amounts to fund operating and capital costs of
12 public safety and public transportation services or facilities
13 or to fund operating, capital, right-of-way, construction, and
14 maintenance costs of other transportation purposes, including
15 road, bridge, public safety, and transit purposes intended to
16 improve mobility or reduce congestion in the county. The
17 receipt of funding by such counties pursuant to this paragraph
18 shall not be used as the basis for reducing any funds that such
19 counties would otherwise have received from the State of
20 Illinois, any agency or instrumentality thereof, the
21 Authority, or the Service Boards.

22 (f) The Authority by ordinance adopted by 12 of its then
23 Directors shall apportion to the Service Boards funds provided
24 by the State of Illinois under Section 4.09(a)(1) as it shall
25 determine and shall make payment of the amounts to each
26 Service Board as soon as may be practicable upon their receipt

1 provided the Authority has adopted a balanced budget as
2 required by Section 4.01 and further provided the Service
3 Board is in compliance with the requirements in Section 4.11.

4 (g) Beginning January 1, 2009, before making any payments,
5 transfers, or expenditures under this Section to a Service
6 Board, the Authority must first comply with Section 4.02a or
7 4.02b of this Act, whichever may be applicable.

8 (h) Moneys may be appropriated from the Public
9 Transportation Fund to the Office of the Executive Inspector
10 General for the costs incurred by the Executive Inspector
11 General while serving as the inspector general for the
12 Authority and each of the Service Boards. Beginning December
13 31, 2012, and each year thereafter, the Office of the
14 Executive Inspector General shall annually report to the
15 General Assembly the expenses incurred while serving as the
16 inspector general for the Authority and each of the Service
17 Boards.

18 (Source: P.A. 101-604, eff. 12-13-19.)

19 (70 ILCS 3615/4.06) (from Ch. 111 2/3, par. 704.06)

20 Sec. 4.06. Public bidding.

21 (a) The Board shall adopt regulations to ensure that the
22 acquisition by the Authority or a Service Board ~~other than the~~
23 ~~Chicago Transit Authority of~~ services or public transportation
24 facilities (other than real estate) involving a cost of more
25 than the small purchase threshold set by the Federal Transit

1 Administration and the disposition of all property of the
2 Authority or a Service Board ~~other than the Chicago Transit~~
3 ~~Authority~~ shall be after public notice and with public
4 bidding. The Board shall adopt regulations to ensure that the
5 construction, demolition, rehabilitation, renovation, and
6 building maintenance projects by the Authority or a Service
7 Board ~~other than the Chicago Transit Authority~~ for services or
8 public transportation facilities involving a cost of more than
9 \$40,000 shall be after public notice and with public bidding.
10 Such regulations may provide for exceptions to such
11 requirements for acquisition of repair parts, accessories,
12 equipment or services previously furnished or contracted for;
13 for the immediate delivery of supplies, material or equipment
14 or performance of service when it is determined by the
15 concurrence of two-thirds of the then Directors that an
16 emergency requires immediate delivery or supply thereof; for
17 goods or services that are economically procurable from only
18 one source; for contracts for the maintenance or servicing of
19 equipment which are made with the manufacturers or authorized
20 service agent of that equipment where the maintenance or
21 servicing can best be performed by the manufacturer or
22 authorized service agent or such a contract would be otherwise
23 advantageous to the Authority or a Service Board, ~~other than~~
24 ~~the Chicago Transit Authority~~, except that the exceptions in
25 this clause shall not apply to contracts for plumbing,
26 heating, piping, refrigeration and automatic temperature

1 control systems, ventilating and distribution systems for
2 conditioned air, and electrical wiring; for goods or services
3 procured from another governmental agency; for purchases and
4 contracts for the use or purchase of data processing equipment
5 and data processing systems software; for the acquisition of
6 professional or utility services; and for the acquisition of
7 public transportation equipment including, but not limited to,
8 rolling stock, locomotives and buses, provided that: (i) it is
9 determined by a vote of 2/3 of the then Directors of the
10 Service Board making the acquisition that a negotiated
11 acquisition offers opportunities with respect to the cost or
12 financing of the equipment, its delivery, or the performance
13 of a portion of the work within the State or the use of goods
14 produced or services provided within the State; (ii) a notice
15 of intention to negotiate for the acquisition of such public
16 transportation equipment is published in a newspaper of
17 general circulation within the City of Chicago inviting
18 proposals from qualified vendors; and (iii) any contract with
19 respect to such acquisition is authorized by a vote of 2/3 of
20 the then Directors of the Service Board making the
21 acquisition. The requirements set forth in this Section shall
22 not apply to purchase of service agreements or other
23 contracts, purchases or sales entered into by the Authority
24 with any transportation agency or unit of local government.

25 (b) (1) In connection with two-phase design/build
26 selection procedures authorized in this Section, a Service

1 Board may authorize, by the affirmative vote of two-thirds of
2 the then members of the Service Board, the use of competitive
3 selection and the prequalification of responsible bidders
4 consistent with applicable federal regulations and this
5 subsection (b).

6 (2) Two-phase design/build selection procedures shall
7 consist of the following:

8 (i) A Service Board shall develop, through
9 licensed architects or licensed engineers, a scope of
10 work statement for inclusion in the solicitation for
11 phase-one proposals that defines the project and
12 provides prospective offerors with sufficient
13 information regarding the Service Board's
14 requirements. The statement shall include criteria and
15 preliminary design, and general budget parameters and
16 general schedule or delivery requirements to enable
17 the offerors to submit proposals which meet the
18 Service Board's needs. When the two-phase design/build
19 selection procedure is used and the Service Board
20 contracts for development of the scope of work
21 statement, the Service Board shall contract for
22 architectural or engineering services as defined by
23 and in accordance with the Architectural, Engineering,
24 and Land Surveying Qualifications Based Selection Act
25 and all applicable licensing statutes.

26 (ii) The evaluation factors to be used in

1 evaluating phase-one proposals must be stated in the
2 solicitation and must include specialized experience
3 and technical competence, capability to perform, past
4 performance of the offeror's team (including the
5 architect-engineer and construction members of the
6 team) and other appropriate technical and
7 qualifications factors. Each solicitation must
8 establish the relative importance assigned to the
9 evaluation factors and the subfactors that must be
10 considered in the evaluation of phase-one proposals on
11 the basis of the evaluation factors set forth in the
12 solicitation. Each design/build team must include a
13 licensed design professional independent from the
14 Service Board's licensed architect or engineer and a
15 licensed design professional must be named in the
16 phase-one proposals submitted to the Service Board.

17 (iii) On the basis of the phase-one proposal the
18 Service Board shall select as the most highly
19 qualified the number of offerors specified in the
20 solicitation and request the selected offerors to
21 submit phase-two competitive proposals and cost or
22 price information. Each solicitation must establish
23 the relative importance assigned to the evaluation
24 factors and the subfactors that must be considered in
25 the evaluation of phase-two proposals on the basis of
26 the evaluation factors set forth in the solicitation.

1 A Service Board may negotiate with the selected
2 design/build team after award but prior to contract
3 execution for the purpose of securing better terms
4 than originally proposed, provided the salient
5 features of the design/build solicitation are not
6 diminished. Each phase-two solicitation evaluates
7 separately (A) the technical submission for the
8 proposal, including design concepts or proposed
9 solutions to requirements addressed within the scope
10 of work, and (B) the evaluation factors and
11 subfactors, including cost or price, that must be
12 considered in the evaluations of proposals.

13 (iv) A design/build solicitation issued under the
14 procedures in this subsection (b) shall state the
15 maximum number of offerors that are to be selected to
16 submit competitive phase-two proposals. The maximum
17 number specified in the solicitation shall not exceed
18 5 unless the Service Board with respect to an
19 individual solicitation determines that a specified
20 number greater than 5 is in the best interest of the
21 Service Board and is consistent with the purposes and
22 objectives of the two-phase design/build selection
23 process.

24 (v) All designs submitted as part of the two-phase
25 selection process and not selected shall be
26 proprietary to the preparers.

1 (c) The Regional Transportation Authority and the Service
2 Boards may donate rolling stock, including locomotives and
3 equipment, to museums in this State that are not-for-profit
4 corporations under Section 501(c)(3) of the Internal Revenue
5 Code of 1986.

6 (d) The powers provided to any Service Board under this
7 Section are subject and subordinate to the power of the
8 Authority under subsection (a-5) of Section 2.01 of this Act.

9 (Source: P.A. 103-654, eff. 1-1-25.)

10 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

11 Sec. 4.09. Public Transportation Fund and the Regional
12 Transportation Authority Occupation and Use Tax Replacement
13 Fund.

14 (a)(1) Except as otherwise provided in paragraph (4), as
15 soon as possible after the first day of each month, beginning
16 July 1, 1984, upon certification of the Department of Revenue,
17 the Comptroller shall order transferred and the Treasurer
18 shall transfer from the General Revenue Fund to a special fund
19 in the State Treasury to be known as the Public Transportation
20 Fund an amount equal to 25% of the net revenue, before the
21 deduction of the serviceman and retailer discounts pursuant to
22 Section 9 of the Service Occupation Tax Act and Section 3 of
23 the Retailers' Occupation Tax Act, realized from any tax
24 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
25 and 25% of the amounts deposited into the Regional

1 Transportation Authority tax fund created by Section 4.03 ~~of~~
2 ~~this Act~~, from the County and Mass Transit District Fund as
3 provided in Section 6z-20 of the State Finance Act and 25% of
4 the amounts deposited into the Regional Transportation
5 Authority Occupation and Use Tax Replacement Fund from the
6 State and Local Sales Tax Reform Fund as provided in Section
7 6z-17 of the State Finance Act. On the first day of the month
8 following the date that the Department receives revenues from
9 increased taxes under Section 4.03(m) as authorized by Public
10 Act 95-708, in lieu of the transfers authorized in the
11 preceding sentence, upon certification of the Department of
12 Revenue, the Comptroller shall order transferred and the
13 Treasurer shall transfer from the General Revenue Fund to the
14 Public Transportation Fund an amount equal to 25% of the net
15 revenue, before the deduction of the serviceman and retailer
16 discounts pursuant to Section 9 of the Service Occupation Tax
17 Act and Section 3 of the Retailers' Occupation Tax Act,
18 realized from (i) 80% of the proceeds of any tax imposed by the
19 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
20 proceeds of any tax imposed by the Authority at the rate of 1%
21 in Cook County, and (iii) one-third of the proceeds of any tax
22 imposed by the Authority at the rate of 0.75% in the Counties
23 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
24 Section 4.03, and 25% of the net revenue realized from any tax
25 imposed by the Authority pursuant to Section 4.03.1, and 25%
26 of the amounts deposited into the Regional Transportation

1 Authority tax fund created by Section 4.03 of this Act from the
2 County and Mass Transit District Fund as provided in Section
3 6z-20 of the State Finance Act, and 25% of the amounts
4 deposited into the Regional Transportation Authority
5 Occupation and Use Tax Replacement Fund from the State and
6 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
7 State Finance Act. As used in this Section, net revenue
8 realized for a month shall be the revenue collected by the
9 State pursuant to Sections 4.03 and 4.03.1 during the previous
10 month from within the metropolitan region, less the amount
11 paid out during that same month as refunds to taxpayers for
12 overpayment of liability in the metropolitan region under
13 Sections 4.03 and 4.03.1.

14 Notwithstanding any provision of law to the contrary,
15 beginning on July 6, 2017 (the effective date of Public Act
16 100-23), those amounts required under this paragraph (1) of
17 subsection (a) to be transferred by the Treasurer into the
18 Public Transportation Fund from the General Revenue Fund shall
19 be directly deposited into the Public Transportation Fund as
20 the revenues are realized from the taxes indicated.

21 (2) Except as otherwise provided in paragraph (4), on
22 February 1, 2009 (the first day of the month following the
23 effective date of Public Act 95-708) and each month
24 thereafter, upon certification by the Department of Revenue,
25 the Comptroller shall order transferred and the Treasurer
26 shall transfer from the General Revenue Fund to the Public

1 Transportation Fund an amount equal to 5% of the net revenue,
2 before the deduction of the serviceman and retailer discounts
3 pursuant to Section 9 of the Service Occupation Tax Act and
4 Section 3 of the Retailers' Occupation Tax Act, realized from
5 any tax imposed by the Authority pursuant to Sections 4.03 and
6 4.03.1 and certified by the Department of Revenue under
7 subsection (n) of Section 4.03 ~~Section 4.03(n) of this Act~~ to
8 be paid to the Authority and 5% of the amounts deposited into
9 the Regional Transportation Authority tax fund created by
10 Section 4.03 of this Act from the County and Mass Transit
11 District Fund as provided in Section 6z-20 of the State
12 Finance Act, and 5% of the amounts deposited into the Regional
13 Transportation Authority Occupation and Use Tax Replacement
14 Fund from the State and Local Sales Tax Reform Fund as provided
15 in Section 6z-17 of the State Finance Act, and 5% of the
16 revenue realized by the Chicago Transit Authority as financial
17 assistance from the City of Chicago from the proceeds of any
18 tax imposed by the City of Chicago under Section 8-3-19 of the
19 Illinois Municipal Code.

20 Notwithstanding any provision of law to the contrary,
21 beginning on July 6, 2017 (the effective date of Public Act
22 100-23), those amounts required under this paragraph (2) of
23 subsection (a) to be transferred by the Treasurer into the
24 Public Transportation Fund from the General Revenue Fund shall
25 be directly deposited into the Public Transportation Fund as
26 the revenues are realized from the taxes indicated.

1 (3) Except as otherwise provided in paragraph (4), as soon
2 as possible after the first day of January, 2009 and each month
3 thereafter, upon certification of the Department of Revenue
4 with respect to the taxes collected under Section 4.03, the
5 Comptroller shall order transferred and the Treasurer shall
6 transfer from the General Revenue Fund to the Public
7 Transportation Fund an amount equal to 25% of the net revenue,
8 before the deduction of the serviceman and retailer discounts
9 pursuant to Section 9 of the Service Occupation Tax Act and
10 Section 3 of the Retailers' Occupation Tax Act, realized from
11 (i) 20% of the proceeds of any tax imposed by the Authority at
12 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
13 tax imposed by the Authority at the rate of 1% in Cook County,
14 ~~and~~ (iii) one-third of the proceeds of any tax imposed by the
15 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
16 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
17 Comptroller shall order transferred and the Treasurer shall
18 transfer from the General Revenue Fund to the Public
19 Transportation Fund, and (iv) an amount equal to 25% of the
20 revenue realized by the Chicago Transit Authority as financial
21 assistance from the City of Chicago from the proceeds of any
22 tax imposed by the City of Chicago under Section 8-3-19 of the
23 Illinois Municipal Code.

24 Notwithstanding any provision of law to the contrary,
25 beginning on July 6, 2017 (the effective date of Public Act
26 100-23), those amounts required under this paragraph (3) of

1 subsection (a) to be transferred by the Treasurer into the
2 Public Transportation Fund from the General Revenue Fund shall
3 be directly deposited into the Public Transportation Fund as
4 the revenues are realized from the taxes indicated.

5 (3.5) Except as otherwise provided in paragraph (3.10), as
6 soon as possible after the effective date of this amendatory
7 Act of the 104th General Assembly and each month thereafter,
8 upon certification by the Department of Revenue, the
9 Comptroller shall order transferred and the Treasurer shall
10 transfer from the General Revenue Fund to the Public
11 Transportation Fund an amount equal to (i) 10% of the net
12 revenue, before the deduction of the serviceman and retailer
13 discounts under Section 9 of the Service Occupation Tax Act
14 and Section 3 of the Retailers' Occupation Tax Act, realized
15 from any tax imposed by the Authority under Sections 4.03 and
16 4.03.1 during the preceding month and certified by the
17 Department of Revenue under subsection (n) of Section 4.03 to
18 be paid to the Authority; (ii) 10% of the amounts deposited
19 during the preceding month into the Regional Transportation
20 Authority Tax Fund created by Section 4.03 from the County and
21 Mass Transit District Fund as provided in Section 6z-20 of the
22 State Finance Act; (iii) 10% of the amounts deposited during
23 the preceding month into the Regional Transportation Authority
24 Occupation and Use Tax Replacement Fund from the State and
25 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
26 State Finance Act; and (iv) 10% of the revenue realized during

1 the preceding month by the Chicago Transit Authority as
2 financial assistance from the City of Chicago from the
3 proceeds of any tax imposed by the City of Chicago under
4 Section 8-3-19 of the Illinois Municipal Code.

5 Notwithstanding any provision of law to the contrary,
6 beginning on the effective date of this Act, those amounts
7 required under paragraph (3.5) of subsection (a) to be
8 transferred by the Treasurer into the Public Transportation
9 Fund from the General Revenue Fund shall be directly deposited
10 into the Public Transportation Fund as the revenues are
11 realized from the taxes indicated.

12 (3.10) Except as otherwise provided in paragraph (4),
13 following the effective date of this Act and each month
14 thereafter, upon certification by the Department of Revenue,
15 the Comptroller shall order transferred and the Treasurer
16 shall transfer from the General Revenue Fund to the Public
17 Transportation Fund an amount equal to 40% of the net revenue
18 deposited into the Regional Transit Enhancement Fund during
19 the preceding month.

20 Notwithstanding any provision of law to the contrary,
21 beginning on the effective date of this Act, those amounts
22 required under paragraph (3.10) of subsection (a) to be
23 transferred by the Treasurer into the Public Transportation
24 Fund from the General Revenue Fund shall be directly deposited
25 into the Public Transportation Fund as the revenues are
26 realized from the taxes indicated.

1 (4) Notwithstanding any provision of law to the contrary,
2 for the State fiscal year beginning July 1, 2024 and each State
3 fiscal year thereafter, the first \$150,000,000 that would have
4 otherwise been transferred from the General Revenue Fund and
5 deposited into the Public Transportation Fund as provided in
6 paragraphs (1), (2), and (3) of this subsection (a) shall
7 instead be transferred from the Road Fund by the Treasurer
8 upon certification by the Department of Revenue and order of
9 the Comptroller. For the State fiscal year beginning July 1,
10 2024, only, the next \$75,000,000 that would have otherwise
11 been transferred from the General Revenue Fund and deposited
12 into the Public Transportation Fund as provided in paragraphs
13 (1), (2), and (3) of this subsection (a) shall instead be
14 transferred from the Road Fund and deposited into the Public
15 Transportation Fund by the Treasurer upon certification by the
16 Department of Revenue and order of the Comptroller. The funds
17 authorized and transferred pursuant to this amendatory Act of
18 the 103rd General Assembly are not intended or planned for
19 road construction projects. For the State fiscal year
20 beginning July 1, 2024, only, the next \$50,000,000 that would
21 have otherwise been transferred from the General Revenue Fund
22 and deposited into the Public Transportation Fund as provided
23 in paragraphs (1), (2), and (3) of this subsection (a) shall
24 instead be transferred from the Underground Storage Tank Fund
25 and deposited into the Public Transportation Fund by the
26 Treasurer upon certification by the Department of Revenue and

1 order of the Comptroller. The remaining balance shall be
2 deposited each State fiscal year as otherwise provided in
3 paragraphs (1), (2), and (3) of this subsection (a).

4 (5) (Blank).

5 (6) (Blank).

6 (7) For State fiscal year 2020 only, notwithstanding any
7 provision of law to the contrary, the total amount of revenue
8 and deposits under this Section attributable to revenues
9 realized during State fiscal year 2020 shall be reduced by 5%.

10 (8) For State fiscal year 2021 only, notwithstanding any
11 provision of law to the contrary, the total amount of revenue
12 and deposits under this Section attributable to revenues
13 realized during State fiscal year 2021 shall be reduced by 5%.

14 (b)(1) All moneys deposited in the Public Transportation
15 Fund and the Regional Transportation Authority Occupation and
16 Use Tax Replacement Fund, whether deposited pursuant to this
17 Section or otherwise, are allocated to the Authority, except
18 for amounts appropriated to the Office of the Executive
19 Inspector General as authorized by subsection (h) of Section
20 4.03.3 and amounts transferred to the Audit Expense Fund
21 pursuant to Section 6z-27 of the State Finance Act. The
22 Comptroller, as soon as possible after each monthly transfer
23 provided in this Section and after each deposit into the
24 Public Transportation Fund, shall order the Treasurer to pay
25 to the Authority out of the Public Transportation Fund the
26 amount so transferred or deposited. Any Additional State

1 Assistance and Additional Financial Assistance paid to the
2 Authority under this Section shall be expended by the
3 Authority for its purposes as provided in this Act. The
4 balance of the amounts paid to the Authority from the Public
5 Transportation Fund shall be expended by the Authority as
6 provided in Section 4.03.3. The Comptroller, as soon as
7 possible after each deposit into the Regional Transportation
8 Authority Occupation and Use Tax Replacement Fund provided in
9 this Section and Section 6z-17 of the State Finance Act, shall
10 order the Treasurer to pay to the Authority out of the Regional
11 Transportation Authority Occupation and Use Tax Replacement
12 Fund the amount so deposited. Such amounts paid to the
13 Authority may be expended by it for its purposes as provided in
14 this Act. The provisions directing the distributions from the
15 Public Transportation Fund and the Regional Transportation
16 Authority Occupation and Use Tax Replacement Fund provided for
17 in this Section shall constitute an irrevocable and continuing
18 appropriation of all amounts as provided herein. The State
19 Treasurer and State Comptroller are hereby authorized and
20 directed to make distributions as provided in this Section.
21 (2) Provided, however, no moneys deposited under subsection
22 (a) of this Section shall be paid from the Public
23 Transportation Fund to the Authority or its assignee for any
24 fiscal year until the Authority has certified to the Governor,
25 the Comptroller, and the Mayor of the City of Chicago that it
26 has adopted for that fiscal year an Annual Budget and Two-Year

1 Financial Plan meeting the requirements in Section 4.01(b).

2 (c) In recognition of the efforts of the Authority to
3 enhance the mass transportation facilities under its control,
4 the State shall provide financial assistance ("Additional
5 State Assistance") in excess of the amounts transferred to the
6 Authority from the General Revenue Fund under subsection (a)
7 of this Section. Additional State Assistance shall be
8 calculated as provided in subsection (d), but shall in no
9 event exceed the following specified amounts with respect to
10 the following State fiscal years:

11	1990	\$5,000,000;
12	1991	\$5,000,000;
13	1992	\$10,000,000;
14	1993	\$10,000,000;
15	1994	\$20,000,000;
16	1995	\$30,000,000;
17	1996	\$40,000,000;
18	1997	\$50,000,000;
19	1998	\$55,000,000; and
20	each year thereafter	\$55,000,000.

21 (c-5) The State shall provide financial assistance
22 ("Additional Financial Assistance") in addition to the
23 Additional State Assistance provided by subsection (c) and the
24 amounts transferred to the Authority from the General Revenue
25 Fund under subsection (a) of this Section. Additional
26 Financial Assistance provided by this subsection shall be

1 calculated as provided in subsection (d), but shall in no
2 event exceed the following specified amounts with respect to
3 the following State fiscal years:

4	2000	\$0;
5	2001	\$16,000,000;
6	2002	\$35,000,000;
7	2003	\$54,000,000;
8	2004	\$73,000,000;
9	2005	\$93,000,000; and
10	each year thereafter	\$100,000,000.

11 (d) Beginning with State fiscal year 1990 and continuing
12 for each State fiscal year thereafter, the Authority shall
13 annually certify to the State Comptroller and State Treasurer,
14 separately with respect to each of subdivisions (g)(2) and
15 (g)(3) of Section 4.04 of this Act, the following amounts:

16 (1) The amount necessary and required, during the
17 State fiscal year with respect to which the certification
18 is made, to pay its obligations for debt service on all
19 outstanding bonds or notes issued by the Authority under
20 subdivisions (g)(2) and (g)(3) of Section 4.04 of this
21 Act.

22 (2) An estimate of the amount necessary and required
23 to pay its obligations for debt service for any bonds or
24 notes which the Authority anticipates it will issue under
25 subdivisions (g)(2) and (g)(3) of Section 4.04 during that
26 State fiscal year.

1 (3) Its debt service savings during the preceding
2 State fiscal year from refunding or advance refunding of
3 bonds or notes issued under subdivisions (g) (2) and (g) (3)
4 of Section 4.04.

5 (4) The amount of interest, if any, earned by the
6 Authority during the previous State fiscal year on the
7 proceeds of bonds or notes issued pursuant to subdivisions
8 (g) (2) and (g) (3) of Section 4.04, other than refunding or
9 advance refunding bonds or notes.

10 The certification shall include a specific schedule of
11 debt service payments, including the date and amount of each
12 payment for all outstanding bonds or notes and an estimated
13 schedule of anticipated debt service for all bonds and notes
14 it intends to issue, if any, during that State fiscal year,
15 including the estimated date and estimated amount of each
16 payment.

17 Immediately upon the issuance of bonds for which an
18 estimated schedule of debt service payments was prepared, the
19 Authority shall file an amended certification with respect to
20 item (2) above, to specify the actual schedule of debt service
21 payments, including the date and amount of each payment, for
22 the remainder of the State fiscal year.

23 On the first day of each month of the State fiscal year in
24 which there are bonds outstanding with respect to which the
25 certification is made, the State Comptroller shall order
26 transferred and the State Treasurer shall transfer from the

1 Road Fund to the Public Transportation Fund the Additional
2 State Assistance and Additional Financial Assistance in an
3 amount equal to the aggregate of (i) one-twelfth of the sum of
4 the amounts certified under items (1) and (3) above less the
5 amount certified under item (4) above, plus (ii) the amount
6 required to pay debt service on bonds and notes issued during
7 the fiscal year, if any, divided by the number of months
8 remaining in the fiscal year after the date of issuance, or
9 some smaller portion as may be necessary under subsection (c)
10 or (c-5) of this Section for the relevant State fiscal year,
11 plus (iii) any cumulative deficiencies in transfers for prior
12 months, until an amount equal to the sum of the amounts
13 certified under items (1) and (3) above, plus the actual debt
14 service certified under item (2) above, less the amount
15 certified under item (4) above, has been transferred; except
16 that these transfers are subject to the following limits:

17 (A) In no event shall the total transfers in any State
18 fiscal year relating to outstanding bonds and notes issued
19 by the Authority under subdivision (g)(2) of Section 4.04
20 exceed the lesser of the annual maximum amount specified
21 in subsection (c) or the sum of the amounts certified
22 under items (1) and (3) above, plus the actual debt
23 service certified under item (2) above, less the amount
24 certified under item (4) above, with respect to those
25 bonds and notes.

26 (B) In no event shall the total transfers in any State

1 fiscal year relating to outstanding bonds and notes issued
2 by the Authority under subdivision (g)(3) of Section 4.04
3 exceed the lesser of the annual maximum amount specified
4 in subsection (c-5) or the sum of the amounts certified
5 under items (1) and (3) above, plus the actual debt
6 service certified under item (2) above, less the amount
7 certified under item (4) above, with respect to those
8 bonds and notes.

9 The term "outstanding" does not include bonds or notes for
10 which refunding or advance refunding bonds or notes have been
11 issued.

12 (e) Neither Additional State Assistance nor Additional
13 Financial Assistance may be pledged, either directly or
14 indirectly as general revenues of the Authority, as security
15 for any bonds issued by the Authority. The Authority may not
16 assign its right to receive Additional State Assistance or
17 Additional Financial Assistance, or direct payment of
18 Additional State Assistance or Additional Financial
19 Assistance, to a trustee or any other entity for the payment of
20 debt service on its bonds.

21 (f) The certification required under subsection (d) with
22 respect to outstanding bonds and notes of the Authority shall
23 be filed as early as practicable before the beginning of the
24 State fiscal year to which it relates. The certification shall
25 be revised as may be necessary to accurately state the debt
26 service requirements of the Authority.

1 (g) Within 6 months of the end of each fiscal year, the
2 Authority shall determine:

3 (i) whether the aggregate of all system generated
4 revenues for public transportation in the metropolitan
5 region which is provided by, or under grant or purchase of
6 service contracts with, the Service Boards equals (1)
7 before fiscal year 2026, 50% of the aggregate of all costs
8 of providing such public transportation (2) beginning
9 fiscal year 2026, 20% of the aggregate of all costs of
10 providing the public transportation. "System generated
11 revenues" include all the proceeds of fares and charges
12 for services provided, contributions received in
13 connection with public transportation from units of local
14 government other than the Authority, except for
15 contributions received by the Chicago Transit Authority
16 from a real estate transfer tax imposed under subsection
17 (i) of Section 8-3-19 of the Illinois Municipal Code, and
18 from the State pursuant to subsection (i) of Section
19 2705-305 of the Department of Transportation Law, and all
20 other revenues properly included consistent with generally
21 accepted accounting principles but may not include: the
22 proceeds from any borrowing, and, beginning with the 2007
23 fiscal year, all revenues and receipts, including but not
24 limited to fares and grants received from the federal,
25 State or any unit of local government or other entity,
26 derived from providing ADA paratransit service pursuant to

1 Section 2.30 of the Regional Transportation Authority Act.
2 "Costs" include all items properly included as operating
3 costs consistent with generally accepted accounting
4 principles, including administrative costs, but do not
5 include: depreciation; payment of principal and interest
6 on bonds, notes or other evidences of obligations for
7 borrowed money of the Authority; payments with respect to
8 public transportation facilities made pursuant to
9 subsection (b) of Section 2.20; any payments with respect
10 to rate protection contracts, credit enhancements or
11 liquidity agreements made under Section 4.14; any other
12 cost as to which it is reasonably expected that a cash
13 expenditure will not be made; costs for passenger security
14 including grants, contracts, personnel, equipment and
15 administrative expenses, except in the case of the Chicago
16 Transit Authority, in which case the term does not include
17 costs spent annually by that entity for protection against
18 crime as required by Section 27a of the Metropolitan
19 Transit Authority Act; the costs of Debt Service paid by
20 the Chicago Transit Authority, as defined in Section 12c
21 of the Metropolitan Transit Authority Act, or bonds or
22 notes issued pursuant to that Section; the payment by the
23 Commuter Rail Division of debt service on bonds issued
24 pursuant to Section 3B.09; expenses incurred by the
25 Suburban Bus Division for the cost of new public
26 transportation services funded from grants pursuant to

1 Section 2.01e of this Act for a period of 2 years from the
2 date of initiation of each such service; costs as exempted
3 by the Board for projects pursuant to Section 2.09 of this
4 Act; or, beginning with the 2007 fiscal year, expenses
5 related to providing ADA paratransit service pursuant to
6 Section 2.30 of the Regional Transportation Authority Act;
7 or in fiscal years 2008 through 2012 inclusive, costs in
8 the amount of \$200,000,000 in fiscal year 2008, reducing
9 by \$40,000,000 in each fiscal year thereafter until this
10 exemption is eliminated; and expenses incurred by any and
11 all Service Boards for the cost of new public
12 transportation services for a period of 2 years from the
13 date of initiation of the service. ~~The If said system~~
14 ~~generated revenues are less than 50% of said costs, the~~
15 Board shall remit an amount equal to the amount of the
16 deficit to the State if (1) before fiscal year 2026, the
17 system generated revenues are less than 50% of the costs
18 or (2) beginning fiscal year 2026, the system generated
19 revenues are less than 20% of the costs; ~~however, due to~~
20 ~~the fiscal impacts from the COVID-19 pandemic, for fiscal~~
21 ~~years 2021, 2022, 2023, 2024, and 2025, no such payment~~
22 ~~shall be required.~~ The Treasurer shall deposit any such
23 payment in the Road Fund; and

24 (ii) whether, beginning with the 2007 fiscal year, the
25 aggregate of all fares charged and received for ADA
26 paratransit services equals the system generated ADA

1 paratransit services revenue recovery ratio percentage of
2 the aggregate of all costs of providing such ADA
3 paratransit services, as required under subsection (b) of
4 this Section.

5 (h) If the Authority makes any payment to the State under
6 paragraph (g), the Authority shall reduce the amount provided
7 to a Service Board from funds transferred under paragraph (a)
8 in proportion to the amount by which that Service Board failed
9 to meet its required system generated revenues recovery ratio.
10 A Service Board which is affected by a reduction in funds under
11 this paragraph shall submit to the Authority concurrently with
12 its next due quarterly report a revised budget incorporating
13 the reduction in funds. The revised budget must meet the
14 criteria specified in clauses (i) through (vi) of Section
15 4.11(b)(2). The Board shall review and act on the revised
16 budget as provided in Section 4.11(b)(3).

17 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24;
18 103-588, eff. 6-5-24.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law."