



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4499

Introduced 2/4/2020, by Rep. Dan Ugaste

SYNOPSIS AS INTRODUCED:

See Index

Amends the Metropolitan Transit Authority Act. Provides that on January 1, 2021 the Chicago Transit Authority shall become a division Regional Transportation Authority. Abolishes the Chicago Transit Board and provides that the Board of Directors of the Regional Transportation Authority will serve as the Board of the Chicago Transit Authority. Makes conforming changes. Amends the Regional Transportation Authority Act. Provides that on January 1, 2021 the Suburban Bus Board and the Commuter Rail Board are abolished and that the Board of Directors of the Regional Transportation Authority will directly operate the Suburban Bus Division and the Commuter Rail Division of the Regional Transit Authority. Creates various committees composed of Directors of the Board of the Regional Transportation Authority, including committees to oversee the operations of each Division of the Authority. Makes conforming changes. Amends the Open Meetings Act, State Employees Group Insurance Act of 1971, Broadband Access on Passenger Rail Law, and the Illinois Municipal Code making conforming changes. Effective January 1, 2021.

LRB101 17176 AWJ 66577 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do not
16 require the holding of a closed meeting to discuss a subject
17 included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to
19 consider the following subjects:

20 (1) The appointment, employment, compensation,
21 discipline, performance, or dismissal of specific
22 employees, specific individuals who serve as independent
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or legal
2 counsel for the public body, including hearing testimony on
3 a complaint lodged against an employee, a specific
4 individual who serves as an independent contractor in a
5 park, recreational, or educational setting, or a volunteer
6 of the public body or against legal counsel for the public
7 body to determine its validity. However, a meeting to
8 consider an increase in compensation to a specific employee
9 of a public body that is subject to the Local Government
10 Wage Increase Transparency Act may not be closed and shall
11 be open to the public and posted and held in accordance
12 with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the public
22 body is given power to remove the occupant under law or
23 ordinance.

24 (4) Evidence or testimony presented in open hearing, or
25 in closed hearing where specifically authorized by law, to
26 a quasi-adjudicative body, as defined in this Act, provided

1 that the body prepares and makes available for public
2 inspection a written decision setting forth its
3 determinative reasoning.

4 (5) The purchase or lease of real property for the use
5 of the public body, including meetings held for the purpose
6 of discussing whether a particular parcel should be
7 acquired.

8 (6) The setting of a price for sale or lease of
9 property owned by the public body.

10 (7) The sale or purchase of securities, investments, or
11 investment contracts. This exception shall not apply to the
12 investment of assets or income of funds deposited into the
13 Illinois Prepaid Tuition Trust Fund.

14 (8) Security procedures, school building safety and
15 security, and the use of personnel and equipment to respond
16 to an actual, a threatened, or a reasonably potential
17 danger to the safety of employees, students, staff, the
18 public, or public property.

19 (9) Student disciplinary cases.

20 (10) The placement of individual students in special
21 education programs and other matters relating to
22 individual students.

23 (11) Litigation, when an action against, affecting or
24 on behalf of the particular public body has been filed and
25 is pending before a court or administrative tribunal, or
26 when the public body finds that an action is probable or

1 imminent, in which case the basis for the finding shall be
2 recorded and entered into the minutes of the closed
3 meeting.

4 (12) The establishment of reserves or settlement of
5 claims as provided in the Local Governmental and
6 Governmental Employees Tort Immunity Act, if otherwise the
7 disposition of a claim or potential claim might be
8 prejudiced, or the review or discussion of claims, loss or
9 risk management information, records, data, advice or
10 communications from or with respect to any insurer of the
11 public body or any intergovernmental risk management
12 association or self insurance pool of which the public body
13 is a member.

14 (13) Conciliation of complaints of discrimination in
15 the sale or rental of housing, when closed meetings are
16 authorized by the law or ordinance prescribing fair housing
17 practices and creating a commission or administrative
18 agency for their enforcement.

19 (14) Informant sources, the hiring or assignment of
20 undercover personnel or equipment, or ongoing, prior or
21 future criminal investigations, when discussed by a public
22 body with criminal investigatory responsibilities.

23 (15) Professional ethics or performance when
24 considered by an advisory body appointed to advise a
25 licensing or regulatory agency on matters germane to the
26 advisory body's field of competence.

1 (16) Self evaluation, practices and procedures or
2 professional ethics, when meeting with a representative of
3 a statewide association of which the public body is a
4 member.

5 (17) The recruitment, credentialing, discipline or
6 formal peer review of physicians or other health care
7 professionals, or for the discussion of matters protected
8 under the federal Patient Safety and Quality Improvement
9 Act of 2005, and the regulations promulgated thereunder,
10 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
11 Health Insurance Portability and Accountability Act of
12 1996, and the regulations promulgated thereunder,
13 including 45 C.F.R. Parts 160, 162, and 164, by a hospital,
14 or other institution providing medical care, that is
15 operated by the public body.

16 (18) Deliberations for decisions of the Prisoner
17 Review Board.

18 (19) Review or discussion of applications received
19 under the Experimental Organ Transplantation Procedures
20 Act.

21 (20) The classification and discussion of matters
22 classified as confidential or continued confidential by
23 the State Government Suggestion Award Board.

24 (21) Discussion of minutes of meetings lawfully closed
25 under this Act, whether for purposes of approval by the
26 body of the minutes or semi-annual review of the minutes as

1 mandated by Section 2.06.

2 (22) Deliberations for decisions of the State
3 Emergency Medical Services Disciplinary Review Board.

4 (23) The operation by a municipality of a municipal
5 utility or the operation of a municipal power agency or
6 municipal natural gas agency when the discussion involves
7 (i) contracts relating to the purchase, sale, or delivery
8 of electricity or natural gas or (ii) the results or
9 conclusions of load forecast studies.

10 (24) Meetings of a residential health care facility
11 resident sexual assault and death review team or the
12 Executive Council under the Abuse Prevention Review Team
13 Act.

14 (25) Meetings of an independent team of experts under
15 Brian's Law.

16 (26) Meetings of a mortality review team appointed
17 under the Department of Juvenile Justice Mortality Review
18 Team Act.

19 (27) (Blank).

20 (28) Correspondence and records (i) that may not be
21 disclosed under Section 11-9 of the Illinois Public Aid
22 Code or (ii) that pertain to appeals under Section 11-8 of
23 the Illinois Public Aid Code.

24 (29) Meetings between internal or external auditors
25 and governmental audit committees, finance committees, and
26 their equivalents, when the discussion involves internal

1 control weaknesses, identification of potential fraud risk
2 areas, known or suspected frauds, and fraud interviews
3 conducted in accordance with generally accepted auditing
4 standards of the United States of America.

5 (30) Those meetings or portions of meetings of a
6 fatality review team or the Illinois Fatality Review Team
7 Advisory Council during which a review of the death of an
8 eligible adult in which abuse or neglect is suspected,
9 alleged, or substantiated is conducted pursuant to Section
10 15 of the Adult Protective Services Act.

11 (31) Meetings and deliberations for decisions of the
12 Concealed Carry Licensing Review Board under the Firearm
13 Concealed Carry Act.

14 (32) Meetings of ~~between~~ the Regional Transportation
15 Authority Board ~~and its Service Boards~~ when the discussion
16 involves review by the Regional Transportation Authority
17 Board of employment contracts under ~~Section 28d of the~~
18 ~~Metropolitan Transit Authority Act and~~ Sections 3A.18 and
19 3B.26 of the Regional Transportation Authority Act.

20 (33) Those meetings or portions of meetings of the
21 advisory committee and peer review subcommittee created
22 under Section 320 of the Illinois Controlled Substances Act
23 during which specific controlled substance prescriber,
24 dispenser, or patient information is discussed.

25 (34) Meetings of the Tax Increment Financing Reform
26 Task Force under Section 2505-800 of the Department of

1 Revenue Law of the Civil Administrative Code of Illinois.

2 (35) Meetings of the group established to discuss
3 Medicaid capitation rates under Section 5-30.8 of the
4 Illinois Public Aid Code.

5 (36) Those deliberations or portions of deliberations
6 for decisions of the Illinois Gaming Board in which there
7 is discussed any of the following: (i) personal,
8 commercial, financial, or other information obtained from
9 any source that is privileged, proprietary, confidential,
10 or a trade secret; or (ii) information specifically
11 exempted from the disclosure by federal or State law.

12 (d) Definitions. For purposes of this Section:

13 "Employee" means a person employed by a public body whose
14 relationship with the public body constitutes an
15 employer-employee relationship under the usual common law
16 rules, and who is not an independent contractor.

17 "Public office" means a position created by or under the
18 Constitution or laws of this State, the occupant of which is
19 charged with the exercise of some portion of the sovereign
20 power of this State. The term "public office" shall include
21 members of the public body, but it shall not include
22 organizational positions filled by members thereof, whether
23 established by law or by a public body itself, that exist to
24 assist the body in the conduct of its business.

25 "Quasi-adjudicative body" means an administrative body
26 charged by law or ordinance with the responsibility to conduct

1 hearings, receive evidence or testimony and make
2 determinations based thereon, but does not include local
3 electoral boards when such bodies are considering petition
4 challenges.

5 (e) Final action. No final action may be taken at a closed
6 meeting. Final action shall be preceded by a public recital of
7 the nature of the matter being considered and other information
8 that will inform the public of the business being conducted.

9 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;
10 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.
11 8-23-19; revised 9-27-19.)

12 (5 ILCS 375/2.6 rep.)

13 (5 ILCS 375/2.7 rep.)

14 Section 10. The State Employees Group Insurance Act of 1971
15 is amended by repealing Sections 2.6 and 2.7.

16 Section 15. The Broadband Access on Passenger Rail Law is
17 amended by changing Section 5-5 as follows:

18 (20 ILCS 2712/5-5)

19 Sec. 5-5. Definitions. As used in this Article:

20 "Department" means the Department of Transportation.

21 "Passenger rail systems" includes all passenger rail
22 systems maintained by the National Passenger Railroad
23 Corporation in Illinois and those passenger rail systems under

1 the jurisdiction of the Commuter Rail Division ~~Board~~ as
2 established in Section 3B.08 of the Regional Transportation
3 Authority Act.

4 (Source: P.A. 95-9, eff. 6-30-07.)

5 Section 20. The Illinois Municipal Code is amended by
6 changing Section 11-122.2-1 as follows:

7 (65 ILCS 5/11-122.2-1) (from Ch. 24, par. 11-122.2-1)

8 Sec. 11-122.2-1. In addition to all its other powers, every
9 municipality shall, in all its dealings with the Regional
10 Transportation Authority established by the "Regional
11 Transportation Authority Act", enacted by the 78th General
12 Assembly, have the following powers:

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

16 (b) to receive funds from the Regional Transportation
17 Authority upon such terms and conditions as shall be set forth
18 in an agreement between the municipality and the Suburban Bus
19 Division ~~Board~~ or the Commuter Rail Division ~~Board~~, which
20 contract or agreement may be for such number of years or
21 duration as they may agree, all as provided in the "Regional
22 Transportation Authority Act";

23 (c) to receive financial grants from the Suburban Bus
24 Division, Commuter Rail Division, or Chicago Transit Authority

1 ~~a Service Board, as defined in the "Regional Transportation~~
2 ~~Authority Act",~~ upon such terms and conditions as shall be set
3 forth in a Purchase of Service Agreement or other grant
4 contract between the municipality and the Suburban Bus
5 Division, Commuter Rail Division, or Chicago Transit Authority
6 ~~Service Board,~~ which contract or agreement may be for such
7 number of years or duration as the Suburban Bus Division,
8 Commuter Rail Division, or Chicago Transit Authority ~~Service~~
9 ~~Board~~ and the municipality may agree, all as provided in the
10 "Regional Transportation Authority Act";

11 (d) to acquire from the Regional Transportation Authority
12 or the Suburban Bus Division, Commuter Rail Division, or
13 Chicago Transit Authority ~~a Service Board~~ any Public
14 Transportation Facility, as defined in the "Regional
15 Transportation Authority Act", by purchase contract, gift,
16 grant, exchange for other property or rights in property, lease
17 (or sublease) or installment or conditional purchase
18 contracts, which contracts or leases may provide for
19 consideration to be paid in annual installments during a period
20 not exceeding 40 years; such property may be acquired subject
21 to such conditions, restrictions, liens or security or other
22 interests of other parties as the municipality may deem
23 appropriate and in each case the municipality may acquire a
24 joint, leasehold, easement, license or other partial interest
25 in such property;

26 (e) to sell, sell by installment contract, lease (or

1 sublease) as lessor, or transfer to, or grant to or provide for
2 the use by the Regional Transportation Authority or the
3 Suburban Bus Division, Commuter Rail Division, or Chicago
4 Transit Authority ~~a Service Board~~ any Public Transportation
5 Facility, as defined in the "Regional Transportation Authority
6 Act" upon such terms and for such consideration, or for no
7 consideration, as the municipality may deem proper;

8 (f) to cooperate with the Regional Transportation
9 Authority or the Suburban Bus Division, Commuter Rail Division,
10 or Chicago Transit Authority ~~a Service Board~~ for the protection
11 of employees and users of public transportation facilities
12 against crime and also to protect such facilities; such
13 cooperation may include, without limitation, agreements for
14 the coordination of police or security forces;

15 (g) to file such reports with and transfer such records,
16 papers or documents to the Regional Transportation Authority or
17 the Suburban Bus Division, Commuter Rail Division, or Chicago
18 Transit Authority ~~a Service Board~~ as may be agreed upon with,
19 or required by, the Regional Transportation Authority or the
20 Suburban Bus Division, Commuter Rail Division, or Chicago
21 Transit Authority ~~a Service Board~~.

22 In exercising any of the powers granted in this Section the
23 municipality shall not be subject to the provisions of this
24 Code or any Act making public bidding or notice a requirement
25 for any purchase or sale by a municipality. Notwithstanding any
26 provision of this Code to the contrary, every municipality may

1 enter into Purchase of Service Agreements, grant contracts,
2 other contracts, agreements or leases, as provided in this
3 Section, and may incur obligations and expenses thereunder
4 without making a previous appropriation therefor.

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

6 Section 25. The Metropolitan Transit Authority Act is
7 amended by changing Sections 2, 3, 9a, 12a, 12b, 12c, 19, 24,
8 27, 27a, 28, 28a, 30, and 34 as follows:

9 (70 ILCS 3605/2) (from Ch. 111 2/3, par. 302)

10 Sec. 2. When used in this Act:

11 "Transportation System" means all plants, equipment,
12 property and rights useful for transportation of passengers for
13 hire except taxicabs and includes, without limiting the
14 generality of the foregoing, street railways, elevated
15 railroads, subways and underground railroads, motor vehicles,
16 trolley buses, motor buses and any combination thereof.

17 "Metropolitan area of Cook County" embraces all the
18 territory in the County of Cook, State of Illinois East of the
19 east line of Range Eleven (11), East of the Third Principal
20 Meridian of the United States Government survey.

21 "Metropolitan area" means the metropolitan area of Cook
22 County, as above defined.

23 "Authority" means Chicago Transit Authority, a division of
24 the Regional Transportation Authority ~~created by this Act.~~

1 "Board" means the Board of Directors of the Regional
2 Transportation Authority ~~Chicago Transit Board~~.

3 "Governor" means Governor of the State of Illinois.

4 "Mayor" means Mayor of the City of Chicago.

5 "Motor vehicle" means every vehicle which is
6 self-propelled or which is propelled by electric power obtained
7 from overhead trolley wires but not operated on rails.

8 "Municipal government" means a "municipality" as defined
9 in Section 1 of Article VII of the Illinois Constitution.

10 "Service Board" mean the Suburban Bus Division or Commuter
11 Rail Division of the Regional Transportation Authority.

12 "Unit of local government" has the meaning ascribed to it
13 in Section 1 of Article VII of the Illinois Constitution.

14 (Source: P.A. 98-709, eff. 7-16-14.)

15 (70 ILCS 3605/3) (from Ch. 111 2/3, par. 303)

16 Sec. 3. All the territory in the County of Cook, State of
17 Illinois, lying east of the east line of Range Eleven, East of
18 the Third Principal Meridian of the United States Government
19 Survey is hereby created a political subdivision, body politic
20 and municipal corporation under the name of Chicago Transit
21 Authority, which, on and after January 1, 2021, shall be a
22 division of the Regional Transportation Authority.

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

24 (70 ILCS 3605/9a) (from Ch. 111 2/3, par. 309a)

1 Sec. 9a. In addition to all its other powers, the Authority
2 shall, ~~in all its dealings with the Regional Transportation~~
3 ~~Authority established by the "Regional Transportation~~
4 ~~Authority Act", enacted by the 78th General Assembly,~~ have the
5 following powers and duties:

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

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

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

22 (d) to acquire from the Regional Transportation Authority
23 any Public Transportation Facility, as defined in the "Regional
24 Transportation Authority Act", by purchase contract, gift,
25 grant, exchange for other property or rights in property, lease
26 (or sublease) or installment or conditional purchase

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

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

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

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

1 provided in the "Regional Transportation Authority Act".

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

3 (70 ILCS 3605/12a) (from Ch. 111 2/3, par. 312a)

4 Sec. 12a. (a) In addition to other powers provided in
5 Section 12b, the Authority may issue its notes from time to
6 time, in anticipation of tax receipts of the Regional
7 Transportation Authority allocated to the Authority or of other
8 revenues or receipts of the Authority, in order to provide
9 money for the Authority to cover any cash flow deficit which
10 the Authority anticipates incurring. ~~Provided, however, that~~
11 ~~no such notes may be issued unless the annual cost thereof is~~
12 ~~incorporated in a budget or revised budget of the Authority~~
13 ~~which has been approved by the Regional Transportation~~
14 ~~Authority.~~ Any such notes are referred to as "Working Cash
15 Notes". Provided further that, the Board ~~board~~ shall not issue
16 and have outstanding ~~or demand and direct that the Board of the~~
17 ~~Regional Transportation Authority issue and have outstanding~~
18 more than an aggregate of \$40,000,000 in Working Cash Notes. No
19 Working Cash Notes shall be issued for a term of longer than 18
20 months. Proceeds of Working Cash Notes may be used to pay day
21 to day operating expenses of the Authority, consisting of
22 wages, salaries and fringe benefits, professional and
23 technical services (including legal, audit, engineering and
24 other consulting services), office rental, furniture, fixtures
25 and equipment, insurance premiums, claims for self-insured

1 amounts under insurance policies, public utility obligations
2 for telephone, light, heat and similar items, travel expenses,
3 office supplies, postage, dues, subscriptions, public hearings
4 and information expenses, fuel purchases, and payments of
5 grants and payments under purchase of service agreements for
6 operations of transportation agencies, prior to the receipt by
7 the Authority from time to time of funds for paying such
8 expenses. Proceeds of the Working Cash Notes shall not be used
9 (i) to increase or provide a debt service reserve fund for any
10 bonds or notes other than Working Cash Notes of the same
11 Series, or (ii) to pay principal of or interest or redemption
12 premium on any capital bonds or notes, whether as such amounts
13 become due or by earlier redemption, issued by the Authority or
14 a transportation agency to construct or acquire public
15 transportation facilities, or to provide funds to purchase such
16 capital bonds or notes.

17 (b) The ordinance providing for the issuance of any such
18 notes shall fix the date or dates of maturity, the dates on
19 which interest is payable, any sinking fund account or reserve
20 fund account provisions and all other details of such notes and
21 may provide for such covenants or agreements necessary or
22 desirable with regard to the issue, sale and security of such
23 notes. The Authority shall determine and fix the rate or rates
24 of interest of its notes issued under this Act in an ordinance
25 adopted by the Board prior to the issuance thereof, none of
26 which rates of interest shall exceed that permitted in the Bond

1 Authorization Act. Interest may be payable annually or
2 semi-annually, or at such other times as determined by the
3 Board. Notes issued under this Section may be issued as serial
4 or term obligations, shall be of such denomination or
5 denominations and form, including interest coupons to be
6 attached thereto, be executed in such manner, shall be payable
7 at such place or places and bear such date as the Board shall
8 fix by the ordinance authorizing such note and shall mature at
9 such time or times, within a period not to exceed 18 months
10 from the date of issue, and may be redeemable prior to maturity
11 with or without premium, at the option of the Board, upon such
12 terms and conditions as the Board shall fix by the ordinance
13 authorizing the issuance of such notes. The Board may provide
14 for the registration of notes in the name of the owner as to
15 the principal alone or as to both principal and interest, upon
16 such terms and conditions as the Board may determine. The
17 ordinance authorizing notes may provide for the exchange of
18 such notes which are fully registered, as to both principal and
19 interest, with notes which are registerable as to principal
20 only. All notes issued under this Section by the Board shall be
21 sold at a price which may be at a premium or discount but such
22 that the interest cost (excluding any redemption premium) to
23 the Board of the proceeds of an issue of such notes, computed
24 to stated maturity according to standard tables of bond values,
25 shall not exceed that permitted in the Bond Authorization Act.
26 Such notes shall be sold at such time or times as the Board

1 shall determine. The notes may be sold either upon competitive
2 bidding or by negotiated sale (without any requirement of
3 publication of intention to negotiate the sale of such notes),
4 as the Board shall determine by ordinance adopted with the
5 affirmative votes of at least 9 ~~4~~ Directors. In case any
6 officer whose signature appears on any notes or coupons
7 authorized pursuant to this Section shall cease to be such
8 officer before delivery of such notes, such signature shall
9 nevertheless be valid and sufficient for all purposes, the same
10 as if such officer had remained in office until such delivery.
11 Neither the Directors of the Regional Transportation
12 Authority, ~~the Directors of the Authority~~ nor any person
13 executing any bonds or notes thereof shall be liable personally
14 on any such bonds or notes or coupons by reason of the issuance
15 thereof.

16 (c) All notes of the Authority issued pursuant to this
17 Section shall be general obligations of the Authority to which
18 shall be pledged the full faith and credit of the Authority, as
19 provided in this Section. Such notes shall be secured as
20 provided in the authorizing ordinance, which may,
21 notwithstanding any other provision of this Act, include in
22 addition to any other security, a specific pledge or assignment
23 of and lien on or security interest in any or all tax receipts
24 of the Regional Transportation Authority allocated to the
25 Authority and on any or all other revenues or moneys of the
26 Authority from whatever source which may by law be utilized for

1 debt service purposes and a specific pledge or assignment of
2 and lien on or security interest in any funds or accounts
3 established or provided for by the ordinance of the Board
4 authorizing the issuance of such notes. Any such pledge,
5 assignment, lien or security interest for the benefit of
6 holders of notes of the Authority shall be valid and binding
7 from the time the notes are issued without any physical
8 delivery or further act, and shall be valid and binding as
9 against and prior to the claims of all other parties having
10 claims of any kind against the Authority or any other person
11 irrespective of whether such other parties have notice of such
12 pledge, assignment, lien or security interest. The obligations
13 of the Authority incurred pursuant to this Section shall be
14 superior to and have priority over any other obligations of the
15 Authority except for obligations under Section 12. The Board
16 may provide in the ordinance authorizing the issuance of any
17 notes issued pursuant to this Section for the creation of,
18 deposits in, and regulation and disposition of sinking fund or
19 reserve accounts relating to such notes. The ordinance
20 authorizing the issuance of any notes pursuant to this Section
21 may contain provisions as part of the contract with the holders
22 of the notes, for the creation of a separate fund to provide
23 for the payment of principal and interest on such notes and for
24 the deposit in such fund from any or all the tax receipts of
25 the Regional Transportation Authority allocated to the
26 Authority and from any or all such other moneys or revenues of

1 the Authority from whatever source which may by law be utilized
2 for debt service purposes, all as provided in such ordinance,
3 of amounts to meet the debt service requirements on such notes,
4 including principal and interest, and any sinking fund or
5 reserve fund account requirements as may be provided by such
6 ordinance, and all expenses incident to or in connection with
7 such fund and accounts or the payment of such notes. Such
8 ordinance may also provide limitations on the issuance of
9 additional notes of the Authority. No such notes of the
10 Authority shall constitute a debt of the State of Illinois.

11 (d) The ordinance of the Board authorizing the issuance of
12 any notes may provide additional security for such notes by
13 providing for appointment of a corporate trustee (which may be
14 any trust company or bank having the powers of a trust company
15 within the State) with respect to such notes. The ordinance
16 shall prescribe the rights, duties and powers of the trustee to
17 be exercised for the benefit of the Authority and the
18 protection of the holders of such notes. The ordinance may
19 provide for the trustee to hold in trust, invest and use
20 amounts in funds and accounts created as provided by the
21 ordinance with respect to the notes. The ordinance shall
22 provide that amounts so paid to the trustee which are not
23 required to be deposited, held or invested in funds and
24 accounts created by the ordinance with respect to notes or used
25 for paying notes to be paid by the trustee to the Authority.

26 (e) Any notes of the Authority issued pursuant to this

1 Section shall constitute a contract between the Authority and
2 the holders from time to time of such notes. In issuing any
3 note, the Board may include in the ordinance authorizing such
4 issue a covenant as part of the contract with the holders of
5 the notes, that as long as such obligations are outstanding, it
6 shall make such deposits, as provided in paragraph (c) of this
7 Section. A certified copy of the ordinance authorizing the
8 issuance of any such obligations shall be filed at or prior to
9 the issuance of such obligations with the ~~Regional~~
10 ~~Transportation Authority,~~ Comptroller of the State of Illinois
11 and the Illinois Department of Revenue.

12 (f) The State of Illinois pledges to and agrees with the
13 holders of the notes of the Authority issued pursuant to this
14 Section that the State will not limit or alter the rights and
15 powers vested in the Authority by this Act or in the Regional
16 Transportation Authority by the Regional Transportation
17 Authority Act so as to impair the terms of any contract made by
18 the Authority with such holders or in any way impair the rights
19 and remedies of such holders until such notes, together with
20 interest thereon, with interest on any unpaid installments of
21 interest, and all costs and expenses in connection with any
22 action or proceedings by or on behalf of such holders, are
23 fully met and discharged. In addition, the State pledges to and
24 agrees with the holders of the notes of the Authority issued
25 pursuant to this Section that the State will not limit or alter
26 the basis on which State funds are to be paid to the Authority

1 as provided in the Regional Transportation Authority Act, or
2 the use of such funds, so as to impair the terms of any such
3 contract. The Board is authorized to include these pledges and
4 agreements of the State in any contract with the holders of
5 bonds or notes issued pursuant to this Section.

6 (g) The Board shall not at any time issue, sell or deliver
7 any Interim Financing Notes pursuant to this Section which will
8 cause it to have issued and outstanding at any time in excess
9 of \$40,000,000 of Working Cash Notes. Notes which are being
10 paid or retired by such issuance, sale or delivery of notes,
11 and notes for which sufficient funds have been deposited with
12 the paying agency of such notes to provide for payment of
13 principal and interest thereon or to provide for the redemption
14 thereof, all pursuant to the ordinance authorizing the issuance
15 of such notes, shall not be considered to be outstanding for
16 the purposes of this paragraph.

17 (h) The Board, subject to the terms of any agreements with
18 noteholders as may then exist, shall have power, out of any
19 funds available therefor, to purchase notes of the Authority
20 which shall thereupon be cancelled.

21 (i) In addition to any other authority granted by law, the
22 State Treasurer may, with the approval of the Governor, invest
23 or reinvest, at a price not to exceed par, any State money in
24 the State Treasury which is not needed for current expenditures
25 due or about to become due in Interim Financing Notes. In the
26 event of a default on an interim financing note issued by the

1 Chicago Transit Authority in which State money in the State
2 treasury was invested, the Treasurer may, after giving notice
3 to the Authority, certify to the Comptroller the amounts of the
4 defaulted interim financing note, in accordance with any
5 applicable rules of the Comptroller, and the Comptroller must
6 deduct and remit to the State treasury the certified amounts or
7 a portion of those amounts from the following proportions of
8 payments of State funds to the Authority:

9 (1) in the first year after default, one-third of the
10 total amount of any payments of State funds to the
11 Authority;

12 (2) in the second year after default, two-thirds of the
13 total amount of any payments of State funds to the
14 Authority; and

15 (3) in the third year after default and for each year
16 thereafter until the total invested amount is repaid, the
17 total amount of any payments of State funds to the
18 Authority.

19 (Source: P.A. 100-201, eff. 8-18-17; 101-485, eff. 8-23-19.)

20 (70 ILCS 3605/12b) (from Ch. 111 2/3, par. 312b)

21 Sec. 12b. Working Cash Borrowing. In addition to the powers
22 provided in Section 12a, the Board with the affirmative vote of
23 11 ~~5~~ of its Directors may ~~demand and direct the Board of the~~
24 ~~Regional Transportation Authority to~~ issue Working Cash Notes
25 at such time and in such amounts and having such maturities as

1 the Authority deems proper, provided however any such borrowing
2 shall have been specifically identified in the budget of the
3 Authority as approved by the Board of the Regional
4 Transportation Authority. Provided further, that the Board may
5 not issue and have outstanding ~~or demand and direct the Board~~
6 ~~of the Regional Transportation Authority to issue and have~~
7 ~~outstanding~~ more than an aggregate of \$40,000,000 in Working
8 Cash Notes for the Authority.

9 (Source: P.A. 83-885; 83-886.)

10 (70 ILCS 3605/12c)

11 Sec. 12c. Retiree Benefits Bonds and Notes.

12 (a) In addition to all other bonds or notes that it is
13 authorized to issue, the Authority is authorized to issue its
14 bonds or notes for the purposes of providing funds for the
15 Authority to make the deposits described in Section 12c(b)(1)
16 and (2), for refunding any bonds authorized to be issued under
17 this Section, as well as for the purposes of paying costs of
18 issuance, obtaining bond insurance or other credit enhancement
19 or liquidity facilities, paying costs of obtaining related
20 swaps as authorized in the Bond Authorization Act ("Swaps"),
21 providing a debt service reserve fund, paying Debt Service (as
22 defined in paragraph (i) of this Section 12c), and paying all
23 other costs related to any such bonds or notes.

24 (b)(1) After its receipt of a certified copy of a report of
25 the Auditor General of the State of Illinois meeting the

1 requirements of Section 3-2.3 of the Illinois State Auditing
2 Act, the Authority may issue \$1,348,550,000 aggregate original
3 principal amount of bonds and notes. After payment of the costs
4 of issuance and necessary deposits to funds and accounts
5 established with respect to debt service, the net proceeds of
6 such bonds or notes shall be deposited only in the Retirement
7 Plan for Chicago Transit Authority Employees and used only for
8 the purposes required by Section 22-101 of the Illinois Pension
9 Code. Provided that no less than \$1,110,500,000 has been
10 deposited in the Retirement Plan, remaining proceeds of bonds
11 issued under this subparagraph (b) (1) may be used to pay costs
12 of issuance and make necessary deposits to funds and accounts
13 with respect to debt service for bonds and notes issued under
14 this subparagraph or subparagraph (b) (2).

15 (2) After its receipt of a certified copy of a report of
16 the Auditor General of the State of Illinois meeting the
17 requirements of Section 3-2.3 of the Illinois State Auditing
18 Act, the Authority may issue \$639,680,000 aggregate original
19 principal amount of bonds and notes. After payment of the costs
20 of issuance and necessary deposits to funds and accounts
21 established with respect to debt service, the net proceeds of
22 such bonds or notes shall be deposited only in the Retiree
23 Health Care Trust and used only for the purposes required by
24 Section 22-101B of the Illinois Pension Code. Provided that no
25 less than \$528,800,000 has been deposited in the Retiree Health
26 Care Trust, remaining proceeds of bonds issued under this

1 subparagraph (b) (2) may be used to pay costs of issuance and
2 make necessary deposits to funds and accounts with respect to
3 debt service for bonds and notes issued under this subparagraph
4 or subparagraph (b) (1).

5 (3) In addition, refunding bonds are authorized to be
6 issued for the purpose of refunding outstanding bonds or notes
7 issued under this Section 12c.

8 (4) The bonds or notes issued under 12c(b) (1) shall be
9 issued as soon as practicable after the Auditor General issues
10 the report provided in Section 3-2.3(b) of the Illinois State
11 Auditing Act. The bonds or notes issued under 12c(b) (2) shall
12 be issued as soon as practicable after the Auditor General
13 issues the report provided in Section 3-2.3(c) of the Illinois
14 State Auditing Act.

15 (5) With respect to bonds and notes issued under
16 subparagraph (b), scheduled aggregate annual payments of
17 interest or deposits into funds and accounts established for
18 the purpose of such payment shall commence within one year
19 after the bonds and notes are issued. With respect to principal
20 and interest, scheduled aggregate annual payments of principal
21 and interest or deposits into funds and accounts established
22 for the purpose of such payment shall be not less than 70% in
23 2009, 80% in 2010, and 90% in 2011, respectively, of scheduled
24 payments or deposits of principal and interest in 2012 and
25 shall be substantially equal beginning in 2012 and each year
26 thereafter. For purposes of this subparagraph (b),

1 "substantially equal" means that debt service in any full year
2 after calendar year 2011 is not more than 115% of debt service
3 in any other full year after calendar year 2011 during the term
4 of the bonds or notes. For the purposes of this subsection (b),
5 with respect to bonds and notes that bear interest at a
6 variable rate, interest shall be assumed at a rate equal to the
7 rate for United States Treasury Securities - State and Local
8 Government Series for the same maturity, plus 75 basis points.
9 If the Authority enters into a Swap with a counterparty
10 requiring the Authority to pay a fixed interest rate on a
11 notional amount, and the Authority has made a determination
12 that such Swap was entered into for the purpose of providing
13 substitute interest payments for variable interest rate bonds
14 or notes of a particular maturity or maturities in a principal
15 amount equal to the notional amount of the Swap, then during
16 the term of the Swap for purposes of any calculation of
17 interest payable on such bonds or notes, the interest rate on
18 the bonds or notes of such maturity or maturities shall be
19 determined as if such bonds or notes bore interest at the fixed
20 interest rate payable by the Authority under such Swap.

21 (6) No bond or note issued under this Section 12c shall
22 mature later than December 31, 2040.

23 (c) The ~~Chicago Transit~~ Board shall provide for the
24 issuance of bonds or notes as authorized in this Section 12c by
25 the adoption of an ordinance. The ordinance, together with the
26 bonds or notes, shall constitute a contract among the

1 Authority, the owners from time to time of the bonds or notes,
2 any bond trustee with respect to the bonds or notes, any
3 related credit enhancer and any provider of any related Swaps.

4 (d) The Authority is authorized to cause the proceeds of
5 the bonds or notes, and any interest or investment earnings on
6 the bonds or notes, and of any Swaps, to be invested until the
7 proceeds and any interest or investment earnings have been
8 deposited with the Retirement Plan or the Retiree Health Care
9 Trust.

10 (e) Bonds or notes issued pursuant to this Section 12c may
11 be general obligations of the Authority, to which shall be
12 pledged the full faith and credit of the Authority, or may be
13 obligations payable solely from particular sources of funds all
14 as may be provided in the authorizing ordinance. The
15 authorizing ordinance for the bonds and notes, whether or not
16 general obligations of the Authority, may provide for the Debt
17 Service (as defined in paragraph (i) of this Section 12c) to
18 have a claim for payment from particular sources of funds,
19 including, without limitation, amounts to be paid to the
20 Authority or a bond trustee. The authorizing ordinance may
21 provide for the means by which the bonds or notes (and any
22 related Swaps) may be secured, which may include, a pledge of
23 any revenues or funds of the Authority from whatever source
24 which may by law be utilized for paying Debt Service. In
25 addition to any other security, upon ordinance of the ~~written~~
26 ~~approval of the~~ Regional Transportation Authority by the

1 affirmative vote of 12 of its ~~then~~ Directors, the ordinance may
2 provide a specific pledge or assignment of and lien on or
3 security interest in amounts to be paid to the Authority by the
4 Regional Transportation Authority and direct payment thereof
5 to the bond trustee for payment of Debt Service with respect to
6 the bonds or notes, subject to the provisions of existing lease
7 agreements of the Authority with any public building
8 commission. The authorizing ordinance may also provide a
9 specific pledge or assignment of and lien on or security
10 interest in and direct payment to the trustee of all or a
11 portion of the moneys otherwise payable to the Authority from
12 the City of Chicago pursuant to an intergovernmental agreement
13 with the Authority to provide financial assistance to the
14 Authority. Any such pledge, assignment, lien or security
15 interest for the benefit of owners of bonds or notes shall be
16 valid and binding from the time the bonds or notes are issued,
17 without any physical delivery or further act, and shall be
18 valid and binding as against and prior to the claims of all
19 other parties having claims of any kind against the Authority
20 or any other person, irrespective of whether such other parties
21 have notice of such pledge, assignment, lien or security
22 interest, all as provided in the Local Government Debt Reform
23 Act, as it may be amended from time to time. The bonds or notes
24 of the Authority issued pursuant to this Section 12c shall have
25 such priority of payment and as to their claim for payment from
26 particular sources of funds, including their priority with

1 respect to obligations of the Authority issued under other
2 Sections of this Act, all as shall be provided in the
3 ordinances authorizing the issuance of the bonds or notes. The
4 ordinance authorizing the issuance of any bonds or notes under
5 this Section may provide for the creation of, deposits in, and
6 regulation and disposition of sinking fund or reserve accounts
7 relating to those bonds or notes and related agreements. The
8 ordinance authorizing the issuance of any such bonds or notes
9 authorized under this Section 12c may contain provisions for
10 the creation of a separate fund to provide for the payment of
11 principal of and interest on those bonds or notes and related
12 agreements. The ordinance may also provide limitations on the
13 issuance of additional bonds or notes of the Authority.

14 (f) Bonds or notes issued under this Section 12c shall not
15 constitute an indebtedness of the Regional Transportation
16 Authority, the State of Illinois, or of any other political
17 subdivision of or municipality within the State, except the
18 Authority.

19 (g) The ordinance of the ~~Chicago Transit~~ Board authorizing
20 the issuance of bonds or notes pursuant to this Section 12c may
21 provide for the appointment of a corporate trustee (which may
22 be any trust company or bank having the powers of a trust
23 company within Illinois) with respect to bonds or notes issued
24 pursuant to this Section 12c. The ordinance shall prescribe the
25 rights, duties, and powers of the trustee to be exercised for
26 the benefit of the Authority and the protection of the owners

1 of bonds or notes issued pursuant to this Section 12c. The
2 ordinance may provide for the trustee to hold in trust, invest
3 and use amounts in funds and accounts created as provided by
4 the ordinance with respect to the bonds or notes in accordance
5 with this Section 12c. The Authority may apply, as it shall
6 determine, any amounts received upon the sale of the bonds or
7 notes to pay any Debt Service on the bonds or notes. The
8 ordinance may provide for a trust indenture to set forth terms
9 of, sources of payment for and security for the bonds and
10 notes.

11 (h) The State of Illinois pledges to and agrees with the
12 owners of the bonds or notes issued pursuant to Section 12c
13 that the State of Illinois will not limit the powers vested in
14 the Authority by this Act to pledge and assign its revenues and
15 funds as security for the payment of the bonds or notes, or
16 vested in the Regional Transportation Authority by the Regional
17 Transportation Authority Act or this Act, so as to materially
18 impair the payment obligations of the Authority under the terms
19 of any contract made by the Authority with those owners or to
20 materially impair the rights and remedies of those owners until
21 those bonds or notes, together with interest and any redemption
22 premium, and all costs and expenses in connection with any
23 action or proceedings by or on behalf of such owners are fully
24 met and discharged. The Authority is authorized to include
25 these pledges and agreements of the State of Illinois in any
26 contract with owners of bonds or notes issued pursuant to this

1 Section 12c.

2 (i) For purposes of this Section, "Debt Service" with
3 respect to bonds or notes includes, without limitation,
4 principal (at maturity or upon mandatory redemption),
5 redemption premium, interest, periodic, upfront, and
6 termination payments on Swaps, fees for bond insurance or other
7 credit enhancement, liquidity facilities, the funding of bond
8 or note reserves, bond trustee fees, and all other costs of
9 providing for the security or payment of the bonds or notes.

10 (j) The Authority shall adopt a procurement program with
11 respect to contracts relating to the following service
12 providers in connection with the issuance of debt for the
13 benefit of the Retirement Plan for Chicago Transit Authority
14 Employees: underwriters, bond counsel, financial advisors, and
15 accountants. The program shall include goals for the payment of
16 not less than 30% of the total dollar value of the fees from
17 these contracts to minority-owned businesses and women-owned
18 businesses as defined in the Business Enterprise for
19 Minorities, Women, and Persons with Disabilities Act. The
20 Authority shall conduct outreach to minority-owned businesses
21 and women-owned businesses. Outreach shall include, but is not
22 limited to, advertisements in periodicals and newspapers,
23 mailings, and other appropriate media. The Authority shall
24 submit to the General Assembly a comprehensive report that
25 shall include, at a minimum, the details of the procurement
26 plan, outreach efforts, and the results of the efforts to

1 achieve goals for the payment of fees. The ~~service providers~~
2 ~~selected by the Authority pursuant to such program shall not be~~
3 ~~subject to approval by the Regional Transportation Authority,~~
4 ~~and the Regional Transportation Authority's approval pursuant~~
5 to subsection (e) of this Section 12c related to the issuance
6 of debt shall not be based in any way on the service providers
7 selected by the Authority pursuant to this Section.

8 (k) No person holding an elective office in this State,
9 holding a seat in the General Assembly, serving as a director,
10 trustee, officer, or employee of the Regional Transportation
11 Authority or the Chicago Transit Authority, including the
12 spouse or minor child of that person, may receive a legal,
13 banking, consulting, or other fee related to the issuance of
14 any bond issued by the Chicago Transit Authority pursuant to
15 this Section.

16 (Source: P.A. 100-391, eff. 8-25-17.)

17 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

18 Sec. 19. On January 1, 2021: (1) the terms of the members
19 of the Chicago Transit Board are terminated; (2) the powers and
20 duties of the Chicago Transit Board shall be exercised and
21 performed by the Regional Transportation Authority Board; and
22 (3) the powers and duties of the Chicago Transit Authority
23 shall be exercised and performed by the Regional Transportation
24 Authority. The governing and administrative body of the
25 Authority shall be a board consisting of seven members, to be

1 ~~known as Chicago Transit Board. Members of the Board shall be~~
2 ~~residents of the metropolitan area and persons of recognized~~
3 ~~business ability. No member of the Board of the Authority shall~~
4 ~~hold any other office or employment under the Federal, State or~~
5 ~~any County or any municipal government, or any other unit of~~
6 ~~local government, except an honorary office without~~
7 ~~compensation or an office in the National Guard. No employee of~~
8 ~~the Authority shall hold any other office or employment under~~
9 ~~the Federal, State or any County or any municipal government,~~
10 ~~or any other unit of local government, except an office with~~
11 ~~compensation not exceeding \$15,000 annually or a position in~~
12 ~~the National Guard or the United States military reserves.~~
13 ~~Provided, however, that the Chairman may be a member of the~~
14 ~~Board of the Regional Transportation Authority. No member of~~
15 ~~the Board or employee of the Authority shall have any private~~
16 ~~financial interest, profit or benefit in any contract, work or~~
17 ~~business of the Authority nor in the sale or lease of any~~
18 ~~property to or from the Authority. The salary of each member of~~
19 ~~the initial Board shall be \$15,000.00 per annum, and such~~
20 ~~salary shall not be increased or diminished during his or her~~
21 ~~term of office. The salaries of successor members of the Board~~
22 ~~shall be fixed by the Board and shall not be increased or~~
23 ~~diminished during their respective terms of office. No Board~~
24 ~~member shall be allowed any fees, perquisites or emoluments,~~
25 ~~reward or compensation for his or her services as a member or~~
26 ~~officer of the Authority aside from his or her salary or~~

1 ~~pension, but he or she shall be reimbursed for actual expenses~~
2 ~~incurred by him or her in the performance of his or her duties.~~

3 (Source: P.A. 98-709, eff. 7-16-14.)

4 (70 ILCS 3605/24) (from Ch. 111 2/3, par. 324)

5 Sec. 24. The Board shall appoint a secretary and a
6 treasurer of the Authority, who need not be members of the
7 Board, to hold office during the pleasure of the Board, and fix
8 their duties and compensation. The Secretary shall not be
9 engaged in any other business or employment during his or her
10 tenure of office as Secretary of the Authority Board. Before
11 entering upon the duties of their respective offices they shall
12 take and subscribe the constitutional oath of office, and the
13 treasurer shall execute a bond with corporate sureties to be
14 approved by the Board. The bond shall be payable to the
15 Authority in whatever penal sum may be directed by the Board
16 conditioned upon the faithful performance of the duties of the
17 office and the payment of all money received by him or her
18 according to law and the orders of the Board. The Board may, at
19 any time, require a new bond from the treasurer in such penal
20 sum as may then be determined by the Board. The obligation of
21 the sureties shall not extend to any loss sustained by the
22 insolvency, failure or closing of any savings and loan
23 association or national or State bank wherein the treasurer has
24 deposited funds if the bank has been approved by the Board as a
25 depository for these funds. The oaths of office and the

1 treasurer's bond shall be filed in the principal office of the
2 Authority. A person appointed under this Section whose term has
3 not expired on January 1, 2021 shall continue in his or her
4 position with the Authority until the expiration of his or her
5 appointment, resignation, or removal by the Board.

6 (Source: P.A. 83-541.)

7 (70 ILCS 3605/27) (from Ch. 111 2/3, par. 327)

8 Sec. 27. The Executive Director of the Regional
9 Transportation Authority, with the advice and consent of the
10 Chicago Transit Authority Committee, Board may appoint an
11 Executive Director of the Authority who shall be a person of
12 recognized ability and experience in the operation of
13 transportation systems to hold office during the pleasure of
14 the Chicago Transit Authority Committee Board. The Executive
15 Director shall have management of the properties and business
16 of the Authority and the employees thereof, subject to the
17 general control of the Chicago Transit Authority Committee
18 Board, shall direct the enforcement of all ordinances,
19 resolutions, rules and regulations of the Board and the Chicago
20 Transit Authority Committee, and shall perform such other
21 duties as may be prescribed from time to time by the Board and
22 the Chicago Transit Authority Committee. The Board may appoint
23 a General Counsel and a Chief Engineer of the Authority, and
24 shall provide for the appointment of other officers, attorneys,
25 engineers, consultants, agents and employees as may be

1 necessary for the construction, extension, operation,
2 maintenance, and policing of its properties. It shall define
3 their duties and require bonds of such of them as the Board may
4 designate. The Executive Director, General Counsel, Chief
5 Engineer, and all other officers provided for pursuant to this
6 section shall be exempt from taking and subscribing any oath of
7 office. The compensation of the Executive Director, General
8 Counsel, Chief Engineer, and all other officers, attorneys,
9 consultants, agents and employees shall be fixed by the Board.
10 A person appointed under this Section whose term has not
11 expired on January 1, 2021 shall continue in his or her
12 position with the Authority until the expiration of his or her
13 appointment, resignation, or removal by the Chicago Transit
14 Authority Committee.

15 In the policing of its properties the Board may provide for
16 the appointment and maintenance, from time to time, of such
17 police force as it may find necessary and practicable to aid
18 and supplement the police forces of any municipality in the
19 protection of its property and the protection of the persons
20 and property of its passengers and employees, or otherwise in
21 furtherance of the purposes for which such Authority was
22 organized. The members of such police force shall have and
23 exercise like police powers to those conferred upon the police
24 of cities. Neither the Authority, the Regional Transit
25 Authority, the members of its Board, nor its officers or
26 employees shall be held liable for failure to provide a

1 security or police force or, if a security or police force is
2 provided, for failure to provide adequate police protection or
3 security, failure to prevent the commission of crimes by fellow
4 passengers or other third persons or for the failure to
5 apprehend criminals.

6 (Source: P.A. 84-939; 87-597.)

7 (70 ILCS 3605/27a) (from Ch. 111 2/3, par. 327a)

8 Sec. 27a. In addition to annually expending moneys equal to
9 moneys expended by the Authority in the fiscal year ending
10 December 31, 1988 for the protection against crime of its
11 properties, employees and consumers of its public
12 transportation services, the Authority also shall annually
13 expend for the protection against crime of its employees and
14 consumers, an amount that is equal to not less than 15 percent
15 of all direct grants it receives from the State of Illinois as
16 reimbursement for providing reduced fares for mass
17 transportation services to students, persons with
18 disabilities, and the elderly. ~~The Authority shall provide to~~
19 ~~the Regional Transportation Authority such information as is~~
20 ~~required by the Regional Transportation Authority in~~
21 ~~determining whether the Authority has expended moneys in~~
22 ~~compliance with the provisions of this Section.~~ The provisions
23 of this Section shall apply in any fiscal year of the Authority
24 only after all debt service requirements are met for that
25 fiscal year.

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

2 (70 ILCS 3605/28) (from Ch. 111 2/3, par. 328)

3 Sec. 28. The Board shall classify all the offices,
4 positions and grades of regular and exempt employment required,
5 ~~excepting that of the Chairman of the Board,~~ the Executive
6 Director, Secretary, Treasurer, General Counsel, and Chief
7 Engineer, with reference to the duties, job title, job schedule
8 number, and the compensation fixed therefor, and adopt rules
9 governing appointments to any of such offices or positions on
10 the basis of merit and efficiency. The job title shall be
11 generally descriptive of the duties performed in that job, and
12 the job schedule number shall be used to identify a job title
13 and to further classify positions within a job title. No
14 discrimination shall be made in any appointment or promotion to
15 any office, position, or grade of regular employment because of
16 race, creed, color, sex, national origin, physical or mental
17 disability unrelated to ability, or political or religious
18 affiliations. No officer or employee in regular employment
19 shall be discharged or demoted except for cause which is
20 detrimental to the service. Any officer or employee in regular
21 employment who is discharged or demoted may file a complaint in
22 writing with the Board within ten days after notice of his or
23 her discharge or demotion. If an employee is a member of a
24 labor organization the complaint may be filed by such
25 organization for and in behalf of such employee. The Board

1 shall grant a hearing on such complaint within thirty (30) days
2 after it is filed. The time and place of the hearing shall be
3 fixed by the Board and due notice thereof given to the
4 complainant, the labor organization by or through which the
5 complaint was filed and the Executive Director. The hearing
6 shall be conducted by the Board, or any member thereof or any
7 officers' committee or employees' committee appointed by the
8 Board. The complainant may be represented by counsel. If the
9 Board finds, or approves a finding of the member or committee
10 appointed by the Board, that the complainant has been unjustly
11 discharged or demoted, he or she shall be restored to his or
12 her office or position with back pay. The decision of the Board
13 shall be final and not subject to review. The Board may
14 designate such offices, positions, and grades of employment as
15 exempt as it deems necessary for the efficient operation of the
16 business of the Authority. The total number of employees
17 occupying exempt offices, positions, or grades of employment
18 may not exceed 3% of the total employment of the Authority. All
19 exempt offices, positions, and grades of employment shall be at
20 will. No discrimination shall be made in any appointment or
21 promotion to any office, position, or grade of exempt
22 employment because of race, creed, color, sex, national origin,
23 physical or mental disability unrelated to ability, or
24 religious or political affiliation. The Board may abolish any
25 vacant or occupied office or position. Additionally, the Board
26 may reduce the force of employees for lack of work or lack of

1 funds as determined by the Board. When the number of positions
2 or employees holding positions of regular employment within a
3 particular job title and job schedule number are reduced, those
4 employees with the least company seniority in that job title
5 and job schedule number shall be first released from regular
6 employment service. For a period of one year, an employee
7 released from service shall be eligible for reinstatement to
8 the job title and job schedule number from which he or she was
9 released, in order of company seniority, if additional force of
10 employees is required. "Company seniority" as used in this
11 Section means the overall employment service credited to an
12 employee by the Authority since the employee's most recent date
13 of hire irrespective of job titles held. If 2 or more employees
14 have the same company seniority date, time in the affected job
15 title and job schedule number shall be used to break the
16 company seniority tie. For purposes of this Section, company
17 seniority shall be considered a working condition. When
18 employees are represented by a labor organization that has a
19 labor agreement with the Authority, the wages, hours, and
20 working conditions (including, but not limited to, seniority
21 rights) shall be governed by the terms of the agreement. Exempt
22 employment shall not include any employees who are represented
23 by a labor organization that has a labor agreement with the
24 Authority.

25 No employee, officer, or agent of the Chicago Transit
26 Authority Board may receive a bonus that exceeds 10% of his or

1 her annual salary unless that bonus has been reviewed for a
2 period of 14 days by the Regional Transportation Authority
3 Board. After 14 days, the bonus shall be considered reviewed.
4 This Section does not apply to usual and customary salary
5 adjustments.

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

7 (70 ILCS 3605/28a) (from Ch. 111 2/3, par. 328a)

8 Sec. 28a. (a) The Board may deal with and enter into
9 written contracts with the employees of the Authority through
10 accredited representatives of such employees or
11 representatives of any labor organization authorized to act for
12 such employees, concerning wages, salaries, hours, working
13 conditions and pension or retirement provisions; provided,
14 nothing herein shall be construed to permit hours of labor in
15 excess of those provided by law or to permit working conditions
16 prohibited by law. In case of dispute over wages, salaries,
17 hours, working conditions, or pension or retirement provisions
18 the Board may arbitrate any question or questions and may agree
19 with such accredited representatives or labor organization
20 that the decision of a majority of any arbitration board shall
21 be final, provided each party shall agree in advance to pay
22 half of the expense of such arbitration.

23 No contract or agreement shall be made with any labor
24 organization, association, group or individual for the
25 employment of members of such organization, association, group

1 or individual for the construction, improvement, maintenance,
2 operation or administration of any property, plant or
3 facilities under the jurisdiction of the Authority, where such
4 organization, association, group or individual denies on the
5 ground of race, creed, color, sex, religion, physical or mental
6 disability unrelated to ability, or national origin membership
7 and equal opportunities for employment to any citizen of
8 Illinois.

9 (b)(1) The provisions of this paragraph (b) apply to
10 collective bargaining agreements (including extensions and
11 amendments of existing agreements) entered into on or after
12 January 1, 1984.

13 (2) The Board shall deal with and enter into written
14 contracts with their employees of the Authority, through
15 accredited representatives of such employees authorized to act
16 for such employees concerning wages, salaries, hours, working
17 conditions, and pension or retirement provisions about which a
18 collective bargaining agreement has been entered prior to the
19 effective date of this amendatory Act of the 101st General
20 Assembly 1983. ~~Any such agreement of the Authority shall~~
21 ~~provide that the agreement may be reopened if the amended~~
22 ~~budget submitted pursuant to Section 2.18a of the Regional~~
23 ~~Transportation Authority Act is not approved by the Board of~~
24 ~~the Regional Transportation Authority.~~ The agreement may not
25 include a provision requiring the payment of wage increases
26 based on changes in the Consumer Price Index. The Board shall

1 not have the authority to enter into collective bargaining
2 agreements with respect to inherent management rights, which
3 include such areas of discretion or policy as the functions of
4 the employer, standards of services, its overall budget, the
5 organizational structure and selection of new employees and
6 direction of personnel. Employers, however, shall be required
7 to bargain collectively with regard to policy matters directly
8 affecting wages, hours and terms and conditions of employment,
9 as well as the impact thereon upon request by employee
10 representatives. To preserve the rights of employers and
11 exclusive representatives which have established collective
12 bargaining relationships or negotiated collective bargaining
13 agreements prior to the effective date of this amendatory Act
14 of the 101st General Assembly 1983, employers shall be required
15 to bargain collectively with regard to any matter concerning
16 wages, hours or conditions of employment about which they have
17 bargained prior to the effective date of this amendatory Act of
18 the 101st General Assembly 1983.

19 (3) The collective bargaining agreement may not include a
20 prohibition on the use of part-time operators on any service
21 operated by or funded by the Board, except where prohibited by
22 federal law.

23 (4) Within 30 days of the signing of any such collective
24 bargaining agreement, the Board shall determine the costs of
25 each provision of the agreement and prepare an amended budget
26 incorporating the costs of the agreement, ~~and present the~~

~~1 amended budget to the Board of the Regional Transportation
2 Authority for its approval under Section 4.11 of the Regional
3 Transportation Act. The Board of the Regional Transportation
4 Authority may approve the amended budget by an affirmative vote
5 of 12 of its then Directors. If the budget is not approved by
6 the Board of the Regional Transportation Authority, the
7 agreement may be reopened and its terms may be renegotiated.
8 Any amended budget which may be prepared following
9 renegotiation shall be presented to the Board of the Regional
10 Transportation Authority for its approval in like manner.~~

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 (70 ILCS 3605/30) (from Ch. 111 2/3, par. 330)

13 Sec. 30. The Board shall make all rules and regulations
14 governing the operation of the transportation system of the
15 Authority, shall determine all routings and change the same
16 whenever it is deemed advisable by the Board, subject to the
17 provisions of any ordinance granting rights to the Authority.
18 Except as provided in Sections 2.04 and 4.11(b)(5) of the
19 Regional Transportation Authority Act, the Board shall fix
20 rates, fares and charges for transportation, provided that they
21 shall be at all times sufficient in the aggregate to provide
22 revenues (a) for the payment of the interest on and principal
23 of all bonds, certificates and other obligations payable from
24 said revenues and to meet all other charges upon such revenues
25 as provided by any trust agreement executed by the Authority in

1 connection with the issuance of bonds or certificates under
2 this Act, (b) for the payment of all operating costs including
3 all charges which may be incurred pursuant to Sections 29 and
4 39 of this Act and all other costs and charges incidental to
5 the operation of the transportation system, (c) for the payment
6 of all costs and charges incurred pursuant to Sections 37 and
7 38 of this Act and any other costs and charges for acquisition,
8 installation, construction or for replacement or
9 reconstruction of equipment, structures or rights of way not
10 financed through issuance of bonds or certificates under
11 Section 12 of this Act, and (d) for any compensation required
12 to be paid to any municipality for the use of streets, subways
13 and other public ways. The Board may provide free
14 transportation within any municipality in and by which they are
15 employed for firemen and public health nurses, when in uniform,
16 and policemen when in uniform or, when not in uniform, upon
17 presentation of identification as policemen, and shall provide
18 free transportation to sworn law enforcement personnel of the
19 Cook County Sheriff's Department when in uniform or, when not
20 in uniform, upon presentation of identification as sworn law
21 enforcement personnel of the Cook County Sheriff's Department,
22 and may provide free transportation for employees of the
23 Authority when in uniform or upon presentation of
24 identification as such employees, and may enter into agreements
25 with the United States Post Office Department for the
26 transportation of mail, and the payment of compensation to the

1 Authority in lieu of fares for the transportation of letter
2 carriers, when in uniform at all times.

3 The Board may also provide free transportation, or
4 transportation at reduced fares, to all or designated classes
5 of pupils in attendance at public schools of school districts
6 within or partly within the territorial limits of the
7 Authority, or in attendance at private schools offering grades
8 of instruction comparable to those offered in public schools,
9 under such conditions as shall be prescribed by the Board, and,
10 if otherwise authorized by law, the Board may contract with
11 public school boards and representatives of private schools,
12 for reimbursement of pupil transportation costs from public
13 funds.

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

15 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

16 Sec. 34. Budget and Program. The ~~Authority, subject to the~~
17 ~~powers of the Regional Transportation Authority in Section 4.11~~
18 ~~of the Regional Transportation Authority Act,~~ shall control the
19 finances of the Authority. The Regional Transit Authority ~~it~~
20 shall by ordinance appropriate money to perform the Authority's
21 purposes and provide for payment of debts and expenses of the
22 Authority. Each year the Authority shall prepare and publish a
23 comprehensive annual budget and five-year capital program
24 document, and a financial plan for the 2 years thereafter
25 describing the state of the Authority and presenting for the

1 forthcoming fiscal year and the two following years the
2 Authority's plans for such operations and capital expenditures
3 as it intends to undertake and the means by which it intends to
4 finance them. The proposed budget, financial plan, and
5 five-year capital program shall be based on the Regional
6 Transportation Authority's estimate of funds to be made
7 available to the Authority by or through the Regional
8 Transportation Authority and shall conform in all respects to
9 the requirements established by the Regional Transportation
10 Authority. The proposed budget, financial plan, and five-year
11 capital program shall contain a statement of the funds
12 estimated to be on hand at the beginning of the fiscal year,
13 the funds estimated to be received from all sources for such
14 year and the funds estimated to be on hand at the end of such
15 year. The proposed budget, financial plan, and five-year
16 capital program shall be available at no cost for public
17 inspection at the Authority's main office and at the Regional
18 Transportation Authority's main office at least 3 weeks prior
19 to any public hearing. Before the proposed budget, financial
20 plan, and five-year capital program are approved by ~~submitted~~
21 ~~to~~ the Regional Transportation Authority, the Authority shall
22 hold at least one public hearing thereon in each of the
23 counties in which the Authority provides service. All Board
24 members of the Regional Transit Authority shall attend a
25 majority of the public hearings unless reasonable cause is
26 given for their absence. After the public hearings, the Board

1 ~~of the Authority~~ shall hold at least one meeting for
2 consideration of the proposed program and budget with the Cook
3 County Board. After conducting such hearings and holding such
4 meetings and after making such changes in the proposed budget,
5 financial plan, and five-year capital program as the Board
6 deems appropriate, it shall adopt an annual budget ordinance at
7 least by November 15th preceding the beginning of each fiscal
8 year. ~~The budget, financial plan, and five year capital program~~
9 ~~shall then be submitted to the Regional Transportation~~
10 ~~Authority as provided in Section 4.11 of the Regional~~
11 ~~Transportation Authority Act. In the event that the Board of~~
12 ~~the Regional Transportation Authority determines that the~~
13 ~~budget, financial plan, and five year capital program do not~~
14 ~~meet the standards of said Section 4.11, the Board of the~~
15 ~~Authority shall make such changes as are necessary to meet such~~
16 ~~requirements and adopt an amended budget ordinance. The amended~~
17 ~~budget ordinance shall be resubmitted to the Regional~~
18 ~~Transportation Authority pursuant to said Section 4.11. The~~
19 budget ordinance shall appropriate such sums of money as are
20 deemed necessary to defray all necessary expenses and
21 obligations of the Authority, specifying purposes and the
22 objects or programs for which appropriations are made and the
23 amount appropriated for each object or program. Additional
24 appropriations, transfers between items and other changes in
25 such ordinance which do not alter the basis upon which the
26 balanced budget determination was made by the Regional

1 Transportation Authority may be made from time to time by the
2 Board.

3 The budget shall:

4 (i) show a balance between (A) anticipated revenues
5 from all sources including operating subsidies and (B) the
6 costs of providing the services specified and of funding
7 any operating deficits or encumbrances incurred in prior
8 periods, including provision for payment when due of
9 principal and interest on outstanding indebtedness;

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

13 (iii) provide for a level of fares or charges and
14 operating or administrative costs for the public
15 transportation provided by or subject to the jurisdiction
16 of the Board sufficient to allow the Authority Board to
17 meet its required system generated revenue recovery ratio
18 as determined by the Board ~~in accordance with subsection~~
19 ~~(a) of Section 4.11 of the Regional Transportation~~
20 ~~Authority Act;~~

21 (iv) be based upon and employ assumptions and
22 projections which are reasonable and prudent;

23 (v) have been prepared in accordance with sound
24 financial practices as determined by the Board of the
25 Regional Transportation Authority;

26 (vi) meet such other financial, budgetary, or fiscal

1 requirements that the Board of the Regional Transportation
2 Authority may by rule or regulation establish; and

3 (vii) be consistent with the goals and objectives
4 adopted by the Regional Transportation Authority in the
5 Strategic Plan.

6 The Board shall establish a fiscal operating year. At least
7 thirty days prior to the beginning of the first full fiscal
8 year after the creation of the Authority, and annually
9 thereafter, the Board shall cause to be prepared a tentative
10 budget which shall include all operation and maintenance
11 expense for the ensuing fiscal year. The tentative budget shall
12 be considered by the Board and, subject to any revision and
13 amendments as may be determined, shall be adopted prior to the
14 first day of the ensuing fiscal year as the budget for that
15 year. No expenditures for operations and maintenance in excess
16 of the budget shall be made during any fiscal year except by
17 the affirmative vote of at least five members of the Board. It
18 shall not be necessary to include in the annual budget any
19 statement of necessary expenditures for pensions or retirement
20 annuities, or for interest or principal payments on bonds or
21 certificates, or for capital outlays, but it shall be the duty
22 of the Board to make provision for payment of same from
23 appropriate funds. ~~The Board may not alter its fiscal year
24 without the prior approval of the Board of the Regional
25 Transportation Authority.~~

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

1 (70 ILCS 3605/4 rep.)
2 (70 ILCS 3605/6.1 rep.)
3 (70 ILCS 3605/9b rep.)
4 (70 ILCS 3605/20 rep.)
5 (70 ILCS 3605/21 rep.)
6 (70 ILCS 3605/22 rep.)
7 (70 ILCS 3605/23 rep.)
8 (70 ILCS 3605/28d rep.)
9 (70 ILCS 3605/44 rep.)

10 Section 30. The Metropolitan Transit Authority Act is
11 amended by repealing Sections 4, 6.1, 9b, 20, 21, 22, 23, 28d,
12 and 44.

13 Section 35. The Regional Transportation Authority Act is
14 amended by changing Sections 1.03, 2.01, 2.01a, 2.01b, 2.01c,
15 2.01d, 2.01e, 2.20, 2.21, 2.30, 3.01, 3.04, 3.08, 3A.01, 3A.02,
16 3A.05, 3A.09, 3A.10, 3A.11, 3A.12, 3A.14, 3A.15, 3A.16, 3A.17,
17 3A.18, 3B.01, 3B.02, 3B.05, 3B.09, 3B.10, 3B.11, 3B.12, 3B.13,
18 3B.14, 3B.15, 3B.26, 4.01, 4.02b, 4.03.3, 4.04, 4.11, 4.15, and
19 5.05 and by adding the heading of Article III-C and Sections
20 1.06, 3.12, and 3C.05 as follows:

21 (70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)
22 Sec. 1.03. Definitions. As used in this Act:
23 "Authority" means the Regional Transportation Authority;

1 "Board" means the Board of Directors of the Regional
2 Transportation Authority;

3 "Construct or acquire" means plan, design, construct,
4 reconstruct, improve, modify, extend, landscape, expand or
5 acquire;

6 "Metropolitan Region" means all territory included within
7 the territory of the Authority as provided in this Act, and
8 such territory as may be annexed to the Authority;

9 "Municipality", "County" and "Unit of Local Government"
10 have the meanings given to such terms in Section 1 of Article
11 VII of the Illinois Constitution;

12 "Operate" means operate, maintain, administer, repair,
13 promote and any other acts necessary or proper with regard to
14 such matters;

15 "Public Transportation" means the transportation or
16 conveyance of persons within the metropolitan region by means
17 available to the general public, including groups of the
18 general public with special needs, except for transportation by
19 automobiles not used for conveyance of the general public as
20 passengers;

21 "Public Transportation Facilities" means all equipment or
22 property, real or personal, or rights therein, useful or
23 necessary for providing, maintaining or administering public
24 transportation within the metropolitan region or otherwise
25 useful for carrying out or meeting the purposes or powers of
26 the Authority, except it shall not include roads, streets,

1 highways or bridges or toll highways or toll bridges for
2 general public use; and

3 "Service Boards" means the ~~Board of the~~ Commuter Rail
4 Division of the Authority, the ~~Board of the~~ Suburban Bus
5 Division of the Authority and the ~~Board of the~~ Chicago Transit
6 Authority established pursuant to the ~~"Metropolitan Transit
7 Authority Act", approved April 12, 1945, as now or hereafter
8 amended.~~

9 "Transportation Agency" means any individual, firm,
10 partnership, corporation, association, body politic, municipal
11 corporation, public authority, unit of local government or
12 other person, other than the Authority and the Service Boards,
13 which provides public transportation, any local mass transit
14 district created pursuant to the "Local Mass Transit District
15 Act", as now or hereafter amended, and any urban transportation
16 district created pursuant to the "Urban Transportation
17 District Act", as now or hereafter amended, which districts are
18 located in whole or in part within the metropolitan region.

19 (Source: P.A. 83-885; 83-886.)

20 (70 ILCS 3615/1.06 new)

21 Sec. 1.06. Authority of the Regional Transportation
22 Authority and Service Boards. On and after January 1, 2021:

23 (1) Notwithstanding any other provision of law, the
24 Authority is primarily responsible for setting policy and
25 strategic direction, determining allocation of funds, and

1 prioritizing investments for the operation of public
2 transportation in the metropolitan region by the Commuter
3 Rail Division, Suburban Bus Division, and the Chicago
4 Transit Authority.

5 (2) Notwithstanding any other provision of law, the
6 Commuter Rail Committee, Suburban Bus Committee, and the
7 Chicago Transit Authority Committee are primarily
8 responsible for the day-to-day operation of public
9 transportation in the metropolitan region in each of their
10 respective Divisions.

11 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

12 Sec. 2.01. General Allocation of Responsibility for Public
13 Transportation.

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

18 (i) adopt plans that implement the public policy of the
19 State to provide adequate, efficient, geographically
20 equitable and coordinated public transportation throughout
21 the metropolitan region;

22 (ii) set goals, objectives, and standards for the
23 Authority, the Service Boards, and transportation
24 agencies;

25 (iii) develop performance measures to inform the

1 public about the extent to which the provision of public
2 transportation in the metropolitan region meets those
3 goals, objectives, and standards;

4 (iv) allocate operating and capital funds made
5 available to support public transportation in the
6 metropolitan region;

7 (v) provide financial oversight of the Service Boards;
8 and

9 (vi) coordinate the provision of public transportation
10 and the investment in public transportation facilities to
11 enhance the integration of public transportation
12 throughout the metropolitan region, all as provided in this
13 Act.

14 The Service Boards shall, on a continuing basis determine
15 the level, nature and kind of public transportation which
16 should be provided for the metropolitan region in order to meet
17 the plans, goals, objectives, and standards adopted by the
18 Authority. The Service Boards may provide public
19 transportation by purchasing such service from transportation
20 agencies through purchase of service agreements, by grants to
21 such agencies or by operating such service, all pursuant to
22 this Act and the "Metropolitan Transit Authority Act", as now
23 or hereafter amended. Certain of its actions to implement the
24 responsibilities allocated to the Authority in this subsection
25 (a) shall be taken in 3 public documents adopted by the
26 affirmative vote of at least 12 of its then Directors: A

1 Strategic Plan; a Five-Year Capital Program; and an Annual
2 Budget and Two-Year Financial Plan.

3 (b) The Authority shall subject the operating and capital
4 plans and expenditures of the Service Boards in the
5 metropolitan region with regard to public transportation to
6 continuing review so that the Authority may budget and expend
7 its funds with maximum effectiveness and efficiency. The
8 Authority shall conduct audits of each of the Service Boards no
9 less than every 5 years. Such audits may include management,
10 performance, financial, and infrastructure condition audits.
11 The Authority may conduct management, performance, financial,
12 and infrastructure condition audits of transportation agencies
13 that receive funds from the Authority. The Authority may ~~direct~~
14 ~~a Service Board to~~ conduct any such audit of a transportation
15 agency that receives funds from a ~~such~~ Service Board, ~~and the~~
16 ~~Service Board shall comply with such request to the extent it~~
17 ~~has the right to do so~~. These audits of the Service Boards or
18 transportation agencies may be project or service specific
19 audits to evaluate their achievement of the goals and
20 objectives of that project or service and their compliance with
21 any applicable requirements.

22 (Source: P.A. 98-1027, eff. 1-1-15.)

23 (70 ILCS 3615/2.01a)

24 Sec. 2.01a. Strategic Plan.

25 (a) By the affirmative vote of at least 12 of its then

1 Directors, the Authority shall adopt a Strategic Plan, no less
2 than every 5 years, ~~after consultation with the Service Boards~~
3 and after holding a minimum of 3 public hearings in Cook County
4 and one public hearing in each of the other counties in the
5 region. The Executive Director of the Authority shall review
6 the Strategic Plan on an ongoing basis and make recommendations
7 to the Board of the Authority with respect to any update or
8 amendment of the Strategic Plan. The Strategic Plan shall
9 describe the specific actions to be taken by the Authority and
10 the Service Boards to provide adequate, efficient, and
11 coordinated public transportation.

12 (b) The Strategic Plan shall identify goals and objectives
13 with respect to:

14 (i) increasing ridership and passenger miles on public
15 transportation funded by the Authority;

16 (ii) coordination of public transportation services
17 and the investment in public transportation facilities to
18 enhance the integration of public transportation
19 throughout the metropolitan region;

20 (iii) coordination of fare and transfer policies to
21 promote transfers by riders among Service Boards,
22 transportation agencies, and public transportation modes,
23 which may include goals and objectives for development of a
24 universal fare instrument that riders may use
25 interchangeably on all public transportation funded by the
26 Authority, and methods to be used to allocate revenues from

1 transfers;

2 (iv) improvements in public transportation facilities
3 to bring those facilities into a state of good repair,
4 enhancements that attract ridership and improve customer
5 service, and expansions needed to serve areas with
6 sufficient demand for public transportation;

7 (v) access for transit-dependent populations,
8 including access by low-income communities to places of
9 employment, utilizing analyses provided by the Chicago
10 Metropolitan Agency for Planning regarding employment and
11 transportation availability, and giving consideration to
12 the location of employment centers in each county and the
13 availability of public transportation at off-peak hours
14 and on weekends;

15 (vi) the financial viability of the public
16 transportation system, including both operating and
17 capital programs;

18 (vii) limiting road congestion within the metropolitan
19 region and enhancing transit options to improve mobility;
20 and

21 (viii) such other goals and objectives that advance the
22 policy of the State to provide adequate, efficient,
23 geographically equitable and coordinated public
24 transportation in the metropolitan region.

25 (c) The Strategic Plan shall establish the process and
26 criteria by which proposals for capital improvements by a

1 Service Board or a transportation agency will be evaluated by
2 the Authority for inclusion in the Five-Year Capital Program,
3 which may include criteria for:

4 (i) allocating funds among maintenance, enhancement,
5 and expansion improvements;

6 (ii) projects to be funded from the Innovation,
7 Coordination, and Enhancement Fund;

8 (iii) projects intended to improve or enhance
9 ridership or customer service;

10 (iv) design and location of station or transit
11 improvements intended to promote transfers, increase
12 ridership, and support transit-oriented land development;

13 (v) assessing the impact of projects on the ability to
14 operate and maintain the existing transit system; and

15 (vi) other criteria that advance the goals and
16 objectives of the Strategic Plan.

17 (d) The Strategic Plan shall establish performance
18 standards and measurements regarding the adequacy, efficiency,
19 geographic equity and coordination of public transportation
20 services in the region and the implementation of the goals and
21 objectives in the Strategic Plan. At a minimum, such standards
22 and measures shall include customer-related performance data
23 measured by line, route, or sub-region, as determined by the
24 Authority, on the following:

25 (i) travel times and on-time performance;

26 (ii) ridership data;

- 1 (iii) equipment failure rates;
2 (iv) employee and customer safety; and
3 (v) customer satisfaction.

4 The Service Boards and transportation agencies that
5 receive funding from the Authority or Service Boards shall
6 prepare, publish, and submit to the Authority such reports with
7 regard to these standards and measurements in the frequency and
8 form required by the Authority; however, the frequency of such
9 reporting shall be no less than annual. The Service Boards
10 shall publish such reports on their respective websites. The
11 Authority shall compile and publish such reports on its
12 website. Such performance standards and measures shall not be
13 used as the basis for disciplinary action against any employee
14 of the Authority or Service Boards, except to the extent the
15 employment and disciplinary practices of the Authority or
16 Service Board provide for such action.

17 (e) The Strategic Plan shall identify innovations to
18 improve the delivery of public transportation and the
19 construction of public transportation facilities.

20 (f) The Strategic Plan shall describe the expected
21 financial condition of public transportation in the
22 metropolitan region prospectively over a 10-year period, which
23 may include information about the cash position and all known
24 obligations of the Authority and the Service Boards including
25 operating expenditures, debt service, contributions for
26 payment of pension and other post-employment benefits, the

1 expected revenues from fares, tax receipts, grants from the
2 federal, State, and local governments for operating and capital
3 purposes and issuance of debt, the availability of working
4 capital, and the resources needed to achieve the goals and
5 objectives described in the Strategic Plan.

6 (g) In developing the Strategic Plan, the Authority shall
7 rely on such demographic and other data, forecasts, and
8 assumptions developed by the Chicago Metropolitan Agency for
9 Planning with respect to the patterns of population density and
10 growth, projected commercial and residential development, and
11 environmental factors, within the metropolitan region and in
12 areas outside the metropolitan region that may impact public
13 transportation utilization in the metropolitan region. The
14 Authority shall also consult with the Illinois Department of
15 Transportation's Office of Planning and Programming when
16 developing the Strategic Plan. Before adopting or amending any
17 Strategic Plan, the Authority shall consult with the Chicago
18 Metropolitan Agency for Planning regarding the consistency of
19 the Strategic Plan with the Regional Comprehensive Plan adopted
20 pursuant to the Regional Planning Act.

21 (h) The Authority may adopt, by the affirmative vote of at
22 least 12 of its then Directors, sub-regional or corridor plans
23 for specific geographic areas of the metropolitan region in
24 order to improve the adequacy, efficiency, geographic equity
25 and coordination of existing, or the delivery of new, public
26 transportation. Such plans may also address areas outside the

1 metropolitan region that may impact public transportation
2 utilization in the metropolitan region. In preparing a
3 sub-regional or corridor plan, the Authority may identify
4 changes in operating practices or capital investment in the
5 sub-region or corridor that could increase ridership, reduce
6 costs, improve coordination, or enhance transit-oriented
7 development. The Authority shall consult with any affected
8 Service Boards in the preparation of any sub-regional or
9 corridor plans.

10 (i) If the Authority determines, by the affirmative vote of
11 at least 12 of its then Directors, that, with respect to any
12 proposed new public transportation service or facility, (i)
13 multiple Service Boards or transportation agencies are
14 potential service providers and (ii) the public transportation
15 facilities to be constructed or purchased to provide that
16 service have an expected construction cost of more than
17 \$25,000,000, the Authority shall have sole responsibility for
18 conducting any alternatives analysis and preliminary
19 environmental assessment required by federal or State law.
20 Nothing in this subparagraph (i) shall prohibit a Service Board
21 from undertaking alternatives analysis and preliminary
22 environmental assessment for any public transportation service
23 or facility identified in items (i) and (ii) above that is
24 included in the Five-Year Capital Program as of the effective
25 date of this amendatory Act of the 95th General Assembly;
26 however, any expenditure related to any such public

1 transportation service or facility must be included in a
2 Five-Year Capital Program under the requirements of Sections
3 2.01b and 4.02 of this Act.

4 (Source: P.A. 98-1027, eff. 1-1-15.)

5 (70 ILCS 3615/2.01b)

6 Sec. 2.01b. The Five-Year Capital Program. By the
7 affirmative vote of at least 12 of its then Directors, the
8 Authority, ~~after consultation with the Service Boards and after~~
9 holding a minimum of 3 public hearings in Cook County and one
10 public hearing in each of the other counties in the
11 metropolitan region, shall each year adopt a Five-Year Capital
12 Program that shall include each capital improvement to be
13 undertaken by or on behalf of a Service Board provided that the
14 Authority finds that the improvement meets any criteria for
15 capital improvements contained in the Strategic Plan, is not
16 inconsistent with any sub-regional or corridor plan adopted by
17 the Authority, and can be funded within amounts available with
18 respect to the capital and operating costs of such improvement.
19 In reviewing proposals for improvements to be included in a
20 Five-Year Capital Program, the Authority may give priority to
21 improvements that are intended to bring public transportation
22 facilities into a state of good repair. The Five-Year Capital
23 Program shall also identify capital improvements to be
24 undertaken by a Service Board, a transportation agency, or a
25 unit of local government and funded by the Authority from

1 amounts in the Innovation, Coordination, and Enhancement Fund,
2 provided that no improvement that is included in the Five-Year
3 Capital Program as of the effective date of this amendatory Act
4 of the 95th General Assembly may receive funding from the
5 Innovation, Coordination, and Enhancement Fund. Before
6 adopting a Five-Year Capital Program, the Authority shall
7 consult with the Chicago Metropolitan Agency for Planning
8 regarding the consistency of the Five-Year Capital Program with
9 the Regional Comprehensive Plan adopted pursuant to the
10 Regional Planning Act.

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

12 (70 ILCS 3615/2.01c)

13 Sec. 2.01c. Innovation, Coordination, and Enhancement
14 Fund.

15 (a) The Authority shall establish an Innovation,
16 Coordination, and Enhancement Fund and deposit into the Fund an
17 amount equal to \$10,000,000 in 2008, and, each year thereafter,
18 an amount equal to the amount deposited in the previous year
19 increased or decreased by the percentage growth or decline in
20 revenues received by the Authority from taxes imposed under
21 Section 4.03 in the previous year. Amounts on deposit in such
22 Fund and interest and other earnings on those amounts may be
23 used by the Authority, upon the affirmative vote of 12 of its
24 then Directors, and after a public participation process, for
25 operating or capital grants ~~or loans~~ to Service Boards,

1 transportation agencies, or units of local government that
2 advance the goals and objectives identified by the Authority in
3 its Strategic Plan, provided that no improvement that has been
4 included in a Five-Year Capital Program as of the effective
5 date of this amendatory Act of the 95th General Assembly may
6 receive any funding from the Innovation, Coordination, and
7 Enhancement Fund. Unless the Board has determined by a vote of
8 12 of its then Directors that an emergency exists requiring the
9 use of some or all of the funds then in the Innovation,
10 Coordination, and Enhancement Fund, such funds may only be used
11 to enhance the coordination and integration of public
12 transportation and develop and implement innovations to
13 improve the quality and delivery of public transportation.

14 (b) Any grantee that receives funds from the Innovation,
15 Coordination, and Enhancement Fund for the operation of
16 eligible programs must (i) implement such programs within one
17 year of receipt of such funds and (ii) within 2 years following
18 commencement of any program utilizing such funds, determine
19 whether it is desirable to continue the program, and upon such
20 a determination, either incorporate such program into its
21 annual operating budget and capital program or discontinue such
22 program. No additional funds from the Innovation,
23 Coordination, and Enhancement Fund may be distributed to a
24 grantee for any individual program beyond 2 years unless the
25 Authority by the affirmative vote of at least 12 of its then
26 Directors waives this limitation. Any such waiver will be with

1 regard to an individual program and with regard to a one
2 year-period, and any further waivers for such individual
3 program require a subsequent vote of the Board.

4 (Source: P.A. 97-399, eff. 8-16-11.)

5 (70 ILCS 3615/2.01d)

6 Sec. 2.01d. ADA Paratransit Fund. The Authority shall
7 establish an ADA Paratransit Fund and, each year, deposit into
8 that Fund the following amounts: (i) a base amount equal to
9 \$115,000,000 in 2012, and, each year thereafter, an amount
10 equal to the final budgeted funding for ADA paratransit
11 services for the current year, (ii) any funds received from the
12 State pursuant to appropriations for the purpose of funding ADA
13 paratransit services, and (iii) any additional funds necessary
14 to fund the budget or amended budget for ADA paratransit
15 services adopted or approved by the Board for the current year.
16 The amounts on deposit in the Fund and interest and other
17 earnings on those amounts shall be used by the Authority to
18 make grants to the Suburban Bus Division ~~Board~~ for ADA
19 paratransit services provided pursuant to plans approved by the
20 Authority under Section 2.30 of this Act. Funds received by the
21 Suburban Bus Division ~~Board~~ from the Authority's ADA
22 Paratransit Fund shall be used only to provide ADA paratransit
23 services to individuals who are determined to be eligible for
24 such services by the Authority under the Americans with
25 Disabilities Act of 1990 and its implementing regulations.

1 Revenues from and costs of services provided by the Suburban
2 Bus Division ~~Board~~ with grants made under this Section shall be
3 included in the Annual Budget and Two-Year Financial Program of
4 the Suburban Bus Division ~~Board~~ and shall be subject to all
5 budgetary and financial requirements under this Act that apply
6 to ADA paratransit services. Beginning in 2008, the Executive
7 Director shall, no later than August 15 of each year, provide
8 to the Board a written determination of the projected annual
9 costs of ADA paratransit services that are required to be
10 provided pursuant to the Americans with Disabilities Act of
11 1990 and its implementing regulations for the current year. The
12 Authority shall conduct triennial financial, compliance, and
13 performance audits of ADA paratransit services to assist in
14 this determination.

15 (Source: P.A. 97-399, eff. 8-16-11.)

16 (70 ILCS 3615/2.01e)

17 Sec. 2.01e. Suburban Community Mobility Fund. The
18 Authority shall establish a Suburban Community Mobility Fund
19 and deposit into that Fund an amount equal to \$20,000,000 in
20 2008, and, each year thereafter, an amount equal to the amount
21 deposited in the previous year increased or decreased by the
22 percentage growth or decline in revenues received by the
23 Authority from taxes imposed under Section 4.03 in the previous
24 year. The amounts on deposit in the Fund and interest and other
25 earnings on those amounts shall be used by the Authority to

1 make grants to the Suburban Bus Division ~~Board~~ for the purpose
2 of operating transit services, other than traditional
3 fixed-route services, that enhance suburban mobility,
4 including, but not limited to, demand-responsive transit
5 services, ride sharing, van pooling, service coordination,
6 centralized dispatching and call taking, reverse commuting,
7 service restructuring, and bus rapid transit. Revenues from and
8 costs of services provided by the Suburban Bus Division ~~Board~~
9 with moneys from the Suburban Community Mobility Fund shall be
10 included in the Annual Budget and Two-Year Financial Program of
11 the Suburban Bus Division ~~Board~~ and shall be subject to all
12 budgetary and financial requirements under this Act.

13 (Source: P.A. 97-399, eff. 8-16-11.)

14 (70 ILCS 3615/2.20) (from Ch. 111 2/3, par. 702.20)

15 Sec. 2.20. General Powers.

16 (a) Except as otherwise limited by this Act, the Authority
17 shall also have all powers necessary to meet its
18 responsibilities and to carry out its purposes, including, but
19 not limited to, the following powers:

20 (i) To sue and be sued;

21 (ii) To invest any funds or any monies not required for
22 immediate use or disbursement, as provided in "An Act
23 relating to certain investments of public funds by public
24 agencies", approved July 23, 1943, as now or hereafter
25 amended;

1 (iii) To make, amend and repeal by-laws, rules and
2 regulations, and ordinances not inconsistent with this
3 Act;

4 (iv) To hold, sell, sell by installment contract, lease
5 as lessor, transfer or dispose of such real or personal
6 property as it deems appropriate in the exercise of its
7 powers or to provide for the use thereof by any
8 transportation agency and to mortgage, pledge or otherwise
9 grant security interests in any such property;

10 (v) To enter at reasonable times upon such lands,
11 waters or premises as in the judgment of the Authority may
12 be necessary, convenient or desirable for the purpose of
13 making surveys, soundings, borings and examinations to
14 accomplish any purpose authorized by this Act after having
15 given reasonable notice of such proposed entry to the
16 owners and occupants of such lands, waters or premises, the
17 Authority being liable only for actual damage caused by
18 such activity;

19 (vi) To make and execute all contracts and other
20 instruments necessary or convenient to the exercise of its
21 powers;

22 (vii) To enter into contracts of group insurance for
23 the benefit of its employees and to provide for retirement
24 or pensions or other employee benefit arrangements for such
25 employees, and to assume obligations for pensions or other
26 employee benefit arrangements for employees of

1 transportation agencies, all or part of the facilities of
2 which are acquired by the Authority;

3 (viii) To provide for the insurance of any property,
4 directors, officers, employees or operations of the
5 Authority against any risk or hazard, and to self-insure or
6 participate in joint self-insurance pools or entities to
7 insure against such risk or hazard;

8 (ix) To appear before the Illinois Commerce Commission
9 in all proceedings concerning the Authority, a Service
10 Board or any transportation agency; and

11 (x) To pass all ordinances and make all rules and
12 regulations proper or necessary to regulate the use,
13 operation and maintenance of its property and facilities
14 and, by ordinance, to prescribe fines or penalties for
15 violations thereof. No fine or penalty shall exceed \$1,000
16 per offense. Any ordinance providing for any fine or
17 penalty shall be published in a newspaper of general
18 circulation in the metropolitan region. No such ordinance
19 shall take effect until 10 days after its publication.

20 The Authority may enter into arbitration arrangements,
21 which may be final and binding.

22 The ~~Commuter Rail~~ Board shall continue the separate public
23 corporation, known as the Northeast Illinois Regional Commuter
24 Railroad Corporation, as a separate operating unit to operate
25 on behalf of the Commuter Rail Division ~~Board~~ commuter railroad
26 facilities, subject at all times to the supervision and

1 direction of the ~~Commuter Rail~~ Board and may, by ordinance,
2 dissolve such Corporation. Such Corporation shall be governed
3 by a Board of Directors which shall consist of the ~~members of~~
4 ~~the Transition Board until such time as all of the members of~~
5 ~~the Commuter Rail Board are appointed and qualified and~~
6 ~~thereafter the members of the Commuter Rail~~ Regional
7 Transportation Authority Board. Such Corporation shall have
8 all the powers given the Authority and the Commuter Rail
9 Division ~~Board~~ under Article II of this Act (other than under
10 Section 2.13) as are delegated to it by ordinance of the
11 ~~Commuter Rail~~ Board with regard to such operation of facilities
12 and the same exemptions, restrictions and limitations as are
13 provided by law with regard to the Authority shall apply to
14 such Corporation. Such Corporation shall be a transportation
15 agency as provided in this Act except for purposes of paragraph
16 (e) of Section 3.01 of this Act.

17 The Authority shall cooperate with the Illinois Commerce
18 Commission and local law enforcement agencies in establishing a
19 two year pilot program in DuPage County to determine the
20 effectiveness of an automated railroad grade crossing
21 enforcement system.

22 (b) In each case in which this Act gives the Authority the
23 power to construct or acquire real or personal property, the
24 Authority shall have the power to acquire such property by
25 contract, purchase, gift, grant, exchange for other property or
26 rights in property, lease (or sublease) or installment or

1 conditional purchase contracts, which leases or contracts may
2 provide for consideration therefor to be paid in annual
3 installments during a period not exceeding 40 years. Property
4 may be acquired subject to such conditions, restrictions,
5 liens, or security or other interests of other parties as the
6 Authority may deem appropriate, and in each case the Authority
7 may acquire a joint, leasehold, easement, license or other
8 partial interest in such property. Any such acquisition may
9 provide for the assumption of, or agreement to pay, perform or
10 discharge outstanding or continuing duties, obligations or
11 liabilities of the seller, lessor, donor or other transferor of
12 or of the trustee with regard to such property. In connection
13 with the acquisition of public transportation equipment,
14 including, but not limited to, rolling stock, vehicles,
15 locomotives, buses or rapid transit equipment, the Authority
16 may also execute agreements concerning such equipment leases,
17 equipment trust certificates, conditional purchase agreements
18 and such other security agreements and may make such agreements
19 and covenants as required, in the form customarily used in such
20 cases appropriate to effect such acquisition. Obligations of
21 the Authority incurred pursuant to this Section shall not be
22 considered bonds or notes within the meaning of Section 4.04 of
23 this Act.

24 (c) The Authority shall assume all costs of rights,
25 benefits and protective conditions to which any employee is
26 entitled under this Act from any transportation agency in the

1 event of the inability of the transportation agency to meet its
2 obligations in relation thereto due to bankruptcy or
3 insolvency, provided that the Authority shall retain the right
4 to proceed against the bankrupt or insolvent transportation
5 agency or its successors, trustees, assigns or debtors for the
6 costs assumed. The Authority may mitigate its liability under
7 this paragraph (c) and under Section 2.16 to the extent of
8 employment and employment benefits which it tenders.

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

10 (70 ILCS 3615/2.21) (from Ch. 111 2/3, par. 702.21)

11 Sec. 2.21. (a) The Authority or the Commuter Rail Division
12 ~~Board~~ may not in the exercise of its powers to provide
13 effective public transportation as provided by this Act:

14 (i) require or authorize the operation of, or operate
15 or acquire by eminent domain or otherwise, any public
16 transportation facility or service on terms or in a manner
17 which unreasonably interferes with the ability of a
18 railroad to provide efficient freight or inter-city
19 passenger service. This subparagraph shall not bar the
20 Authority from acquiring title to any property pursuant to
21 Section 2.13 in a manner consistent with this subparagraph.

22 (ii) obtain by eminent domain any interest in any right
23 of way or any other real property of a railroad which is
24 not a public body in excess of the interest to be used for
25 public transportation as provided in this Act.

1 (iii) prohibit the operation of public transportation
2 by a private carrier that does not receive a grant or
3 purchase of service contract from the Authority or a
4 Service Board.

5 (b) If in connection with any construction, acquisition, or
6 other activity undertaken by or for the Authority or a Service
7 Board, or pursuant to any purchase of service or grant
8 agreement with the Authority or a Service Board, any facility
9 of a public utility (as defined in the Public Utilities Act),
10 is removed or relocated from its then-existing site all costs
11 and expenses of such relocation or removal, including the cost
12 of installing such facilities in a new location or locations,
13 and the cost of any land or lands, or interest in land, or any
14 rights required to accomplish such relocation or removal, shall
15 be paid by the Authority or a Service Board. If any such
16 facilities are so relocated onto the properties of the
17 Authority or the Service Board or onto properties made
18 available for that purpose by the Authority or the Service
19 Board, there shall be no rent, fee, or other charge of any kind
20 imposed upon the public utility owning or operating such
21 facilities in excess of that imposed prior to such relocation
22 and such public utility, and its successors and assigns, shall
23 be granted the right to operate such facilities in the new
24 location or locations for as long a period and upon the same
25 terms and conditions as it had the right to maintain and
26 operate such facilities in their former location. Nothing in

1 this paragraph (b) shall prevent the Authority or the Service
2 Board and a transportation agency from agreeing in a purchase
3 of service agreement or otherwise to make different
4 arrangements for such relocations or the costs thereof.

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

6 (70 ILCS 3615/2.30)

7 Sec. 2.30. Paratransit services.

8 (a) For purposes of this Act, "ADA paratransit services"
9 shall mean those comparable or specialized transportation
10 services provided by, or under grant or purchase of service
11 contracts of, the Service Boards to individuals with
12 disabilities who are unable to use fixed route transportation
13 systems and who are determined to be eligible, for some or all
14 of their trips, for such services under the Americans with
15 Disabilities Act of 1990 and its implementing regulations.

16 (b) Beginning July 1, 2005, the Authority is responsible
17 for the funding, from amounts on deposit in the ADA Paratransit
18 Fund established under Section 2.01d of this Act, financial
19 review and oversight of all ADA paratransit services that are
20 provided by the Authority or by any of the Service Boards. The
21 Suburban Bus Division ~~Board~~ shall operate or provide for the
22 operation of all ADA paratransit services by no later than July
23 1, 2006, except that this date may be extended to the extent
24 necessary to obtain approval from the Federal Transit
25 Administration of the plan prepared pursuant to subsection (c).

1 (c) No later than January 1, 2006, the Authority, in
2 collaboration with the Suburban Bus Division ~~Board~~ and the
3 Chicago Transit Authority, shall develop a plan for the
4 provision of ADA paratransit services and submit such plan to
5 the Federal Transit Administration for approval. Approval of
6 such plan by the Authority shall require the affirmative votes
7 of 12 of the then Directors. The Suburban Bus Division ~~Board~~,
8 the Chicago Transit Authority and the Authority shall comply
9 with the requirements of the Americans with Disabilities Act of
10 1990 and its implementing regulations in developing and
11 approving such plan including, without limitation, consulting
12 with individuals with disabilities and groups representing
13 them in the community, and providing adequate opportunity for
14 public comment and public hearings. The plan shall include the
15 contents required for a paratransit plan pursuant to the
16 Americans with Disabilities Act of 1990 and its implementing
17 regulations. The plan shall also include, without limitation,
18 provisions to:

19 (1) maintain, at a minimum, the levels of ADA
20 paratransit service that are required to be provided by the
21 Service Boards pursuant to the Americans with Disabilities
22 Act of 1990 and its implementing regulations;

23 (2) transfer the appropriate ADA paratransit services,
24 management, personnel, service contracts and assets from
25 the Chicago Transit Authority to the Authority or the
26 Suburban Bus Division ~~Board~~, as necessary, by no later than

1 July 1, 2006, except that this date may be extended to the
2 extent necessary to obtain approval from the Federal
3 Transit Administration of the plan prepared pursuant to
4 this subsection (c);

5 (3) provide for consistent policies throughout the
6 metropolitan region for scheduling of ADA paratransit
7 service trips to and from destinations, with consideration
8 of scheduling of return trips on a "will-call" open-ended
9 basis upon request of the rider, if practicable, and with
10 consideration of an increased number of trips available by
11 subscription service than are available as of the effective
12 date of this amendatory Act;

13 (4) provide that service contracts and rates, entered
14 into or set after the approval by the Federal Transit
15 Administration of the plan prepared pursuant to subsection
16 (c) of this Section, with private carriers and taxicabs for
17 ADA paratransit service are procured by means of an open
18 procurement process;

19 (5) provide for fares, fare collection and billing
20 procedures for ADA paratransit services throughout the
21 metropolitan region;

22 (6) provide for performance standards for all ADA
23 paratransit service transportation carriers, with
24 consideration of door-to-door service;

25 (7) provide, in cooperation with the Illinois
26 Department of Transportation, the Illinois Department of

1 Public Aid and other appropriate public agencies and
2 private entities, for the application and receipt of
3 grants, including, without limitation, reimbursement from
4 Medicaid or other programs for ADA paratransit services;

5 (8) provide for a system of dispatch of ADA paratransit
6 services transportation carriers throughout the
7 metropolitan region, with consideration of county-based
8 dispatch systems already in place as of the effective date
9 of this amendatory Act;

10 (9) provide for a process of determining eligibility
11 for ADA paratransit services that complies with the
12 Americans with Disabilities Act of 1990 and its
13 implementing regulations;

14 (10) provide for consideration of innovative methods
15 to provide and fund ADA paratransit services; and

16 (11) provide for the creation of one or more ADA
17 advisory boards, or the reconstitution of the existing ADA
18 advisory boards for the Service Boards, to represent the
19 diversity of individuals with disabilities in the
20 metropolitan region and to provide appropriate ongoing
21 input from individuals with disabilities into the
22 operation of ADA paratransit services.

23 (d) All revisions and annual updates to the ADA paratransit
24 services plan developed pursuant to subsection (c) of this
25 Section, or certifications of continued compliance in lieu of
26 plan updates, that are required to be provided to the Federal

1 Transit Administration shall be developed by the Authority, in
2 collaboration with the Suburban Bus Division ~~Board~~ and the
3 Chicago Transit Authority, and the Authority shall submit such
4 revision, update or certification to the Federal Transit
5 Administration for approval. Approval of such revisions,
6 updates or certifications by the Authority shall require the
7 affirmative votes of 12 of the then Directors.

8 (e) The Illinois Department of Transportation, the
9 Illinois Department of Public Aid, the Authority, the Suburban
10 Bus Division ~~Board~~ and the Chicago Transit Authority shall
11 enter into intergovernmental agreements as may be necessary to
12 provide funding and accountability for, and implementation of,
13 the requirements of this Section.

14 (f) By no later than April 1, 2007, the Authority shall
15 develop and submit to the General Assembly and the Governor a
16 funding plan for ADA paratransit services. Approval of such
17 plan by the Authority shall require the affirmative votes of 12
18 of the then Directors. The funding plan shall, at a minimum,
19 contain an analysis of the current costs of providing ADA
20 paratransit services, projections of the long-term costs of
21 providing ADA paratransit services, identification of and
22 recommendations for possible cost efficiencies in providing
23 ADA paratransit services, and identification of and
24 recommendations for possible funding sources for providing ADA
25 paratransit services. The Illinois Department of
26 Transportation, the Illinois Department of Public Aid, the

1 Suburban Bus Division Board, the Chicago Transit Authority and
2 other State and local public agencies as appropriate shall
3 cooperate with the Authority in the preparation of such funding
4 plan.

5 (g) Any funds derived from the federal Medicaid program for
6 reimbursement of the costs of providing ADA paratransit
7 services within the metropolitan region shall be directed to
8 the Authority and shall be used to pay for or reimburse the
9 costs of providing such services.

10 (h) Nothing in this amendatory Act shall be construed to
11 conflict with the requirements of the Americans with
12 Disabilities Act of 1990 and its implementing regulations.

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

14 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

15 Sec. 3.01. Board of Directors. The corporate authorities
16 and governing body of the Authority shall be a Board consisting
17 of ~~13 Directors until April 1, 2008, and 16 Directors~~
18 ~~thereafter~~, appointed as follows:

19 (a) Four Directors appointed by the Mayor of the City of
20 Chicago, with the advice and consent of the City Council of the
21 City of Chicago, ~~and, only until April 1, 2008, a fifth~~
22 ~~director who shall be the Chairman of the Chicago Transit~~
23 ~~Authority. After April 1, 2008, the Mayor of the City of~~
24 ~~Chicago, with the advice and consent of the City Council of the~~
25 ~~City of Chicago, shall appoint a fifth Director. The Directors~~

1 ~~appointed by the Mayor of the City of Chicago shall not be the~~
2 ~~Chairman or a Director of the Chicago Transit Authority. Each~~
3 such Director shall reside in the City of Chicago.

4 (b) ~~Four Directors appointed by the votes of a majority of~~
5 ~~the members of the Cook County Board elected from districts, a~~
6 ~~majority of the electors of which reside outside Chicago. After~~
7 ~~April 1, 2008, a fifth Director~~ appointed by the President of
8 the Cook County Board with the advice and consent of the
9 members of the Cook County Board. Each Director appointed under
10 this subparagraph shall reside in that part of Cook County
11 outside Chicago.

12 (c) Four Directors appointed by the Governor, with the
13 advice and consent of the Mayor of the City of Chicago, the
14 President of the Cook County Board, and a majority of the
15 county boards of DuPage, Kane, Lake, McHenry, and Will Counties
16 as follows: Until April 1, 2008, 3 Directors appointed by the
17 Chairmen of the County Boards of DuPage, Kane, Lake, McHenry,
18 and Will Counties, as follows:

19 (i) Three Directors who reside in the metropolitan
20 region ~~Two Directors appointed by the Chairmen of the~~
21 ~~county boards of Kane, Lake, McHenry and Will Counties,~~
22 ~~with the concurrence of not less than a majority of the~~
23 ~~Chairmen from such counties, from nominees by the Chairmen.~~
24 ~~Each such Chairman may nominate not more than 2 persons for~~
25 ~~each position. Each such Director shall reside in a county~~
26 ~~in the metropolitan region other than Cook or DuPage~~

1 ~~Counties.~~

2 (ii) One Director who shall be the Chairman of the
3 Board ~~One Director appointed by the Chairman of the DuPage~~
4 ~~County Board with the advice and consent of the DuPage~~
5 ~~County Board. Such Director shall reside in DuPage County.~~

6 (d) Five ~~After April 1, 2008, 5~~ Directors appointed by the
7 Chairmen of the County Boards of DuPage, Kane, Lake and McHenry
8 Counties and the County Executive of Will County, as follows:

9 (i) One Director appointed by the Chairman of the Kane
10 County Board with the advice and consent of the Kane County
11 Board. Such Director shall reside in Kane County.

12 (ii) One Director appointed by the County Executive of
13 Will County with the advice and consent of the Will County
14 Board. Such Director shall reside in Will County.

15 (iii) One Director appointed by the Chairman of the
16 DuPage County Board with the advice and consent of the
17 DuPage County Board. Such Director shall reside in DuPage
18 County.

19 (iv) One Director appointed by the Chairman of the Lake
20 County Board with the advice and consent of the Lake County
21 Board. Such Director shall reside in Lake County.

22 (v) One Director appointed by the Chairman of the
23 McHenry County Board with the advice and consent of the
24 McHenry County Board. Such Director shall reside in McHenry
25 County.

26 (vi) To implement the changes in appointing authority under

1 this subparagraph (d) the three Directors appointed
2 under subparagraph (c) and residing in Lake County, DuPage
3 County, and Kane County respectively shall each continue to
4 serve as Director until the expiration of their respective
5 term of office and until his or her successor is appointed
6 and qualified or a vacancy occurs in the office. Thereupon,
7 the appointment shall be made by the officials given
8 appointing authority with respect to the Director whose
9 term has expired or office has become vacant.

10 (e) The Chairman serving on January 1, 2021 ~~the effective~~
11 ~~date of this amendatory Act of the 95th General Assembly~~ shall
12 continue to serve as Chairman until the earlier of: the
13 expiration of his or her term of office; ~~and until~~ his or her
14 successor is appointed and qualified; or a vacancy occurs in
15 the office. ~~Upon the expiration or vacancy of the term of the~~
16 ~~Chairman then serving upon the effective date of this~~
17 ~~amendatory Act of the 95th General Assembly, the Chairman shall~~
18 ~~be appointed by the other Directors, by the affirmative vote of~~
19 ~~at least 11 of the then Directors with at least 2 affirmative~~
20 ~~votes from Directors who reside in the City of Chicago, at~~
21 ~~least 2 affirmative votes from Directors who reside in Cook~~
22 ~~County outside the City of Chicago, and at least 2 affirmative~~
23 ~~votes from Directors who reside in the Counties of DuPage,~~
24 ~~Lake, Will, Kane, or McHenry. The chairman shall not be~~
25 ~~appointed from among the other Directors. The chairman shall be~~
26 ~~a resident of the metropolitan region.~~

1 (f) Except as otherwise provided by this Act no Director
2 shall, while serving as such, be an officer, a member of the
3 Board of Directors or Trustees or an employee of any Service
4 Board or transportation agency, or be an employee of the State
5 of Illinois or any department or agency thereof, or of any
6 municipality, county, or any other unit of local government or
7 receive any compensation from any elected or appointed office
8 under the Constitution and laws of Illinois; except that a
9 Director may be a member of a school board.

10 (g) Each appointment made under this Section and under
11 Section 3.03 shall be certified by the appointing authority to
12 the Board, which shall maintain the certifications as part of
13 the official records of the Authority.

14 (h) (Blank).

15 (Source: P.A. 98-709, eff. 7-16-14.)

16 (70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

17 Sec. 3.04. Compensation. Each Director, including the
18 Chairman, ~~except for the Chairman of the Chicago Transit~~
19 ~~Authority who shall not be compensated by the Authority,~~ shall
20 be compensated at the rate of \$25,000 per year.

21 Officers of the Authority shall not be required to comply
22 with the requirements of Public Funds Statement Publication Act
23 ~~"An Act requiring certain custodians of public moneys to file~~
24 ~~and publish statements of the receipts and disbursements~~
25 ~~thereof", approved June 24, 1919, as now or hereafter amended.~~

1 (Source: P.A. 83-885; 83-886.)

2 (70 ILCS 3615/3.08) (from Ch. 111 2/3, par. 703.08)

3 Sec. 3.08. There is established a Regional Citizens
4 Advisory Board. This board shall be comprised of the Chairmen
5 of the Citizens Advisory Boards of the Chicago Transit
6 Authority, the Commuter Rail Division, ~~Board~~ and the Suburban
7 Bus Division ~~Board~~. This Board shall meet at least quarterly
8 and shall advise the Board of the impact of its policies and
9 programs on the communities within the metropolitan region.
10 Members shall serve without compensation.

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

12 (70 ILCS 3615/3.12 new)

13 Sec. 3.12. Committees. The Chairman of the Board shall
14 appoint members of the following committees, composed only of
15 Directors of the Board, with the advice and consent of the
16 applicable persons or entities who have the authority to
17 appoint each category of Directors:

18 (1) Chicago Transit Authority Committee composed of: 3
19 Directors residing in the City of Chicago not appointed by
20 the Governor; one Director residing in Cook County outside
21 of the City of Chicago; one Director residing in DuPage
22 County, Kane County, Lake County, McHenry County, or Will
23 County; and 2 of the Directors appointed by the Governor.

24 (2) Commuter Rail Committee composed of: 2 Directors

1 residing in the City of Chicago not appointed by the
2 Governor; 2 Directors residing in Cook County outside of
3 the City of Chicago; 2 Directors residing in DuPage County,
4 Kane County, Lake County, McHenry County, or Will County;
5 and one of the Directors appointed by the Governor.

6 (3) Suburban Bus Committee composed of: one Director
7 residing in the City of Chicago not appointed by the
8 Governor; 2 Directors residing in Cook County outside of
9 the City of Chicago; 3 Directors residing in DuPage County,
10 Kane County, Lake County, McHenry County, or Will County;
11 and one of the Directors appointed by the Governor.

12 (4) Paratransit and Innovations Committee composed of:
13 2 Directors residing in the City of Chicago not appointed
14 by the Governor; 2 Directors residing in Cook County
15 outside of the City of Chicago; 2 Directors residing in
16 DuPage County, Kane County, Lake County, McHenry County, or
17 Will County; and one of the Directors appointed by the
18 Governor.

19 (5) Budget and Finance Committee composed of: 2
20 Directors residing in the City of Chicago not appointed by
21 the Governor; 2 Directors residing in Cook County outside
22 of the City of Chicago; 2 Directors residing in DuPage
23 County, Kane County, Lake County, McHenry County, or Will
24 County; and 2 of the Directors appointed by the Governor.

25 (6) Planning and Capital Program Committee composed
26 of: 2 Directors residing in the City of Chicago not

1 appointed by the Governor; 2 Directors residing in Cook
2 County outside of the City of Chicago; 2 Directors residing
3 in DuPage County, Kane County, Lake County, McHenry County,
4 or Will County; and 2 of the Directors appointed by the
5 Governor.

6 (7) Audit and Compliance Committee composed of: one
7 Director residing in the City of Chicago not appointed by
8 the Governor; one Director residing in Cook County outside
9 of the City of Chicago; one Director residing in DuPage
10 County, Kane County, Lake County, McHenry County, or Will
11 County; and one of the Directors appointed by the Governor.

12 The Chicago Transit Authority Committee, Commuter Rail
13 Committee, and Suburban Bus Committee shall oversee operations
14 of each of those respective divisions of the Authority and
15 provided recommendations to the Board relating to those
16 respective divisions. The other committees shall oversee
17 operations in the respective areas of each committee and
18 provide recommendations to the Board relating to those
19 respective areas.

20 (70 ILCS 3615/3A.01) (from Ch. 111 2/3, par. 703A.01)

21 Sec. 3A.01. Suburban Bus Division. There is established
22 within the Authority the Suburban Bus Division as the operating
23 division responsible for providing public transportation by
24 bus and as may be provided in this Act. Purchase of service
25 agreements between a transportation agency and the Authority in

1 effect on the effective date of this amendatory Act shall
2 remain in full force and effect in accordance with the terms of
3 such agreement. Such agreements, on and after January 1, 2021,
4 ~~shall first be the responsibility of the Transition Board and,~~
5 ~~on the date of its creation,~~ shall be the responsibility of the
6 Regional Transportation Authority ~~the Suburban Bus Division~~
7 and its Board.

8 (Source: P.A. 83-885; 83-886.)

9 (70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

10 Sec. 3A.02. Suburban Bus Board. On and after January 1,
11 2021: (1) the powers and duties of the Suburban Bus Board shall
12 be exercised and performed by the Regional Transportation
13 Authority Board, and any references to the Suburban Bus Board
14 in this Article shall be construed as references to the
15 Regional Transportation Authority Board; (2) the Suburban Bus
16 Board is dissolved; and (3) all terms of the directors of the
17 Suburban Bus Board are terminated. ~~The governing body of the~~
18 ~~Suburban Bus Division shall be a board consisting of 13~~
19 ~~directors appointed as follows:~~

20 ~~(a) Six Directors appointed by the members of the Cook~~
21 ~~County Board elected from that part of Cook County outside~~
22 ~~of Chicago, or in the event such Board of Commissioners~~
23 ~~becomes elected from single member districts, by those~~
24 ~~Commissioners elected from districts, a majority of the~~
25 ~~residents of which reside outside of Chicago from the chief~~

1 ~~executive officers of the municipalities, of that portion~~
2 ~~of Cook County outside of Chicago. Provided however, that:~~

3 ~~(i) One of the Directors shall be the chief~~
4 ~~executive officer of a municipality within the area of~~
5 ~~the Northwest Region defined in Section 3A.13;~~

6 ~~(ii) One of the Directors shall be the chief~~
7 ~~executive officer of a municipality within the area of~~
8 ~~the North Central Region defined in Section 3A.13;~~

9 ~~(iii) One of the Directors shall be the chief~~
10 ~~executive officer of a municipality within the area of~~
11 ~~the North Shore Region defined in Section 3A.13;~~

12 ~~(iv) One of the Directors shall be the chief~~
13 ~~executive officer of a municipality within the area of~~
14 ~~the Central Region defined in Section 3A.13;~~

15 ~~(v) One of the Directors shall be the chief~~
16 ~~executive officer of a municipality within the area of~~
17 ~~the Southwest Region defined in Section 3A.13;~~

18 ~~(vi) One of the Directors shall be the chief~~
19 ~~executive officer of a municipality within the area of~~
20 ~~the South Region defined in Section 3A.13;~~

21 ~~(b) One Director by the Chairman of the Kane County~~
22 ~~Board who shall be a chief executive officer of a~~
23 ~~municipality within Kane County;~~

24 ~~(c) One Director by the Chairman of the Lake County~~
25 ~~Board who shall be a chief executive officer of a~~
26 ~~municipality within Lake County;~~

1 ~~(d) One Director by the Chairman of the DuPage County~~
2 ~~Board who shall be a chief executive officer of a~~
3 ~~municipality within DuPage County;~~

4 ~~(e) One Director by the Chairman of the McHenry County~~
5 ~~Board who shall be a chief executive officer of a~~
6 ~~municipality within McHenry County;~~

7 ~~(f) One Director by the Chairman of the Will County~~
8 ~~Board who shall be a chief executive officer of a~~
9 ~~municipality within Will County;~~

10 ~~(g) The Commissioner of the Mayor's Office for People~~
11 ~~with Disabilities, from the City of Chicago, who shall~~
12 ~~serve as an ex-officio member; and~~

13 ~~(h) The Chairman by the Governor for the initial term,~~
14 ~~and thereafter by a majority of the Chairmen of the DuPage,~~
15 ~~Kane, Lake, McHenry and Will County Boards and the members~~
16 ~~of the Cook County Board elected from that part of Cook~~
17 ~~County outside of Chicago, or in the event such Board of~~
18 ~~Commissioners is elected from single member districts, by~~
19 ~~those Commissioners elected from districts, a majority of~~
20 ~~the electors of which reside outside of Chicago; and who~~
21 ~~after the effective date of this amendatory Act of the 95th~~
22 ~~General Assembly may not be a resident of the City of~~
23 ~~Chicago.~~

24 ~~Each appointment made under paragraphs (a) through (g) and~~
25 ~~under Section 3A.03 shall be certified by the appointing~~
26 ~~authority to the Suburban Bus Board which shall maintain the~~

1 ~~certifications as part of the official records of the Suburban~~
2 ~~Bus Board; provided that the initial appointments shall be~~
3 ~~certified to the Secretary of State, who shall transmit the~~
4 ~~certifications to the Suburban Bus Board following its~~
5 ~~organization.~~

6 ~~For the purposes of this Section, "chief executive officer~~
7 ~~of a municipality" includes a former chief executive officer of~~
8 ~~a municipality within the specified Region or County, provided~~
9 ~~that the former officer continues to reside within such Region~~
10 ~~or County.~~

11 (Source: P.A. 95-906, eff. 8-26-08.)

12 (70 ILCS 3615/3A.05) (from Ch. 111 2/3, par. 703A.05)

13 Sec. 3A.05. Appointment of officers and employees. The
14 Executive Director of the Authority, with the advice and
15 consent of the Suburban Bus Committee, Board shall appoint an
16 Executive Director who shall be the chief executive officer of
17 the Division, appointed, retained or dismissed with the
18 concurrence of 4 ~~9~~ of the directors of the Suburban Bus
19 Committee Board. The Executive Director shall appoint, retain
20 and employ officers, attorneys, agents, engineers, employees
21 and shall organize the staff, shall allocate their functions
22 and duties, fix compensation and conditions of employment, and
23 consistent with the policies of and direction from the ~~Suburban~~
24 ~~Bus~~ Board and the Suburban Bus Committee take all actions
25 necessary to achieve its purposes, fulfill its

1 responsibilities and carry out its powers, and shall have such
2 other powers and responsibilities as the ~~Suburban Bus Board~~ and
3 the Suburban Bus Committee shall determine. The Executive
4 Director shall be an individual of proven transportation and
5 management skills and may not be a member of the ~~Suburban Bus~~
6 Board. The Division may employ its own professional management
7 personnel to provide professional and technical expertise
8 concerning its purposes and powers and to assist it in
9 assessing the performance of transportation agencies in the
10 metropolitan region. A person appointed or employed under this
11 Section whose term or employment has not been terminated on
12 January 1, 2021 shall continue in his or her position with the
13 Suburban Bus Division until the expiration of his or her
14 appointment or employment, resignation, or removal.

15 No employee, officer, or agent of the Suburban Bus Division
16 ~~Board~~ may receive a bonus that exceeds 10% of his or her annual
17 salary unless that bonus has been reviewed by the Regional
18 Transportation Authority Board for a period of 14 days. After
19 14 days, the contract shall be considered reviewed. This
20 Section does not apply to usual and customary salary
21 adjustments.

22 No unlawful discrimination, as defined and prohibited in
23 the Illinois Human Rights Act, shall be made in any term or
24 aspect of employment nor shall there be discrimination based
25 upon political reasons or factors. The Suburban Bus Division
26 ~~Board~~ shall establish regulations to insure that its discharges

1 shall not be arbitrary and that hiring and promotion are based
2 on merit.

3 The Division shall be subject to the "Illinois Human Rights
4 Act", as now or hereafter amended, and the remedies and
5 procedure established thereunder. The Suburban Bus Division
6 ~~Board~~ shall file an affirmative action program for employment
7 by it with the Department of Human Rights to ensure that
8 applicants are employed and that employees are treated during
9 employment, without regard to unlawful discrimination. Such
10 affirmative action program shall include provisions relating
11 to hiring, upgrading, demotion, transfer, recruitment,
12 recruitment advertising, selection for training and rates of
13 pay or other forms of compensation.

14 (Source: P.A. 98-1027, eff. 1-1-15.)

15 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

16 Sec. 3A.09. General powers. In addition to any powers
17 elsewhere provided to the Suburban Bus Division or the former
18 Suburban Bus Board, the Regional Transportation Authority
19 Board ~~it~~ shall have all of the powers specified in Section 2.20
20 of this Act except for the powers specified in Section
21 2.20(a)(v). The Board shall also have the power:

22 (a) (blank); ~~to cooperate with the Regional~~
23 ~~Transportation Authority in the exercise by the Regional~~
24 ~~Transportation Authority of all the powers granted it by~~
25 ~~such Act;~~

1 (b) to receive funds from for the Division the Regional
2 Transportation Authority pursuant to Sections 2.02, 4.01,
3 4.02, 4.09 and 4.10 of the Regional Transportation
4 Authority Act, all as provided in the Regional
5 Transportation Authority Act;

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

15 (d) to perform all functions necessary for the
16 provision of paratransit services under Section 2.30 of
17 this Act; and

18 (e) to borrow money for the purposes of: (i)
19 constructing a new garage in the northwestern Cook County
20 suburbs, (ii) converting the South Cook garage in Markham
21 to a Compressed Natural Gas facility, (iii) constructing a
22 new paratransit garage in DuPage County, (iv) expanding the
23 North Shore garage in Evanston to accommodate additional
24 indoor bus parking, and (v) purchasing new transit buses.
25 For the purpose of evidencing the obligation of the
26 Suburban Bus Division ~~Board~~ to repay any money borrowed as

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

1 principal amount, of all bonds authorized pursuant to this
2 Section shall be sold pursuant to notice of sale and public
3 bid. No more than 75%, based on total principal amount, of
4 all bonds authorized pursuant to this Section shall be sold
5 by negotiated sale. The maximum principal amount of the
6 bonds that may be issued may not exceed \$100,000,000. The
7 bonds shall have all the qualities of negotiable
8 instruments under the laws of this State. To secure the
9 payment of any or all of such bonds and for the purpose of
10 setting forth the covenants and undertakings of the
11 Suburban Bus Division Board in connection with the issuance
12 thereof and the issuance of any additional bonds payable
13 from such revenue or income as well as the use and
14 application of the revenue or income received by the
15 Suburban Bus Division Board, the ~~Suburban Bus~~ Board may
16 execute and deliver a trust agreement or agreements;
17 provided that no lien upon any physical property of the
18 Suburban Bus Division Board shall be created thereby. A
19 remedy for any breach or default of the terms of any such
20 trust agreement by the Suburban Bus Division Board may be
21 by mandamus proceedings in any court of competent
22 jurisdiction to compel performance and compliance
23 therewith, but the trust agreement may prescribe by whom or
24 on whose behalf such action may be instituted. Under no
25 circumstances shall any bonds issued by the Suburban Bus
26 Division Board or any other obligation of the Suburban Bus

1 Division Board in connection with the issuance of such
2 bonds be or become an indebtedness or obligation of the
3 State of Illinois, the Regional Transportation Authority,
4 or any other political subdivision of or municipality
5 within the State, nor shall any such bonds or obligations
6 be or become an indebtedness of the Suburban Bus Division
7 ~~Board~~ within the purview of any constitutional limitation
8 or provision, and it shall be plainly stated on the face of
9 each bond that it does not constitute such an indebtedness
10 or obligation but is payable solely from the revenues or
11 income as aforesaid.

12 (Source: P.A. 99-665, eff. 7-29-16.)

13 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)

14 Sec. 3A.10. Budget and Program. The Regional
15 Transportation Authority Board ~~Suburban Bus Board~~, subject to
16 ~~the powers of the Authority in Section 4.11~~, shall control the
17 finances of the Division. It shall by ordinance appropriate
18 money to perform the Division's purposes and provide for
19 payment of debts and expenses of the Division. Each year the
20 Regional Transportation Authority Board ~~Suburban Bus Board~~
21 shall prepare and publish a comprehensive annual budget and
22 proposed five-year capital program document, and a financial
23 plan for the 2 years thereafter describing the state of the
24 Division and presenting for the forthcoming fiscal year and the
25 2 following years the Regional Transportation Authority

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

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

20 The budget shall:

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

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

4 (iii) provide for a level of fares or charges and
5 operating or administrative costs for the public
6 transportation provided by or subject to the jurisdiction
7 of the Suburban Bus Division ~~Board~~ sufficient to allow the
8 Suburban Bus Division ~~Board~~ to meet its required system
9 generated revenues recovery ratio and, beginning with the
10 2007 fiscal year, its system generated ADA paratransit
11 services revenue recovery ratio;

12 (iv) be based upon and employ assumptions and
13 projections which are reasonable and prudent;

14 (v) have been prepared in accordance with sound
15 financial practices as determined by the Board of the
16 Authority;

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

20 (vii) be consistent with the goals and objectives
21 adopted by the Regional Transportation Authority in the
22 Strategic Plan.

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

24 (70 ILCS 3615/3A.11) (from Ch. 111 2/3, par. 703A.11)

25 Sec. 3A.11. Citizens Advisory Board. The Regional

1 Transportation Authority Board ~~Suburban Bus Board~~ shall
2 establish a citizens advisory board composed of 10 residents of
3 those portions of the metropolitan region in which the Suburban
4 Bus Division ~~Board~~ provides service who have an interest in
5 public transportation. The members of the advisory board shall
6 be named for 2 year terms, shall select one of their members to
7 serve as chairman and shall serve without compensation. The
8 citizens advisory board shall meet with the Regional
9 Transportation Authority Board ~~Suburban Bus Board~~ at least
10 quarterly and advise the Regional Transportation Authority
11 Board ~~Suburban Bus Board~~ of the impact of its policies and
12 programs on the communities it serves. Appointments to the
13 citizens advisory board should, to the greatest extent
14 possible, reflect the ethnic, cultural, and geographic
15 diversity of all persons residing within the Suburban Bus
16 Division's ~~Board's~~ jurisdiction.

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

18 (70 ILCS 3615/3A.12) (from Ch. 111 2/3, par. 703A.12)

19 Sec. 3A.12. Working Cash Borrowing. The Regional
20 Transportation Authority Board ~~Suburban Bus Board~~ with the
21 affirmative vote of 11 ~~9~~ of its Directors may ~~demand and direct~~
22 ~~the Board of the Authority to~~ issue Working Cash Notes at such
23 time and in such amounts and having such maturities as the
24 ~~Suburban Bus~~ Board deems proper, provided however any such
25 borrowing shall have been specifically identified in the budget

1 of the ~~Suburban Bus Board as approved by the Board of the~~
2 ~~Authority. Provided further, that the Suburban Bus Board may~~
3 ~~not demand and direct the Board of the Authority to have issued~~
4 ~~and have outstanding at any time in excess of \$5,000,000 in~~
5 ~~Working Cash Notes.~~

6 (Source: P.A. 95-906, eff. 8-26-08.)

7 (70 ILCS 3615/3A.14) (from Ch. 111 2/3, par. 703A.14)

8 Sec. 3A.14. Labor.

9 (a) The provisions of this Section apply to collective
10 bargaining agreements (including extensions and amendments of
11 existing agreements) entered into on or after January 1, 1984.

12 (b) The Suburban Bus Division ~~Board~~ shall deal with and
13 enter into written contracts with their employees, through
14 accredited representatives of such employees authorized to act
15 for such employees concerning wages, salaries, hours, working
16 conditions, and pension or retirement provisions about which a
17 collective bargaining agreement has been entered prior to the
18 effective date of this amendatory Act of 1983. Any such
19 agreement of the Suburban Bus Division ~~Board~~ shall provide that
20 the agreement may be reopened if the amended budget submitted
21 pursuant to Section 2.18a of this Act is not approved by the
22 Board of the Authority. The agreement may not include a
23 provision requiring the payment of wage increases based on
24 changes in the Consumer Price Index. The Suburban Bus Division
25 ~~Board~~ shall not have the authority to enter collective

1 bargaining agreements with respect to inherent management
2 rights, which include such areas of discretion or policy as the
3 functions of the employer, standards of services, its overall
4 budget, the organizational structure and selection of new
5 employees and direction of personnel. Employers, however,
6 shall be required to bargain collectively with regard to policy
7 matters directly affecting wages, hours and terms and
8 conditions of employment, as well as the impact thereon, upon
9 request by employee representatives. To preserve the rights of
10 employers and exclusive representatives which have established
11 collective bargaining relationships or negotiated collective
12 bargaining agreements prior to the effective date of this
13 amendatory Act of 1983, employers shall be required to bargain
14 collectively with regard to any matter concerning wages, hours
15 or conditions of employment about which they have bargained
16 prior to the effective date of this amendatory Act of 1983.

17 (c) The collective bargaining agreement may not include a
18 prohibition on the use of part-time operators on any service
19 operated by the Suburban Bus Division ~~Board~~ except where
20 prohibited by federal law.

21 (d) Within 30 days of the signing of any such collective
22 bargaining agreement, the Suburban Bus Division ~~Board~~ shall
23 determine the costs of each provision of the agreement, prepare
24 an amended budget incorporating the costs of the agreement, and
25 present the amended budget to the Board of the Authority for
26 its approval under Section 4.11. The Board may approve the

1 amended budget by an affirmative vote of 14 ~~12~~ of its then
2 Directors. If the budget is not approved by the Board of the
3 Authority, the agreement may be reopened and its terms may be
4 renegotiated. ~~Any amended budget which may be prepared~~
5 ~~following renegotiation shall be presented to the Board of the~~
6 ~~Authority for its approval in like manner.~~

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

8 (70 ILCS 3615/3A.15)

9 Sec. 3A.15. Free services; eligibility.

10 (a) Notwithstanding any law to the contrary, no later than
11 60 days following the effective date of this amendatory Act of
12 the 95th General Assembly and until subsection (b) is
13 implemented, any fixed route public transportation services
14 provided by, or under grant or purchase of service contracts
15 of, the Suburban Bus Division Board ~~Board~~ shall be provided without
16 charge to all senior citizens of the Metropolitan Region aged
17 65 and older, under such conditions as shall be prescribed by
18 the Regional Transportation Authority Board ~~Suburban Bus~~
19 ~~Board~~.

20 (b) Notwithstanding any law to the contrary, no later than
21 180 days following the effective date of this amendatory Act of
22 the 96th General Assembly, any fixed route public
23 transportation services provided by, or under grant or purchase
24 of service contracts of, the Suburban Bus Division Board ~~Board~~ shall
25 be provided without charge to senior citizens aged 65 and older

1 who meet the income eligibility limitation set forth in
2 subsection (a-5) of Section 4 of the Senior Citizens and
3 Persons with Disabilities Property Tax Relief Act, under such
4 conditions as shall be prescribed by the Suburban Bus Division
5 ~~Board~~. The Department on Aging shall furnish all information
6 reasonably necessary to determine eligibility, including
7 updated lists of individuals who are eligible for services
8 without charge under this Section. Nothing in this Section
9 shall relieve the Suburban Bus Division ~~Board~~ from providing
10 reduced fares as may be required by federal law.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 (70 ILCS 3615/3A.16)

13 Sec. 3A.16. Transit services for individuals with
14 disabilities. Notwithstanding any law to the contrary, no later
15 than 60 days following the effective date of this amendatory
16 Act of the 95th General Assembly, all fixed route public
17 transportation services provided by, or under grant or purchase
18 of service contract of, the Suburban Bus Division ~~Board~~ shall
19 be provided without charge to all persons with disabilities who
20 meet the income eligibility limitation set forth in subsection
21 (a-5) of Section 4 of the Senior Citizens and Persons with
22 Disabilities Property Tax Relief Act, under such procedures as
23 shall be prescribed by the Regional Transportation Authority
24 Board. The Department on Aging shall furnish all information
25 reasonably necessary to determine eligibility, including

1 updated lists of individuals who are eligible for services
2 without charge under this Section.

3 (Source: P.A. 99-143, eff. 7-27-15.)

4 (70 ILCS 3615/3A.17)

5 Sec. 3A.17. Emergency protocols. Within 6 months after the
6 effective date of this amendatory Act of the 96th General
7 Assembly, the Suburban Bus Division ~~Board~~ must develop written
8 protocols to respond to medical and sanitation emergencies and
9 to other safety hazards.

10 (Source: P.A. 96-677, eff. 8-25-09.)

11 (70 ILCS 3615/3A.18)

12 Sec. 3A.18. Employment contracts. Except as otherwise
13 provided in Section 3A.14, before the Suburban Bus Division
14 ~~Board~~ may enter into or amend any employment contract in excess
15 of \$100,000, the Regional Transportation Authority Board
16 ~~Suburban Bus Board~~ must review ~~submit~~ that contract or
17 amendment ~~to the Board for review~~ for a period of 14 days.
18 After 14 days, the contract shall be considered reviewed. This
19 Section applies only to contracts entered into or amended on or
20 after the effective date of this amendatory Act of the 98th
21 General Assembly.

22 (Source: P.A. 98-1027, eff. 1-1-15.)

23 (70 ILCS 3615/3B.01) (from Ch. 111 2/3, par. 703B.01)

1 Sec. 3B.01. Commuter Rail Division. There is established
2 within the Authority the Commuter Rail Division as the
3 operating division responsible for providing public
4 transportation by commuter rail. Purchase of service
5 agreements between a transportation agency and the Authority in
6 effect on the effective date of this amendatory Act shall
7 remain in full force and effect in accordance with the terms of
8 such agreement. Such agreements, on and after January 1, 2021,
9 ~~shall first be the responsibility of the Transition Board and,~~
10 ~~on the date of its creation,~~ shall become the responsibility of
11 the Regional Transportation Authority Commuter Rail Division
12 and its Board.

13 (Source: P.A. 83-885; 83-886.)

14 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

15 Sec. 3B.02. Commuter Rail Board. On and after January 1,
16 2021: (1) the powers and duties of the Commuter Rail Board
17 shall be exercised and performed by the Regional Transportation
18 Authority Board, and any references to the Commuter Rail Board
19 in this Article shall be construed as references to the
20 Regional Transportation Authority Board; (2) the Commuter Rail
21 Board is dissolved; and (3) all terms of the directors of the
22 Commuter Rail Board are terminated. (a) ~~Until April 1, 2008,~~
23 ~~the governing body of the Commuter Rail Division shall be a~~
24 ~~board consisting of 7 directors appointed pursuant to Sections~~
25 ~~3B.03 and 3B.04, as follows:~~

1 ~~(1) One director shall be appointed by the Chairman of~~
2 ~~the Board of DuPage County with the advice and consent of~~
3 ~~the County Board of DuPage County and shall reside in~~
4 ~~DuPage County.~~

5 ~~(2) Two directors appointed by the Chairmen of the~~
6 ~~County Boards of Kane, Lake, McHenry and Will Counties with~~
7 ~~the concurrence of not less than a majority of the chairmen~~
8 ~~from such counties, from nominees by the Chairmen. Each~~
9 ~~such chairman may nominate not more than two persons for~~
10 ~~each position. Each such director shall reside in a county~~
11 ~~in the metropolitan region other than Cook or DuPage~~
12 ~~County.~~

13 ~~(3) Three directors appointed by the members of the~~
14 ~~Cook County Board elected from that part of Cook County~~
15 ~~outside of Chicago, or, in the event such Board of~~
16 ~~Commissioners becomes elected from single member~~
17 ~~districts, by those Commissioners elected from districts,~~
18 ~~a majority of the residents of which reside outside~~
19 ~~Chicago. In either case, such appointment shall be with the~~
20 ~~concurrence of four such Commissioners. Each such director~~
21 ~~shall reside in that part of Cook County outside Chicago.~~

22 ~~(4) One director appointed by the Mayor of the City of~~
23 ~~Chicago, with the advice and consent of the City Council of~~
24 ~~the City of Chicago. Such director shall reside in the City~~
25 ~~of Chicago.~~

26 ~~(5) The chairman shall be appointed by the directors,~~

1 ~~from the members of the board, with the concurrence of 5 of~~
2 ~~such directors.~~

3 ~~(b) After April 1, 2008 the governing body of the Commuter~~
4 ~~Rail Division shall be a board consisting of 11 directors~~
5 ~~appointed, pursuant to Sections 3B.03 and 3B.04, as follows:~~

6 ~~(1) One Director shall be appointed by the Chairman of~~
7 ~~the DuPage County Board with the advice and consent of the~~
8 ~~DuPage County Board and shall reside in DuPage County. To~~
9 ~~implement the changes in appointing authority under this~~
10 ~~Section, upon the expiration of the term of or vacancy in~~
11 ~~office of the Director appointed under item (1) of~~
12 ~~subsection (a) of this Section who resides in DuPage~~
13 ~~County, a Director shall be appointed under this~~
14 ~~subparagraph.~~

15 ~~(2) One Director shall be appointed by the Chairman of~~
16 ~~the McHenry County Board with the advice and consent of the~~
17 ~~McHenry County Board and shall reside in McHenry County. To~~
18 ~~implement the change in appointing authority under this~~
19 ~~Section, upon the expiration of the term of or vacancy in~~
20 ~~office of the Director appointed under item (2) of~~
21 ~~subsection (a) of this Section who resides in McHenry~~
22 ~~County, a Director shall be appointed under this~~
23 ~~subparagraph.~~

24 ~~(3) One Director shall be appointed by the Will County~~
25 ~~Executive with the advice and consent of the Will County~~
26 ~~Board and shall reside in Will County. To implement the~~

1 ~~change in appointing authority under this Section, upon the~~
2 ~~expiration of the term of or vacancy in office of the~~
3 ~~Director appointed under item (2) of subsection (a) of this~~
4 ~~Section who resides in Will County, a Director shall be~~
5 ~~appointed under this subparagraph.~~

6 ~~(4) One Director shall be appointed by the Chairman of~~
7 ~~the Lake County Board with the advice and consent of the~~
8 ~~Lake County Board and shall reside in Lake County.~~

9 ~~(5) One Director shall be appointed by the Chairman of~~
10 ~~the Kane County Board with the advice and consent of the~~
11 ~~Kane County Board and shall reside in Kane County.~~

12 ~~(6) One Director shall be appointed by the Mayor of the~~
13 ~~City of Chicago with the advice and consent of the City~~
14 ~~Council of the City of Chicago and shall reside in the City~~
15 ~~of Chicago. To implement the changes in appointing~~
16 ~~authority under this Section, upon the expiration of the~~
17 ~~term of or vacancy in office of the Director appointed~~
18 ~~under item (4) of subsection (a) of this Section who~~
19 ~~resides in the City of Chicago, a Director shall be~~
20 ~~appointed under this subparagraph.~~

21 ~~(7) Five Directors residing in Cook County outside of~~
22 ~~the City of Chicago, as follows:~~

23 ~~(i) One Director who resides in Cook County outside~~
24 ~~of the City of Chicago, appointed by the President of~~
25 ~~the Cook County Board with the advice and consent of~~
26 ~~the members of the Cook County Board.~~

1 ~~(ii) One Director who resides in the township of~~
2 ~~Barrington, Palatine, Wheeling, Hanover, Schaumburg,~~
3 ~~or Elk Grove. To implement the changes in appointing~~
4 ~~authority under this Section, upon the expiration of~~
5 ~~the term of or vacancy in office of the Director~~
6 ~~appointed under paragraph (3) of subsection (a) of this~~
7 ~~Section who resides in the geographic area described in~~
8 ~~this subparagraph, a Director shall be appointed under~~
9 ~~this subparagraph.~~

10 ~~(iii) One Director who resides in the township of~~
11 ~~Northfield, New Trier, Maine, Niles, Evanston, Leyden,~~
12 ~~Norwood Park, River Forest, or Oak Park.~~

13 ~~(iv) One Director who resides in the township of~~
14 ~~Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney,~~
15 ~~Lemont, Palos, or Orland. To implement the changes in~~
16 ~~appointing authority under this Section, upon the~~
17 ~~expiration of the term of or vacancy in office of the~~
18 ~~Director appointed under paragraph (3) of subsection~~
19 ~~(a) of this Section who resides in the geographic area~~
20 ~~described in this subparagraph and whose term of office~~
21 ~~had not expired as of August 1, 2007, a Director shall~~
22 ~~be appointed under this subparagraph.~~

23 ~~(v) One Director who resides in the township of~~
24 ~~Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To~~
25 ~~implement the changes in appointing authority under~~
26 ~~this Section, upon the expiration of the term of or~~

1 ~~vacancy in office of the Director appointed under~~
2 ~~paragraph (3) of subsection (a) of this Section who~~
3 ~~resides in the geographic area described in this~~
4 ~~subparagraph and whose term of office had expired as of~~
5 ~~August 1, 2007, a Director shall be appointed under~~
6 ~~this subparagraph.~~

7 ~~(vi) The Directors identified under the provisions~~
8 ~~of subparagraphs (ii) through (v) of this paragraph (7)~~
9 ~~shall be appointed by the members of the Cook County~~
10 ~~Board. Each individual Director shall be appointed by~~
11 ~~those members of the Cook County Board whose Board~~
12 ~~districts overlap in whole or in part with the~~
13 ~~geographic territory described in the relevant~~
14 ~~subparagraph. The vote of County Board members~~
15 ~~eligible to appoint directors under the provisions of~~
16 ~~subparagraphs (ii) through (v) of this paragraph (7)~~
17 ~~shall be weighted by the number of electors residing in~~
18 ~~those portions of their Board districts within the~~
19 ~~geographic territory described in the relevant~~
20 ~~subparagraph (ii) through (v) of this paragraph (7).~~

21 ~~(8) The Chairman shall be appointed by the Directors,~~
22 ~~from the members of the Board, with the concurrence of 8 of~~
23 ~~such Directors. To implement the changes in appointing~~
24 ~~authority under this Section, upon the expiration of the~~
25 ~~term of or vacancy in office of the Chairman appointed~~
26 ~~under item (5) of subsection (a) of this Section, a~~

1 ~~Chairman shall be appointed under this subparagraph.~~

2 ~~(c) No director, while serving as such, shall be an~~
3 ~~officer, a member of the board of directors or trustee or an~~
4 ~~employee of any transportation agency, or be an employee of the~~
5 ~~State of Illinois or any department or agency thereof, or of~~
6 ~~any county, municipality, or any other unit of local government~~
7 ~~or receive any compensation from any elected or appointed~~
8 ~~office under the Constitution and laws of Illinois.~~

9 ~~(d) Each appointment made under subsections (a) and (b) of~~
10 ~~this Section and under Section 3B.03 shall be certified by the~~
11 ~~appointing authority to the Commuter Rail Board which shall~~
12 ~~maintain the certifications as part of the official records of~~
13 ~~the Commuter Rail Board.~~

14 (Source: P.A. 98-709, eff. 7-16-14.)

15 (70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

16 Sec. 3B.05. Appointment of officers and employees. The
17 Executive Director of the Authority, with the advice and
18 consent of the Commuter Rail Committee, Board shall appoint an
19 Executive Director who shall be the chief executive officer of
20 the Division, appointed, retained or dismissed with the
21 concurrence of 4 ~~3~~ of the directors of the Commuter Rail
22 Committee Board. The Executive Director shall appoint, retain
23 and employ officers, attorneys, agents, engineers, employees
24 and shall organize the staff, shall allocate their functions
25 and duties, fix compensation and conditions of employment, and

1 consistent with the policies of and direction from the ~~Commuter~~
2 ~~Rail~~ Board and the Commuter Rail Committee take all actions
3 necessary to achieve its purposes, fulfill its
4 responsibilities and carry out its powers, and shall have such
5 other powers and responsibilities as the ~~Commuter Rail~~ Board
6 and the Commuter Rail Committee shall determine. The Executive
7 Director shall be an individual of proven transportation and
8 management skills and may not be a member of the ~~Commuter Rail~~
9 Board. The Division may employ its own professional management
10 personnel to provide professional and technical expertise
11 concerning its purposes and powers and to assist it in
12 assessing the performance of transportation agencies in the
13 metropolitan region. A person appointed or employed under this
14 Section whose term or employment has not been terminated on
15 January 1, 2021 shall continue in his or her position with the
16 Commuter Rail Division until the expiration of his or her
17 appointment or employment, resignation, or removal.

18 No employee, officer, or agent of the Commuter Rail
19 Division ~~Board~~ may receive a bonus that exceeds 10% of his or
20 her annual salary unless that bonus has been reviewed by the
21 Regional Transportation Authority Board for a period of 14
22 days. After 14 days, the contract shall be considered reviewed.
23 This Section does not apply to usual and customary salary
24 adjustments.

25 No unlawful discrimination, as defined and prohibited in
26 the Illinois Human Rights Act, shall be made in any term or

1 aspect of employment nor shall there be discrimination based
2 upon political reasons or factors. The Commuter Rail Division
3 ~~Board~~ shall establish regulations to insure that its discharges
4 shall not be arbitrary and that hiring and promotion are based
5 on merit.

6 The Division shall be subject to the "Illinois Human Rights
7 Act", as now or hereafter amended, and the remedies and
8 procedure established thereunder. The Commuter Rail Division
9 ~~Board~~ shall file an affirmative action program for employment
10 by it with the Department of Human Rights to ensure that
11 applicants are employed and that employees are treated during
12 employment, without regard to unlawful discrimination. Such
13 affirmative action program shall include provisions relating
14 to hiring, upgrading, demotion, transfer, recruitment,
15 recruitment advertising, selection for training and rates of
16 pay or other forms of compensation.

17 (Source: P.A. 98-1027, eff. 1-1-15.)

18 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

19 Sec. 3B.09. General Powers. In addition to any powers
20 elsewhere provided to the Commuter Rail Division or the former
21 Commuter Rail Board, the Regional Transportation Authority
22 Board ~~it~~ shall have all of the powers specified in Section 2.20
23 of this Act except for the powers specified in Section
24 2.20(a)(v). The Board shall also have the power:

25 (a) (blank); ~~to cooperate with the Regional Transportation~~

1 ~~Authority in the exercise by the Regional Transportation~~
2 ~~Authority of all the powers granted it by such Act;~~

3 (b) to receive funds for the Division from the Regional
4 Transportation Authority pursuant to Sections 2.02, 4.01,
5 4.02, 4.09 and 4.10 of the "Regional Transportation Authority
6 Act", all as provided in the "Regional Transportation Authority
7 Act";

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

17 (d) to borrow money for the purpose of acquiring,
18 constructing, reconstructing, extending, or improving any
19 Public Transportation Facilities (as defined in Section 1.03 of
20 the Regional Transportation Authority Act) operated by or to be
21 operated by or on behalf of the Commuter Rail Division. For the
22 purpose of evidencing the obligation of the Commuter Rail
23 Division Board to repay any money borrowed as provided in this
24 subsection, the Commuter Rail Division Board may issue revenue
25 bonds from time to time pursuant to ordinance adopted by the
26 ~~Commuter Rail~~ Board, subject to the approval of the Regional

1 Transportation Authority of each such issuance by the
2 affirmative vote of 12 of its then Directors; provided that the
3 Commuter Rail Division ~~Board~~ may not issue bonds for the
4 purpose of financing the acquisition, construction, or
5 improvement of a corporate headquarters building. All such
6 bonds shall be payable solely from the revenues or income or
7 any other funds that the Commuter Rail Division ~~Board~~ may
8 receive, provided that the Commuter Rail Division ~~Board~~ may not
9 pledge as security for such bonds the moneys, if any, that the
10 Commuter Rail Division ~~Board~~ receives from the Regional
11 Transportation Authority pursuant to Section 4.03.3(f) of the
12 Regional Transportation Authority Act. The bonds shall bear
13 interest at a rate not to exceed the maximum rate authorized by
14 the Bond Authorization Act and shall mature at such time or
15 times not exceeding 25 years from their respective dates. Bonds
16 issued pursuant to this paragraph must be issued with scheduled
17 principal or mandatory redemption payments in equal amounts in
18 each fiscal year over the term of the bonds, with the first
19 principal or mandatory redemption payment scheduled within the
20 fiscal year in which bonds are issued or within the next
21 succeeding fiscal year. At least 25%, based on total principal
22 amount, of all bonds authorized pursuant to this Section shall
23 be sold pursuant to notice of sale and public bid. No more than
24 75%, based on total principal amount, of all bonds authorized
25 pursuant to this Section shall be sold by negotiated sale. The
26 maximum principal amount of the bonds that may be issued and

1 outstanding at any time may not exceed \$1,000,000,000. The
2 bonds shall have all the qualities of negotiable instruments
3 under the laws of this State. To secure the payment of any or
4 all of such bonds and for the purpose of setting forth the
5 covenants and undertakings of the Commuter Rail Division Board
6 in connection with the issuance thereof and the issuance of any
7 additional bonds payable from such revenue or income as well as
8 the use and application of the revenue or income received by
9 the Commuter Rail Division Board, the ~~Commuter Rail~~ Board may
10 execute and deliver a trust agreement or agreements; provided
11 that no lien upon any physical property of the Commuter Rail
12 Division Board shall be created thereby. A remedy for any
13 breach or default of the terms of any such trust agreement by
14 the Commuter Rail Division Board may be by mandamus proceedings
15 in any court of competent jurisdiction to compel performance
16 and compliance therewith, but the trust agreement may prescribe
17 by whom or on whose behalf such action may be instituted. Under
18 no circumstances shall any bonds issued by the Commuter Rail
19 Division Board or any other obligation of the Commuter Rail
20 Division Board in connection with the issuance of such bonds be
21 or become an indebtedness or obligation of the State of
22 Illinois, the Regional Transportation Authority, or any other
23 political subdivision of or municipality within the State, nor
24 shall any such bonds or obligations be or become an
25 indebtedness of the Commuter Rail Division Board within the
26 purview of any constitutional limitation or provision, and it

1 shall be plainly stated on the face of each bond that it does
2 not constitute such an indebtedness or obligation but is
3 payable solely from the revenues or income as aforesaid.

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

5 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

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

1 by the Authority. The proposed budget, financial plan, and
2 five-year capital program shall contain a statement of the
3 funds estimated to be on hand at the beginning of the fiscal
4 year, the funds estimated to be received from all sources for
5 such year and the funds estimated to be on hand at the end of
6 such year. The fiscal year of the Division shall be the same as
7 the fiscal year of the Authority. Before the proposed budget,
8 financial plan, and five-year capital program are approved by
9 ~~submitted to~~ the Authority, the ~~Commuter Rail~~ Board shall hold
10 at least one public hearing thereon in each of the counties in
11 the metropolitan region in which the Division provides service.
12 The ~~Commuter Rail~~ Board shall hold at least one meeting for
13 consideration of the proposed budget, financial plan, and
14 five-year capital plan with the county board of each of the
15 several counties in the metropolitan region in which the
16 Division provides service. After conducting such hearings and
17 holding such meetings and after making such changes in the
18 proposed budget, financial plan, and five-year capital plan as
19 the ~~Commuter Rail~~ Board deems appropriate, the ~~board shall~~
20 ~~adopt its annual budget ordinance at least by November 15 next~~
21 ~~preceding the beginning of each fiscal year.~~ The budget,
22 financial plan, and five-year capital program shall then be
23 submitted to the Authority as provided in Section 4.11. ~~In the~~
24 ~~event that the Board of the Authority determines that the~~
25 ~~budget and program, and financial plan do not meet the~~
26 ~~standards of Section 4.11, the Commuter Rail Board shall make~~

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

14 The budget shall:

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

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

24 (iii) provide for a level of fares or charges for the
25 public transportation provided by or subject to the
26 jurisdiction of such Commuter Rail Division Board

1 sufficient to allow the Commuter Rail Division ~~Board~~ to
2 meet its required system generated revenue recovery ratio;

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

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

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

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

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

16 (70 ILCS 3615/3B.11) (from Ch. 111 2/3, par. 703B.11)

17 Sec. 3B.11. Citizens Advisory Board. The Regional
18 Transportation Authority Board ~~Commuter Rail Board~~ shall
19 establish a citizens advisory board composed of ten residents
20 of those portions of the metropolitan region in which the
21 Commuter Rail Division ~~Board~~ provides service who have an
22 interest in public transportation. The members of the advisory
23 board shall be named for two year terms, shall select one of
24 their members to serve as chairman and shall serve without
25 compensation. The citizens advisory board shall meet with the

1 Regional Transportation Authority Board ~~Commuter Rail Board~~ at
2 least quarterly and advise the Regional Transportation
3 Authority Board ~~Commuter Rail Board~~ of the impact of its
4 policies and programs on the communities it serves.
5 Appointments to the citizens advisory board should, to the
6 greatest extent possible, reflect the ethnic, cultural, and
7 geographic diversity of all persons residing within the
8 Commuter Rail Division's jurisdiction.

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

10 (70 ILCS 3615/3B.12) (from Ch. 111 2/3, par. 703B.12)

11 Sec. 3B.12. Working Cash Borrowing. The Regional
12 Transportation Authority Board ~~Commuter Rail Board~~ with the
13 affirmative vote of 10 ~~7~~ of its Directors may ~~demand and direct~~
14 ~~the Board of the Authority to~~ issue Working Cash Notes at such
15 time and in such amounts and having such maturities as the
16 ~~Commuter Rail~~ Board deems proper, provided however any such
17 borrowing shall have been specifically identified in the budget
18 of the ~~Commuter Rail Board as approved by the Board of the~~
19 ~~Authority. Provided further, that the Commuter Rail Board may~~
20 ~~not demand and direct the Board of the Authority to have issued~~
21 ~~and have outstanding at any time in excess of \$20,000,000 in~~
22 ~~Working Cash Notes.~~

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

24 (70 ILCS 3615/3B.13) (from Ch. 111 2/3, par. 703B.13)

1 Sec. 3B.13. Labor.

2 (a) The provisions of this Section apply to collective
3 bargaining agreements (including extensions and amendments of
4 existing agreements) entered into on or after January 1, 1984.
5 This Section does not apply to collective bargaining agreements
6 that are subject to the provisions of the Railway Labor Act, as
7 now or hereafter amended.

8 (b) The Commuter Rail Division ~~Board~~ shall deal with and
9 enter into written contracts with their employees, through
10 accredited representatives of such employees authorized to act
11 for such employees concerning wages, salaries, hours, working
12 conditions, and pension or retirement provisions about which a
13 collective bargaining agreement has been entered prior to the
14 effective date of this amendatory Act of 1983. Any such
15 agreement of the Commuter Rail Division ~~Board~~ shall provide
16 that the agreement may be reopened if the amended budget
17 submitted pursuant to Section 2.18a of this Act is not approved
18 by the Board of the Authority. The agreement may not include a
19 provision requiring the payment of wage increases based on
20 changes in the Consumer Price Index. The Commuter Rail Division
21 ~~Board~~ shall not have the authority to enter collective
22 bargaining agreements with respect to inherent management
23 rights which include such areas of discretion or policy as the
24 functions of the employer, standards of services, its overall
25 budget, the organizational structure and selection of new
26 employees and direction of personnel. Employers, however,

1 shall be required to bargain collectively with regard to policy
2 matters directly affecting wages, hours and terms and
3 conditions of employment, as well as the impact thereon, upon
4 request by employee representatives. To preserve the rights of
5 the Commuter Rail Division Board and exclusive representatives
6 which have established collective bargaining relationships or
7 negotiated collective bargaining agreements prior to the
8 effective date of this amendatory Act of 1983, the Commuter
9 Rail Division Board shall be required to bargain collectively
10 with regard to any matter concerning wages, hours or conditions
11 of employment about which they have bargained prior to the
12 effective date of this amendatory Act of 1983.

13 (c) The collective bargaining agreement may not include a
14 prohibition on the use of part-time operators on any service
15 operated by the Commuter Rail Division Board except where
16 prohibited by federal law.

17 (d) Within 30 days of the signing of any such collective
18 bargaining agreement, the Commuter Rail Division Board shall
19 determine the costs of each provision of the agreement, prepare
20 an amended budget incorporating the costs of the agreement, and
21 present the amended budget to the Board of the Authority for
22 its approval under Section 4.11. The Board may approve the
23 amended budget by an affirmative vote of 12 of its then
24 Directors. If the budget is not approved by the Board of the
25 Authority, the agreement may be reopened and its terms may be
26 renegotiated. ~~Any amended budget which may be prepared~~

1 ~~following renegotiation shall be presented to the Board of the~~
2 ~~Authority for its approval in like manner.~~

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

4 (70 ILCS 3615/3B.14)

5 Sec. 3B.14. Free services; eligibility.

6 (a) Notwithstanding any law to the contrary, no later than
7 60 days following the effective date of this amendatory Act of
8 the 95th General Assembly and until subsection (b) is
9 implemented, any fixed route public transportation services
10 provided by, or under grant or purchase of service contracts
11 of, the Commuter Rail Division Board shall be provided without
12 charge to all senior citizens of the Metropolitan Region aged
13 65 and older, under such conditions as shall be prescribed by
14 the Regional Transportation Authority Board ~~Commuter Rail~~
15 ~~Board~~.

16 (b) Notwithstanding any law to the contrary, no later than
17 180 days following the effective date of this amendatory Act of
18 the 96th General Assembly, any fixed route public
19 transportation services provided by, or under grant or purchase
20 of service contracts of, the Commuter Rail Division Board shall
21 be provided without charge to senior citizens aged 65 and older
22 who meet the income eligibility limitation set forth in
23 subsection (a-5) of Section 4 of the Senior Citizens and
24 Persons with Disabilities Property Tax Relief Act, under such
25 conditions as shall be prescribed by the Commuter Rail Division

1 ~~Board~~. The Department on Aging shall furnish all information
2 reasonably necessary to determine eligibility, including
3 updated lists of individuals who are eligible for services
4 without charge under this Section. Nothing in this Section
5 shall relieve the Commuter Rail Division ~~Board~~ from providing
6 reduced fares as may be required by federal law.

7 (Source: P.A. 99-143, eff. 7-27-15.)

8 (70 ILCS 3615/3B.15)

9 Sec. 3B.15. Transit services for individuals with
10 disabilities. Notwithstanding any law to the contrary, no later
11 than 60 days following the effective date of this amendatory
12 Act of the 95th General Assembly, all fixed route public
13 transportation services provided by, or under grant or purchase
14 of service contract of, the Commuter Rail Division ~~Board~~ shall
15 be provided without charge to all persons with disabilities who
16 meet the income eligibility limitation set forth in subsection
17 (a-5) of Section 4 of the Senior Citizens and Persons with
18 Disabilities Property Tax Relief Act, under such procedures as
19 shall be prescribed by the Board. The Department on Aging shall
20 furnish all information reasonably necessary to determine
21 eligibility, including updated lists of individuals who are
22 eligible for services without charge under this Section.

23 (Source: P.A. 99-143, eff. 7-27-15.)

24 (70 ILCS 3615/3B.26)

1 Sec. 3B.26. Employment contracts. Except as otherwise
2 provided in Section 3B.13, before the Commuter Rail Division
3 ~~Board~~ may enter into or amend any employment contract in excess
4 of \$100,000, the Regional Transportation Authority Board
5 ~~Commuter Rail Board~~ must review ~~submit~~ that contract or
6 amendment ~~to the Board for review~~ for a period of 14 days.
7 After 14 days, the contract shall be considered reviewed. This
8 Section applies only to contracts entered into or amended on or
9 after the effective date of this amendatory Act of the 98th
10 General Assembly.

11 Before the Board of the Regional Transportation Authority
12 may enter into or amend any employment contract in excess of
13 \$100,000, the Board must submit that contract to the Chairman
14 and Minority Spokesman of the Mass Transit Committee, or its
15 successor committee, of the House of Representatives, and to
16 the Chairman and Minority Spokesman of the Transportation
17 Committee, or its successor committee, of the Senate.

18 (Source: P.A. 98-1027, eff. 1-1-15.)

19 (70 ILCS 3615/Art. III-C heading new)

20 ARTICLE III-C

21 CHICAGO TRANSIT AUTHORITY

22 (70 ILCS 3615/3C.05 new)

23 Sec. 3C.05. Establishment; operation. The Chicago Transit
24 Authority of the Regional Transportation Authority is

1 established on January 1, 2021 as provided in the Metropolitan
2 Transit Authority Act. The Chicago Transit Authority shall be
3 operated as provided in the Metropolitan Transit Authority Act.

4 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

5 Sec. 4.01. Budget and Program.

6 (a) The Board shall control the finances of the Authority.
7 It shall by ordinance adopted by the affirmative vote of at
8 least 12 of its then Directors (i) appropriate money to perform
9 the Authority's purposes and provide for payment of debts and
10 expenses of the Authority, (ii) take action with respect to the
11 budget and two-year financial plan of each Service Board, as
12 provided in Section 4.11, and (iii) adopt an Annual Budget and
13 Two-Year Financial Plan for the Authority that includes the
14 annual budget and two-year financial plan of each Service Board
15 that has been approved by the Authority. The Annual Budget and
16 Two-Year Financial Plan shall contain a statement of the funds
17 estimated to be on hand for the Authority and each Service
18 Board at the beginning of the fiscal year, the funds estimated
19 to be received from all sources for such year, the estimated
20 expenses and obligations of the Authority and each Service
21 Board for all purposes, including expenses for contributions to
22 be made with respect to pension and other employee benefits,
23 and the funds estimated to be on hand at the end of such year.
24 The fiscal year of the Authority and each Service Board shall
25 begin on January 1st and end on the succeeding December 31st.

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

1 object or program. Additional appropriations, transfers
2 between items and other changes in such ordinance may be made
3 from time to time by the Board upon the affirmative votes of 12
4 of its then Directors.

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

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

13 (i) that the level of fares and charges for mass
14 transportation provided by, or under grant or purchase of
15 service contracts of, the Service Boards is sufficient to
16 cause the aggregate of all projected fare revenues from
17 such fares and charges received in each fiscal year to
18 equal at least 50% of the aggregate costs of providing such
19 public transportation in such fiscal year. "Fare revenues"
20 include the proceeds of all fares and charges for services
21 provided, contributions received in connection with public
22 transportation from units of local government other than
23 the Authority, except for contributions received by the
24 Chicago Transit Authority from a real estate transfer tax
25 imposed under subsection (i) of Section 8-3-19 of the
26 Illinois Municipal Code, and from the State pursuant to

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

1 protection against crime as required by Section 27a of the
2 Metropolitan Transit Authority Act; the payment by the
3 Chicago Transit Authority of Debt Service, as defined in
4 Section 12c of the Metropolitan Transit Authority Act, on
5 bonds or notes issued pursuant to that Section; the payment
6 by the Commuter Rail Division of debt service on bonds
7 issued pursuant to Section 3B.09; expenses incurred by the
8 Suburban Bus Division for the cost of new public
9 transportation services funded from grants pursuant to
10 Section 2.01e of this amendatory Act of the 95th General
11 Assembly for a period of 2 years from the date of
12 initiation of each such service; costs as exempted by the
13 Board for projects pursuant to Section 2.09 of this Act;
14 or, beginning with the 2007 fiscal year, expenses related
15 to providing ADA paratransit service pursuant to Section
16 2.30 of the Regional Transportation Authority Act; and in
17 fiscal years 2008 through 2012 inclusive, costs in the
18 amount of \$200,000,000 in fiscal year 2008, reducing by
19 \$40,000,000 in each fiscal year thereafter until this
20 exemption is eliminated; and

21 (ii) that the level of fares charged for ADA
22 paratransit services is sufficient to cause the aggregate
23 of all projected revenues from such fares charged and
24 received in each fiscal year to equal at least 10% of the
25 aggregate costs of providing such ADA paratransit
26 services. For purposes of this Act, the percentages in this

1 subsection (b) (ii) shall be referred to as the "system
2 generated ADA paratransit services revenue recovery
3 ratio". For purposes of the system generated ADA
4 paratransit services revenue recovery ratio, "costs" shall
5 include all items properly included as operating costs
6 consistent with generally accepted accounting principles.
7 However, the Board may exclude from costs an amount that
8 does not exceed the allowable "capital costs of
9 contracting" for ADA paratransit services pursuant to the
10 Federal Transit Administration guidelines for the
11 Urbanized Area Formula Program.

12 (c) The actual administrative expenses of the Authority for
13 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; (2)
21 payments to Service Boards; and (3) payment of principal and
22 interest on bonds, notes or other evidence of obligation for
23 borrowed money issued by the Authority; (4) costs for passenger
24 security including grants, contracts, personnel, equipment and
25 administrative expenses; (5) payments with respect to public
26 transportation facilities made pursuant to subsection (b) of

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

4 (d) This subsection applies only until the Department
5 begins administering and enforcing an increased tax under
6 Section 4.03(m) as authorized by this amendatory Act of the
7 95th General Assembly. After withholding 15% of the proceeds of
8 any tax imposed by the Authority and 15% of money received by
9 the Authority from the Regional Transportation Authority
10 Occupation and Use Tax Replacement Fund, the Board shall
11 allocate the proceeds and money remaining to the Service Boards
12 as follows: (1) an amount equal to 85% of the proceeds of those
13 taxes collected within the City of Chicago and 85% of the money
14 received by the Authority on account of transfers to the
15 Regional Transportation Authority Occupation and Use Tax
16 Replacement Fund from the County and Mass Transit District Fund
17 attributable to retail sales within the City of Chicago shall
18 be allocated to the Chicago Transit Authority; (2) an amount
19 equal to 85% of the proceeds of those taxes collected within
20 Cook County outside the City of Chicago and 85% of the money
21 received by the Authority on account of transfers to the
22 Regional Transportation Authority Occupation and Use Tax
23 Replacement Fund from the County and Mass Transit District Fund
24 attributable to retail sales within Cook County outside of the
25 city of Chicago shall be allocated 30% to the Chicago Transit
26 Authority, 55% to the Commuter Rail Division ~~Board~~ and 15% to

1 the Suburban Bus Division Board; and (3) an amount equal to 85%
2 of the proceeds of the taxes collected within the Counties of
3 DuPage, Kane, Lake, McHenry and Will shall be allocated 70% to
4 the Commuter Rail Division Board and 30% to the Suburban Bus
5 Division 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 moneys
14 shall be retained by the Authority and the remaining 85% shall
15 be transferred to the Service Boards as soon as may be
16 practicable after the Authority receives payment. Moneys which
17 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 year
24 to the total amount distributed to all of the Service Boards
25 pursuant to subsection (d) of Section 4.01 for the immediately
26 preceding calendar year as the Board shall determine.

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

24 (g) All Service Boards, transportation agencies,
25 comprehensive planning agencies, including the Chicago
26 Metropolitan Agency for Planning, or transportation planning

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

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

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

23 (Source: P.A. 98-1027, eff. 1-1-15.)

24 (70 ILCS 3615/4.02b)

25 Sec. 4.02b. Other contributions to pension funds.

1 (a) The Authority shall continually review the payment of
2 the required employer contributions to affected pension plans
3 under Section 22-103 of the Illinois Pension Code.

4 (b) Beginning January 1, 2009, if at any time the Authority
5 determines that the Commuter Rail Division's ~~Board's~~ or
6 Suburban Bus Division's ~~Board's~~ payment of any portion of the
7 required contributions to an affected pension plan under
8 Section 22-103 of the Illinois Pension Code is more than one
9 month overdue, it shall as soon as possible pay the amount of
10 those overdue contributions to the trustee of the affected
11 pension plan on behalf of that Service Board out of moneys
12 otherwise payable to that Service Board under Section 4.03.3 of
13 this Act. The Authority shall thereafter have no liability to
14 the Service Board for amounts paid to the trustee of the
15 affected pension plan under this Section.

16 (c) Whenever the Authority acts or determines that it is
17 required to act under subsection (b), it shall so notify the
18 affected Service Board, the Mayor of Chicago, the Governor, the
19 Auditor General of the State of Illinois, and the General
20 Assembly.

21 (d) Beginning January 1, 2009, if the Authority fails to
22 pay to an affected pension fund within 30 days after it is due
23 any employer contribution that it is required to make as a
24 contributing employer under Section 22-103 of the Illinois
25 Pension Code, it shall promptly so notify the Commission on
26 Government Forecasting and Accountability, the Mayor of

1 Chicago, the Governor, and the General Assembly, and it shall
2 promptly pay the overdue amount out of the first money
3 available to the Authority for its administrative expenses, as
4 that term is defined in Section 4.01(c).

5 (Source: P.A. 94-839, eff. 6-6-06; 95-708, eff. 1-18-08.)

6 (70 ILCS 3615/4.03.3)

7 Sec. 4.03.3. Distribution of Revenues. This Section
8 applies only after the Department begins administering and
9 enforcing an increased tax under Section 4.03(m) as authorized
10 by this amendatory Act of the 95th General Assembly. After
11 providing for payment of its obligations with respect to bonds
12 and notes issued under the provisions of Section 4.04 and
13 obligations related to those bonds and notes and separately
14 accounting for the tax on aviation fuel deposited into the
15 Local Government Aviation Trust Fund, the Authority shall
16 disburse the remaining proceeds from taxes it has received from
17 the Department of Revenue under this Article IV and the
18 remaining proceeds it has received from the State under Section
19 4.09(a) as follows:

20 (a) With respect to taxes imposed by the Authority under
21 Section 4.03, after withholding 15% of 80% of the receipts from
22 those taxes collected in Cook County at a rate of 1.25%, 15% of
23 75% of the receipts from those taxes collected in Cook County
24 at the rate of 1%, 15% of one-half of the receipts from those
25 taxes collected in DuPage, Kane, Lake, McHenry, and Will

1 Counties, and 15% of money received by the Authority from the
2 Regional Transportation Authority Occupation and Use Tax
3 Replacement Fund or from the Regional Transportation Authority
4 tax fund created in Section 4.03(n), the Board shall allocate
5 the proceeds and money remaining to the Service Boards as
6 follows:

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

19 (2) an amount equal to (i) 85% of 80% of the receipts
20 from those taxes collected within Cook County outside of
21 the City of Chicago at a rate of 1.25%, (ii) 85% of 75% of
22 the receipts from those taxes collected within Cook County
23 outside the City of Chicago at a rate of 1%, and (iii) 85%
24 of the money received by the Authority on account of
25 transfers to the Regional Transportation Authority
26 Occupation and Use Tax Replacement Fund or to the Regional

1 Transportation Authority tax fund created in Section
2 4.03(n) from the County and Mass Transit District Fund
3 attributable to retail sales within Cook County outside of
4 the City of Chicago shall be allocated 30% to the Chicago
5 Transit Authority, 55% to the Commuter Rail Division Board,
6 and 15% to the Suburban Bus Division Board; and

7 (3) an amount equal to 85% of one-half of the receipts
8 from the taxes collected within the Counties of DuPage,
9 Kane, Lake, McHenry, and Will shall be allocated 70% to the
10 Commuter Rail Division Board and 30% to the Suburban Bus
11 Division Board.

12 (b) Moneys received by the Authority on account of
13 transfers to the Regional Transportation Authority Occupation
14 and Use Tax Replacement Fund from the State and Local Sales Tax
15 Reform Fund shall be allocated among the Authority and the
16 Service Boards as follows: 15% of such moneys shall be retained
17 by the Authority and the remaining 85% shall be transferred to
18 the Service Boards as soon as may be practicable after the
19 Authority receives payment. Moneys which are distributable to
20 the Service Boards pursuant to the preceding sentence shall be
21 allocated among the Service Boards on the basis of each Service
22 Board's distribution ratio. The term "distribution ratio"
23 means, for purposes of this subsection (b), the ratio of the
24 total amount distributed to a Service Board pursuant to
25 subsection (a) of Section 4.03.3 for the immediately preceding
26 calendar year to the total amount distributed to all of the

1 Service Boards pursuant to subsection (a) of Section 4.03.3 for
2 the immediately preceding calendar year.

3 (c) (i) 20% of the receipts from those taxes collected in
4 Cook County under Section 4.03 at the rate of 1.25%, (ii) 25%
5 of the receipts from those taxes collected in Cook County under
6 Section 4.03 at the rate of 1%, (iii) 50% of the receipts from
7 those taxes collected in DuPage, Kane, Lake, McHenry, and Will
8 Counties under Section 4.03, and (iv) amounts received from the
9 State under Section 4.09 (a) (2) and items (i), (ii), and (iii)
10 of Section 4.09 (a) (3) shall be allocated as follows: the
11 amount required to be deposited into the ADA Paratransit Fund
12 described in Section 2.01d, the amount required to be deposited
13 into the Suburban Community Mobility Fund described in Section
14 2.01e, and the amount required to be deposited into the
15 Innovation, Coordination and Enhancement Fund described in
16 Section 2.01c, and the balance shall be allocated 48% to the
17 Chicago Transit Authority, 39% to the Commuter Rail Division
18 ~~Board~~, and 13% to the Suburban Bus Division ~~Board~~.

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

22 (e) With respect to those taxes collected in DuPage, Kane,
23 Lake, McHenry, and Will Counties and paid directly to the
24 counties under Section 4.03, the County Board of each county
25 shall use those amounts to fund operating and capital costs of
26 public safety and public transportation services or facilities

1 or to fund operating, capital, right-of-way, construction, and
2 maintenance costs of other transportation purposes, including
3 road, bridge, public safety, and transit purposes intended to
4 improve mobility or reduce congestion in the county. The
5 receipt of funding by such counties pursuant to this paragraph
6 shall not be used as the basis for reducing any funds that such
7 counties would otherwise have received from the State of
8 Illinois, any agency or instrumentality thereof, the
9 Authority, or the Service Boards.

10 (f) The Authority by ordinance adopted by 12 of its then
11 Directors shall apportion to the Service Boards funds provided
12 by the State of Illinois under Section 4.09(a)(1) as it shall
13 determine and shall make payment of the amounts to each Service
14 Board as soon as may be practicable upon their receipt provided
15 the Authority has adopted a balanced budget as required by
16 Section 4.01 and further provided the Service Board is in
17 compliance with the requirements in Section 4.11.

18 (g) Beginning January 1, 2009, before making any payments,
19 transfers, or expenditures under this Section to a Service
20 Board, the Authority must first comply with Section 4.02a or
21 4.02b of this Act, whichever may be applicable.

22 (h) Moneys may be appropriated from the Public
23 Transportation Fund to the Office of the Executive Inspector
24 General for the costs incurred by the Executive Inspector
25 General while serving as the inspector general for the
26 Authority and each of the Service Boards. Beginning December

1 31, 2012, and each year thereafter, the Office of the Executive
2 Inspector General shall annually report to the General Assembly
3 the expenses incurred while serving as the inspector general
4 for the Authority and each of the Service Boards.

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

6 (70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

7 Sec. 4.04. Issuance and Pledge of Bonds and Notes.

8 (a) The Authority shall have the continuing power to borrow
9 money and to issue its negotiable bonds or notes as provided in
10 this Section. Unless otherwise indicated in this Section, the
11 term "notes" also includes bond anticipation notes, which are
12 notes which by their terms provide for their payment from the
13 proceeds of bonds thereafter to be issued. Bonds or notes of
14 the Authority may be issued for any or all of the following
15 purposes: to pay costs to the Authority or a Service Board of
16 constructing or acquiring any public transportation facilities
17 (including funds and rights relating thereto, as provided in
18 Section 2.05 of this Act); to repay advances to the Authority
19 or a Service Board made for such purposes; to pay other
20 expenses of the Authority or a Service Board incident to or
21 incurred in connection with such construction or acquisition;
22 to provide funds for any transportation agency to pay principal
23 of or interest or redemption premium on any bonds or notes,
24 whether as such amounts become due or by earlier redemption,
25 issued prior to the date of this amendatory Act by such

1 transportation agency to construct or acquire public
2 transportation facilities or to provide funds to purchase such
3 bonds or notes; and to provide funds for any transportation
4 agency to construct or acquire any public transportation
5 facilities, to repay advances made for such purposes, and to
6 pay other expenses incident to or incurred in connection with
7 such construction or acquisition; and to provide funds for
8 payment of obligations, including the funding of reserves,
9 under any self-insurance plan or joint self-insurance pool or
10 entity.

11 In addition to any other borrowing as may be authorized by
12 this Section, the Authority may issue its notes, from time to
13 time, in anticipation of tax receipts of the Authority or of
14 other revenues or receipts of the Authority, in order to
15 provide money for the Authority or the Service Boards to cover
16 any cash flow deficit which the Authority or a Service Board
17 anticipates incurring. Any such notes are referred to in this
18 Section as "Working Cash Notes". No Working Cash Notes shall be
19 issued for a term of longer than 24 months. Proceeds of Working
20 Cash Notes may be used to pay day to day operating expenses of
21 the Authority or the Service Boards, consisting of wages,
22 salaries and fringe benefits, professional and technical
23 services (including legal, audit, engineering and other
24 consulting services), office rental, furniture, fixtures and
25 equipment, insurance premiums, claims for self-insured amounts
26 under insurance policies, public utility obligations for

1 telephone, light, heat and similar items, travel expenses,
2 office supplies, postage, dues, subscriptions, public hearings
3 and information expenses, fuel purchases, and payments of
4 grants and payments under purchase of service agreements for
5 operations of transportation agencies, prior to the receipt by
6 the Authority or a Service Board from time to time of funds for
7 paying such expenses. ~~In addition to any Working Cash Notes~~
8 ~~that the Board of the Authority may determine to issue, the~~
9 ~~Suburban Bus Board, the Commuter Rail Board or the Board of the~~
10 ~~Chicago Transit Authority may demand and direct that the~~
11 ~~Authority issue its Working Cash Notes in such amounts and~~
12 ~~having such maturities as the Service Board may determine.~~

13 Notwithstanding any other provision of this Act, any
14 amounts necessary to pay principal of and interest on any
15 Working Cash Notes issued at the demand and direction of a
16 Service Board or any Working Cash Notes the proceeds of which
17 were used for the direct benefit of a Service Board or any
18 other Bonds or Notes of the Authority the proceeds of which
19 were used for the direct benefit of a Service Board shall
20 constitute a reduction of the amount of any other funds
21 provided by the Authority to that Service Board. The Authority
22 shall, after deducting any costs of issuance, tender the net
23 proceeds of any Working Cash Notes issued at the demand and
24 direction of a Service Board to such Service Board as soon as
25 may be practicable after the proceeds are received. The
26 Authority may also issue notes or bonds to pay, refund or

1 redeem any of its notes and bonds, including to pay redemption
2 premiums or accrued interest on such bonds or notes being
3 renewed, paid or refunded, and other costs in connection
4 therewith. The Authority may also utilize the proceeds of any
5 such bonds or notes to pay the legal, financial, administrative
6 and other expenses of such authorization, issuance, sale or
7 delivery of bonds or notes or to provide or increase a debt
8 service reserve fund with respect to any or all of its bonds or
9 notes. The Authority may also issue and deliver its bonds or
10 notes in exchange for any public transportation facilities,
11 (including funds and rights relating thereto, as provided in
12 Section 2.05 of this Act) or in exchange for outstanding bonds
13 or notes of the Authority, including any accrued interest or
14 redemption premium thereon, without advertising or submitting
15 such notes or bonds for public bidding.

16 (b) The ordinance providing for the issuance of any such
17 bonds or notes shall fix the date or dates of maturity, the
18 dates on which interest is payable, any sinking fund account or
19 reserve fund account provisions and all other details of such
20 bonds or notes and may provide for such covenants or agreements
21 necessary or desirable with regard to the issue, sale and
22 security of such bonds or notes. The rate or rates of interest
23 on its bonds or notes may be fixed or variable and the
24 Authority shall determine or provide for the determination of
25 the rate or rates of interest of its bonds or notes issued
26 under this Act in an ordinance adopted by the Authority prior

1 to the issuance thereof, none of which rates of interest shall
2 exceed that permitted in the Bond Authorization Act. Interest
3 may be payable at such times as are provided for by the Board.
4 Bonds and notes issued under this Section may be issued as
5 serial or term obligations, shall be of such denomination or
6 denominations and form, including interest coupons to be
7 attached thereto, be executed in such manner, shall be payable
8 at such place or places and bear such date as the Authority
9 shall fix by the ordinance authorizing such bond or note and
10 shall mature at such time or times, within a period not to
11 exceed forty years from the date of issue, and may be
12 redeemable prior to maturity with or without premium, at the
13 option of the Authority, upon such terms and conditions as the
14 Authority shall fix by the ordinance authorizing the issuance
15 of such bonds or notes. No bond anticipation note or any
16 renewal thereof shall mature at any time or times exceeding 5
17 years from the date of the first issuance of such note. The
18 Authority may provide for the registration of bonds or notes in
19 the name of the owner as to the principal alone or as to both
20 principal and interest, upon such terms and conditions as the
21 Authority may determine. The ordinance authorizing bonds or
22 notes may provide for the exchange of such bonds or notes which
23 are fully registered, as to both principal and interest, with
24 bonds or notes which are registerable as to principal only. All
25 bonds or notes issued under this Section by the Authority other
26 than those issued in exchange for property or for bonds or

1 notes of the Authority shall be sold at a price which may be at
2 a premium or discount but such that the interest cost
3 (excluding any redemption premium) to the Authority of the
4 proceeds of an issue of such bonds or notes, computed to stated
5 maturity according to standard tables of bond values, shall not
6 exceed that permitted in the Bond Authorization Act. The
7 Authority shall notify the Governor's Office of Management and
8 Budget and the State Comptroller at least 30 days before any
9 bond sale and shall file with the Governor's Office of
10 Management and Budget and the State Comptroller a certified
11 copy of any ordinance authorizing the issuance of bonds at or
12 before the issuance of the bonds. After December 31, 1994, any
13 such bonds or notes shall be sold to the highest and best
14 bidder on sealed bids as the Authority shall deem. As such
15 bonds or notes are to be sold the Authority shall advertise for
16 proposals to purchase the bonds or notes which advertisement
17 shall be published at least once in a daily newspaper of
18 general circulation published in the metropolitan region at
19 least 10 days before the time set for the submission of bids.
20 The Authority shall have the right to reject any or all bids.
21 Notwithstanding any other provisions of this Section, Working
22 Cash Notes or bonds or notes to provide funds for
23 self-insurance or a joint self-insurance pool or entity may be
24 sold either upon competitive bidding or by negotiated sale
25 (without any requirement of publication of intention to
26 negotiate the sale of such Notes), as the Board shall determine

1 by ordinance adopted with the affirmative votes of at least 9
2 Directors. In case any officer whose signature appears on any
3 bonds, notes or coupons authorized pursuant to this Section
4 shall cease to be such officer before delivery of such bonds or
5 notes, such signature shall nevertheless be valid and
6 sufficient for all purposes, the same as if such officer had
7 remained in office until such delivery. Neither the Directors
8 of the Authority nor any person executing any bonds or notes
9 thereof shall be liable personally on any such bonds or notes
10 or coupons by reason of the issuance thereof.

11 (c) All bonds or notes of the Authority issued pursuant to
12 this Section shall be general obligations of the Authority to
13 which shall be pledged the full faith and credit of the
14 Authority, as provided in this Section. Such bonds or notes
15 shall be secured as provided in the authorizing ordinance,
16 which may, notwithstanding any other provision of this Act,
17 include in addition to any other security, a specific pledge or
18 assignment of and lien on or security interest in any or all
19 tax receipts of the Authority and on any or all other revenues
20 or moneys of the Authority from whatever source, which may by
21 law be utilized for debt service purposes and a specific pledge
22 or assignment of and lien on or security interest in any funds
23 or accounts established or provided for by the ordinance of the
24 Authority authorizing the issuance of such bonds or notes. Any
25 such pledge, assignment, lien or security interest for the
26 benefit of holders of bonds or notes of the Authority shall be

1 valid and binding from the time the bonds or notes are issued
2 without any physical delivery or further act and shall be valid
3 and binding as against and prior to the claims of all other
4 parties having claims of any kind against the Authority or any
5 other person irrespective of whether such other parties have
6 notice of such pledge, assignment, lien or security interest.
7 The obligations of the Authority incurred pursuant to this
8 Section shall be superior to and have priority over any other
9 obligations of the Authority.

10 The Authority may provide in the ordinance authorizing the
11 issuance of any bonds or notes issued pursuant to this Section
12 for the creation of, deposits in, and regulation and
13 disposition of sinking fund or reserve accounts relating to
14 such bonds or notes. The ordinance authorizing the issuance of
15 any bonds or notes pursuant to this Section may contain
16 provisions as part of the contract with the holders of the
17 bonds or notes, for the creation of a separate fund to provide
18 for the payment of principal and interest on such bonds or
19 notes and for the deposit in such fund from any or all the tax
20 receipts of the Authority and from any or all such other moneys
21 or revenues of the Authority from whatever source which may by
22 law be utilized for debt service purposes, all as provided in
23 such ordinance, of amounts to meet the debt service
24 requirements on such bonds or notes, including principal and
25 interest, and any sinking fund or reserve fund account
26 requirements as may be provided by such ordinance, and all

1 expenses incident to or in connection with such fund and
2 accounts or the payment of such bonds or notes. Such ordinance
3 may also provide limitations on the issuance of additional
4 bonds or notes of the Authority. No such bonds or notes of the
5 Authority shall constitute a debt of the State of Illinois.
6 Nothing in this Act shall be construed to enable the Authority
7 to impose any ad valorem tax on property.

8 (d) The ordinance of the Authority authorizing the issuance
9 of any bonds or notes may provide additional security for such
10 bonds or notes by providing for appointment of a corporate
11 trustee (which may be any trust company or bank having the
12 powers of a trust company within the state) with respect to
13 such bonds or notes. The ordinance shall prescribe the rights,
14 duties and powers of the trustee to be exercised for the
15 benefit of the Authority and the protection of the holders of
16 such bonds or notes. The ordinance may provide for the trustee
17 to hold in trust, invest and use amounts in funds and accounts
18 created as provided by the ordinance with respect to the bonds
19 or notes. The ordinance may provide for the assignment and
20 direct payment to the trustee of any or all amounts produced
21 from the sources provided in Section 4.03 and Section 4.09 of
22 this Act and provided in Section 6z-17 of "An Act in relation
23 to State finance", approved June 10, 1919, as amended. Upon
24 receipt of notice of any such assignment, the Department of
25 Revenue and the Comptroller of the State of Illinois shall
26 thereafter, notwithstanding the provisions of Section 4.03 and

1 Section 4.09 of this Act and Section 6z-17 of "An Act in
2 relation to State finance", approved June 10, 1919, as amended,
3 provide for such assigned amounts to be paid directly to the
4 trustee instead of the Authority, all in accordance with the
5 terms of the ordinance making the assignment. The ordinance
6 shall provide that amounts so paid to the trustee which are not
7 required to be deposited, held or invested in funds and
8 accounts created by the ordinance with respect to bonds or
9 notes or used for paying bonds or notes to be paid by the
10 trustee to the Authority.

11 (e) Any bonds or notes of the Authority issued pursuant to
12 this Section shall constitute a contract between the Authority
13 and the holders from time to time of such bonds or notes. In
14 issuing any bond or note, the Authority may include in the
15 ordinance authorizing such issue a covenant as part of the
16 contract with the holders of the bonds or notes, that as long
17 as such obligations are outstanding, it shall make such
18 deposits, as provided in paragraph (c) of this Section. It may
19 also so covenant that it shall impose and continue to impose
20 taxes, as provided in Section 4.03 of this Act and in addition
21 thereto as subsequently authorized by law, sufficient to make
22 such deposits and pay the principal and interest and to meet
23 other debt service requirements of such bonds or notes as they
24 become due. A certified copy of the ordinance authorizing the
25 issuance of any such obligations shall be filed at or prior to
26 the issuance of such obligations with the Comptroller of the

1 State of Illinois and the Illinois Department of Revenue.

2 (f) The State of Illinois pledges to and agrees with the
3 holders of the bonds and notes of the Authority issued pursuant
4 to this Section that the State will not limit or alter the
5 rights and powers vested in the Authority by this Act so as to
6 impair the terms of any contract made by the Authority with
7 such holders or in any way impair the rights and remedies of
8 such holders until such bonds and notes, together with interest
9 thereon, with interest on any unpaid installments of interest,
10 and all costs and expenses in connection with any action or
11 proceedings by or on behalf of such holders, are fully met and
12 discharged. In addition, the State pledges to and agrees with
13 the holders of the bonds and notes of the Authority issued
14 pursuant to this Section that the State will not limit or alter
15 the basis on which State funds are to be paid to the Authority
16 as provided in this Act, or the use of such funds, so as to
17 impair the terms of any such contract. The Authority is
18 authorized to include these pledges and agreements of the State
19 in any contract with the holders of bonds or notes issued
20 pursuant to this Section.

21 (g) (1) Except as provided in subdivisions (g) (2) and (g) (3)
22 of Section 4.04 of this Act, the Authority shall not at any
23 time issue, sell or deliver any bonds or notes (other than
24 Working Cash Notes and lines of credit) pursuant to this
25 Section 4.04 which will cause it to have issued and outstanding
26 at any time in excess of \$800,000,000 of such bonds and notes

1 (other than Working Cash Notes and lines of credit). The
2 Authority shall not issue, sell, or deliver any Working Cash
3 Notes or establish a line of credit pursuant to this Section
4 that will cause it to have issued and outstanding at any time
5 in excess of \$100,000,000. However, the Authority may issue,
6 sell, and deliver additional Working Cash Notes or establish a
7 line of credit before July 1, 2022 that are over and above and
8 in addition to the \$100,000,000 authorization such that the
9 outstanding amount of these additional Working Cash Notes and
10 lines of credit do not exceed at any time \$300,000,000. Bonds
11 or notes which are being paid or retired by such issuance, sale
12 or delivery of bonds or notes, and bonds or notes for which
13 sufficient funds have been deposited with the paying agency of
14 such bonds or notes to provide for payment of principal and
15 interest thereon or to provide for the redemption thereof, all
16 pursuant to the ordinance authorizing the issuance of such
17 bonds or notes, shall not be considered to be outstanding for
18 the purposes of this subsection.

19 (2) In addition to the authority provided by paragraphs (1)
20 and (3), the Authority is authorized to issue, sell and deliver
21 bonds or notes for Strategic Capital Improvement Projects
22 approved pursuant to Section 4.13 as follows:

23 \$100,000,000 is authorized to be issued on or after
24 January 1, 1990;

25 an additional \$100,000,000 is authorized to be issued
26 on or after January 1, 1991;

1 an additional \$100,000,000 is authorized to be issued
2 on or after January 1, 1992;

3 an additional \$100,000,000 is authorized to be issued
4 on or after January 1, 1993;

5 an additional \$100,000,000 is authorized to be issued
6 on or after January 1, 1994; and

7 the aggregate total authorization of bonds and notes
8 for Strategic Capital Improvement Projects as of January 1,
9 1994, shall be \$500,000,000.

10 The Authority is also authorized to issue, sell, and
11 deliver bonds or notes in such amounts as are necessary to
12 provide for the refunding or advance refunding of bonds or
13 notes issued for Strategic Capital Improvement Projects under
14 this subdivision (g) (2), provided that no such refunding bond
15 or note shall mature later than the final maturity date of the
16 series of bonds or notes being refunded, and provided further
17 that the debt service requirements for such refunding bonds or
18 notes in the current or any future fiscal year shall not exceed
19 the debt service requirements for that year on the refunded
20 bonds or notes.

21 (3) In addition to the authority provided by paragraphs (1)
22 and (2), the Authority is authorized to issue, sell, and
23 deliver bonds or notes for Strategic Capital Improvement
24 Projects approved pursuant to Section 4.13 as follows:

25 \$260,000,000 is authorized to be issued on or after
26 January 1, 2000;

1 an additional \$260,000,000 is authorized to be issued
2 on or after January 1, 2001;

3 an additional \$260,000,000 is authorized to be issued
4 on or after January 1, 2002;

5 an additional \$260,000,000 is authorized to be issued
6 on or after January 1, 2003;

7 an additional \$260,000,000 is authorized to be issued
8 on or after January 1, 2004; and

9 the aggregate total authorization of bonds and notes
10 for Strategic Capital Improvement Projects pursuant to
11 this paragraph (3) as of January 1, 2004 shall be
12 \$1,300,000,000.

13 The Authority is also authorized to issue, sell, and
14 deliver bonds or notes in such amounts as are necessary to
15 provide for the refunding or advance refunding of bonds or
16 notes issued for Strategic Capital Improvement projects under
17 this subdivision (g) (3), provided that no such refunding bond
18 or note shall mature later than the final maturity date of the
19 series of bonds or notes being refunded, and provided further
20 that the debt service requirements for such refunding bonds or
21 notes in the current or any future fiscal year shall not exceed
22 the debt service requirements for that year on the refunded
23 bonds or notes.

24 (h) The Authority, subject to the terms of any agreements
25 with noteholders or bond holders as may then exist, shall have
26 power, out of any funds available therefor, to purchase notes

1 or bonds of the Authority, which shall thereupon be cancelled.

2 (i) In addition to any other authority granted by law, the
3 State Treasurer may, with the approval of the Governor, invest
4 or reinvest, at a price not to exceed par, any State money in
5 the State Treasury which is not needed for current expenditures
6 due or about to become due in Working Cash Notes. In the event
7 of a default on a Working Cash Note issued by the Regional
8 Transportation Authority in which State money in the State
9 treasury was invested, the Treasurer may, after giving notice
10 to the Authority, certify to the Comptroller the amounts of the
11 defaulted Working Cash Note, in accordance with any applicable
12 rules of the Comptroller, and the Comptroller must deduct and
13 remit to the State treasury the certified amounts or a portion
14 of those amounts from the following proportions of payments of
15 State funds to the Authority:

16 (1) in the first year after default, one-third of the
17 total amount of any payments of State funds to the
18 Authority;

19 (2) in the second year after default, two-thirds of the
20 total amount of any payments of State funds to the
21 Authority; and

22 (3) in the third year after default and for each year
23 thereafter until the total invested amount is repaid, the
24 total amount of any payments of State funds to the
25 Authority.

26 (j) The Authority may establish a line of credit with a

1 bank or other financial institution as may be evidenced by the
2 issuance of notes or other obligations, secured by and payable
3 from all tax receipts of the Authority and any or all other
4 revenues or moneys of the Authority, in an amount not to exceed
5 the limitations set forth in paragraph (1) of subsection (g).
6 Money borrowed under this subsection (j) shall be used to
7 provide money for the Authority or the Service Boards to cover
8 any cash flow deficit that the Authority or a Service Board
9 anticipates incurring and shall be repaid within 24 months.

10 Before establishing a line of credit under this subsection
11 (j), the Authority shall authorize the line of credit by
12 ordinance. The ordinance shall set forth facts demonstrating
13 the need for the line of credit, state the amount to be
14 borrowed, establish a maximum interest rate limit not to exceed
15 the maximum rate authorized by the Bond Authorization Act, and
16 provide a date by which the borrowed funds shall be repaid. The
17 ordinance shall authorize and direct the relevant officials to
18 make arrangements to set apart and hold, as applicable, the
19 moneys that will be used to repay the borrowing. In addition,
20 the ordinance may authorize the relevant officials to make
21 partial repayments on the line of credit as the moneys become
22 available and may contain any other terms, restrictions, or
23 limitations desirable or necessary to give effect to this
24 subsection (j).

25 The Authority shall notify the Governor's Office of
26 Management and Budget and the State Comptroller at least 30

1 days before establishing a line of credit and shall file with
2 the Governor's Office of Management and Budget and the State
3 Comptroller a certified copy of any ordinance authorizing the
4 establishment of a line of credit upon or before establishing
5 the line of credit.

6 Moneys borrowed under a line of credit pursuant to this
7 subsection (j) are general obligations of the Authority that
8 are secured by the full faith and credit of the Authority.

9 (Source: P.A. 101-485, eff. 8-23-19.)

10 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

11 Sec. 4.11. Budget Review Powers.

12 (a) Based upon estimates which shall be given to the
13 Authority by the Director of the Governor's Office of
14 Management and Budget (formerly Bureau of the Budget) of the
15 receipts to be received by the Authority from the taxes imposed
16 by the Authority and the authorized estimates of amounts to be
17 available from State and other sources to the Service Boards,
18 and the times at which such receipts and amounts will be
19 available, the Board shall, not later than the next preceding
20 September 15th prior to the beginning of the Authority's next
21 fiscal year, advise each Service Board of the amounts estimated
22 by the Board to be available for such Service Board during such
23 fiscal year and the two following fiscal years and the times at
24 which such amounts will be available. The Board shall, at the
25 same time, also advise each Service Board of its required

1 system generated revenues recovery ratio for the next fiscal
2 year which shall be the percentage of the aggregate costs of
3 providing public transportation by or under jurisdiction of
4 that Service Board which must be recovered from system
5 generated revenues. The Board shall, at the same time, consider
6 the written determination of the Executive Director, made
7 pursuant to Section 2.01d, of the costs of ADA paratransit
8 services that are required to be provided under the federal
9 Americans with Disabilities Act of 1990 and its implementing
10 regulations, and shall amend the current year budgets of the
11 Authority and the Service Boards to provide for additional
12 funding for the provision of ADA paratransit services, if
13 needed. The Board shall, at the same time, beginning with the
14 2007 fiscal year, also advise each Service Board that provides
15 ADA paratransit services of its required system generated ADA
16 paratransit services revenue recovery ratio for the next fiscal
17 year which shall be the percentage of the aggregate costs of
18 providing ADA paratransit services by or under jurisdiction of
19 that Service Board which must be recovered from fares charged
20 for such services, except that such required system generated
21 ADA paratransit services revenue recovery ratio shall not
22 exceed the minimum percentage established pursuant to Section
23 4.01(b)(ii) of this Act. In determining a Service Board's
24 system generated revenue recovery ratio, the Board shall
25 consider the historical system generated revenues recovery
26 ratio for the services subject to the jurisdiction of that

1 Service Board. The Board shall not increase a Service Board's
2 system generated revenues recovery ratio for the next fiscal
3 year over such ratio for the current fiscal year
4 disproportionately or prejudicially to increases in such
5 ratios for other Service Boards. The Board may, by ordinance,
6 provide that (i) the cost of research and development projects
7 in the fiscal year beginning January 1, 1986 and ending
8 December 31, 1986 conducted pursuant to Section 2.09 of this
9 Act, (ii) the costs for passenger security, and (iii)
10 expenditures of amounts granted to a Service Board from the
11 Innovation, Coordination, and Enhancement Fund for operating
12 purposes may be exempted from the farebox recovery ratio or the
13 system generated revenues recovery ratio of the Chicago Transit
14 Authority, the Suburban Bus Division ~~Board~~, and the Commuter
15 Rail Division ~~Board~~, or any of them. During fiscal years 2008
16 through 2012, the Board may also allocate the exemption of
17 \$200,000,000 and the reducing amounts of costs provided by this
18 amendatory Act of the 95th General Assembly from the farebox
19 recovery ratio or system generated revenues recovery ratio of
20 each Service Board.

21 (b) (1) Not later than the next preceding November 15 prior
22 to the commencement of such fiscal year, each Service Board
23 shall submit to the Authority its proposed budget for such
24 fiscal year and its proposed financial plan for the two
25 following fiscal years. Such budget and financial plan shall
26 (i) be prepared in the format, follow the financial and

1 budgetary practices, and be based on any assumptions and
2 projections required by the Authority and (ii) not project or
3 assume a receipt of revenues from the Authority in amounts
4 greater than those set forth in the estimates provided by the
5 Authority pursuant to subsection (a) of this Section.

6 (2) The Board shall review the proposed budget and two-year
7 financial plan submitted by each Service Board. The Board shall
8 approve the budget and two-year financial plan of a Service
9 Board if:

10 (i) such budget and plan show a balance between (A)
11 anticipated revenues from all sources including operating
12 subsidies and (B) the costs of providing the services
13 specified and of funding any operating deficits or
14 encumbrances incurred in prior periods, including
15 provision for payment when due of principal and interest on
16 outstanding indebtedness;

17 (ii) such budget and plan show cash balances including
18 the proceeds of any anticipated cash flow borrowing
19 sufficient to pay with reasonable promptness all costs and
20 expenses as incurred;

21 (iii) such budget and plan provide for a level of fares
22 or charges and operating or administrative costs for the
23 public transportation provided by or subject to the
24 jurisdiction of such Service Board sufficient to allow the
25 Service Board to meet its required system generated revenue
26 recovery ratio and, beginning with the 2007 fiscal year,

1 system generated ADA paratransit services revenue recovery
2 ratio;

3 (iv) such budget and plan are based upon and employ
4 assumptions and projections which are reasonable and
5 prudent;

6 (v) such budget and plan have been prepared in
7 accordance with sound financial practices as determined by
8 the Board;

9 (vi) such budget and plan meet such other financial,
10 budgetary, or fiscal requirements that the Board may by
11 rule or regulation establish; and

12 (vii) such budget and plan are consistent with the
13 goals and objectives adopted by the Authority in the
14 Strategic Plan.

15 (3) (Blank).

16 (4) Unless the Board by an affirmative vote of 12 of the
17 then Directors determines that the budget and financial plan of
18 a Service Board meets the criteria specified in clauses (i)
19 through (vii) of subparagraph (2) of this paragraph (b), the
20 Board shall withhold from that Service Board 25% of the cash
21 proceeds of taxes imposed by the Authority under Section 4.03
22 and Section 4.03.1 and received after February 1 and 25% of the
23 amounts transferred to the Authority from the Public
24 Transportation Fund under Section 4.09(a) (but not including
25 Section 4.09(a)(3)(iv)) after February 1 that the Board has
26 estimated to be available to that Service Board under Section

1 4.11(a). Such funding shall be released to the Service Board
2 only upon approval of a budget and financial plan under this
3 Section or adoption of a budget and financial plan on behalf of
4 the Service Board by the Authority.

5 (5) If the Board has not found that the budget and
6 financial plan of a Service Board meets the criteria specified
7 in clauses (i) through (vii) of subparagraph (2) of this
8 paragraph (b), the Board, by the affirmative vote of at least
9 12 of its then Directors, shall adopt a budget and financial
10 plan meeting such criteria for that Service Board.

11 (c)(1) If the Board shall at any time have received a
12 revised estimate, or revises any estimate the Board has made,
13 pursuant to this Section of the receipts to be collected by the
14 Authority which, in the judgment of the Board, requires a
15 change in the estimates on which the budget of any Service
16 Board is based, the Board shall advise the affected Service
17 Board of such revised estimates, and such Service Board shall
18 within 30 days after receipt of such advice submit a revised
19 budget incorporating such revised estimates. If the revised
20 estimates require, in the judgment of the Board, that the
21 system generated revenues recovery ratio of one or more Service
22 Boards be revised in order to allow the Authority to meet its
23 required ratio, the Board shall advise any such Service Board
24 of its revised ratio and such Service Board shall within 30
25 days after receipt of such advice submit a revised budget
26 incorporating such revised estimates or ratio.

1 (2) Each Service Board shall, within such period after the
2 end of each fiscal quarter as shall be specified by the Board,
3 report to the Authority its financial condition and results of
4 operations and the financial condition and results of
5 operations of the public transportation services subject to its
6 jurisdiction, as at the end of and for such quarter. If in the
7 judgment of the Board such condition and results are not
8 substantially in accordance with such Service Board's budget
9 for such period, the Board shall so advise such Service Board
10 and such Service Board shall within the period specified by the
11 Board submit a revised budget incorporating such results.

12 (3) If the Board shall determine that a revised budget
13 submitted by a Service Board pursuant to subparagraph (1) or
14 (2) of this paragraph (c) does not meet the criteria specified
15 in clauses (i) through (vii) of subparagraph (2) of paragraph
16 (b) of this Section, the Board shall withhold from that Service
17 Board 25% of the cash proceeds of taxes imposed by the
18 Authority under Section 4.03 or 4.03.1 and received by the
19 Authority after February 1 and 25% of the amounts transferred
20 to the Authority from the Public Transportation Fund under
21 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))
22 after February 1 that the Board has estimated to be available
23 to that Service Board under Section 4.11(a). If the Service
24 Board submits a revised financial plan and budget which plan
25 and budget shows that the criteria will be met within a four
26 quarter period, the Board shall release any such withheld funds

1 to the Service Board. The Board by the affirmative vote of at
2 least 12 of its then Directors may require a Service Board to
3 submit a revised financial plan and budget which shows that the
4 criteria will be met in a time period less than four quarters.

5 (d) All budgets and financial plans, financial statements,
6 audits and other information presented to the Authority
7 pursuant to this Section or which may be required by the Board
8 to permit it to monitor compliance with the provisions of this
9 Section shall be prepared and presented in such manner and
10 frequency and in such detail as shall have been prescribed by
11 the Board, shall be prepared on both an accrual and cash flow
12 basis as specified by the Board, shall present such information
13 as the Authority shall prescribe that fairly presents the
14 condition of any pension plan or trust for health care benefits
15 with respect to retirees established by the Service Board and
16 describes the plans of the Service Board to meet the
17 requirements of Sections 4.02a and 4.02b, and shall identify
18 and describe the assumptions and projections employed in the
19 preparation thereof to the extent required by the Board. If the
20 Executive Director certifies that a Service Board has not
21 presented its budget and two-year financial plan in conformity
22 with the rules adopted by the Authority under the provisions of
23 Section 4.01(f) and this subsection (d), and such certification
24 is accepted by the affirmative vote of at least 12 of the then
25 Directors of the Authority, the Authority shall not distribute
26 to that Service Board any funds for operating purposes in

1 excess of the amounts distributed for such purposes to the
2 Service Board in the previous fiscal year. Except when the
3 Board adopts a budget and a financial plan for a Service Board
4 under paragraph (b) (5), a Service Board shall provide for such
5 levels of transportation services and fares or charges therefor
6 as it deems appropriate and necessary in the preparation of a
7 budget and financial plan meeting the criteria set forth in
8 clauses (i) through (vii) of subparagraph (2) of paragraph (b)
9 of this Section. The Authority shall have access to and the
10 right to examine and copy all books, documents, papers,
11 records, or other source data of a Service Board relevant to
12 any information submitted pursuant to this Section.

13 (e) Whenever this Section requires the Board to make
14 determinations with respect to estimates, budgets or financial
15 plans, or rules or regulations with respect thereto such
16 determinations shall be made upon the affirmative vote of at
17 least 12 of the then Directors and shall be incorporated in a
18 written report of the Board and such report shall be submitted
19 within 10 days after such determinations are made to the
20 Governor, the Mayor of Chicago (if such determinations relate
21 to the Chicago Transit Authority), and the Auditor General of
22 Illinois.

23 (Source: P.A. 97-399, eff. 8-16-11.)

24 (70 ILCS 3615/4.15)

25 Sec. 4.15. Revolving door prohibition. No Director,

1 Service Board director or member, former Director, or former
2 Service Board director or member shall, during his or her term
3 and for a period of one year immediately after the end of his
4 or her term, engage in business dealings with, knowingly accept
5 employment from, or receive compensation or fees for services
6 from the Regional Transportation Authority, the Suburban Bus
7 Division ~~Board~~, the Commuter Rail Division, ~~Board~~ or the
8 Chicago Transit Authority ~~Board~~. This prohibition shall not
9 apply to any business dealings engaged in by the Director or
10 Service Board director or member in the course of his or her
11 official duties or responsibilities as a Director or Service
12 Board director or member.

13 (Source: P.A. 98-1027, eff. 1-1-15.)

14 (70 ILCS 3615/5.05) (from Ch. 111 2/3, par. 705.05)

15 Sec. 5.05. Opt Out.

16 (a) Notwithstanding any other provision of this Act, if the
17 County Board of the County of DuPage, Kane, Lake, McHenry or
18 Will by ordinance authorizes that such county shall elect to
19 terminate the powers of the Authority and the Suburban Bus
20 Division in that County, the Secretary of such County Board
21 shall certify that proposition to the proper election
22 officials, who shall submit such proposition at an election in
23 accordance with the general election law to decide whether or
24 not the County shall opt out; and if a majority of the voters
25 voting upon the proposition is in favor of terminating the

1 powers of the Authority and the Suburban Bus Division those
2 powers shall be terminated.

3 The form of the ballot to be used at the referendum shall
4 be substantially as follows:

5 -----

6	Shall County Terminate the	
7	Powers of the Regional Transportation	YES
8	Authority and the Suburban Bus	-----
9	Division in County	NO
10	on (date)	

11 -----

12 If a majority of the voters vote in favor of terminating
13 the powers of the Authority and the Suburban Bus Division then
14 all of the powers of the Authority and the Suburban Bus
15 Division shall terminate in such county except those powers and
16 functions which the Authority determines to be necessary to
17 exercise with regard to:

18 (i) public transportation by commuter rail, and
19 related public transportation facilities;

20 (ii) public transportation other than by commuter rail
21 which is required in order to comply with federal or State
22 laws and regulations, and related public transportation
23 facilities; and

24 (iii) public transportation other than by commuter
25 rail provided by the Suburban Bus Division pursuant to
26 contract with the County or other governmental entity

1 therein, and related public transportation facilities.

2 (b) The termination of the powers of the Authority and the
3 Suburban Bus Division referred to in paragraph (a) of this
4 Section with respect to any County shall occur on approval of
5 the referendum by the electors provided on or prior to the date
6 of such termination, such County shall have:

7 (i) assumed the obligations of the Authority under all
8 laws, federal or State, and all contracts with respect to
9 public transportation or public transportation facilities
10 in such County, which statutory or contractual obligations
11 extend beyond the termination date provided for in
12 accordance with paragraph (c) of this Section provided that
13 such obligations shall not be deemed to include any
14 indebtedness of the Authority for borrowed money;

15 (ii) agreed to indemnify and hold harmless the
16 Authority against any and all claims, actions and
17 liabilities arising out of or in connection with the
18 termination of the Authority's powers and functions
19 pursuant to paragraph (a) of this Section; and

20 (iii) taken or caused to be taken all necessary actions
21 and fulfilled or caused to be fulfilled all requirements
22 under federal and State laws, rules and regulations with
23 respect to such termination and any related transfers of
24 assets or liabilities of the Authority. A County may, by
25 mutual agreement with the Authority, permit the Authority
26 to fulfill one or more contracts which by their terms

1 extend beyond the termination date provided for in
2 accordance with paragraph (c) of this Section, in which
3 case the powers and functions of the Authority in that
4 County shall survive only to the extent deemed necessary by
5 the Authority to fulfill said contract or contracts. The
6 satisfaction of the requirements provided for in this
7 paragraph shall be evidenced in such manner as the
8 Authority may require.

9 (c) Following an election to terminate the powers of the
10 Authority and the Suburban Bus Division at a referendum held
11 under paragraph (a) of this Section the County Board shall
12 notify the Authority of the results of the referendum which
13 notice shall specify a termination date, which is the last day
14 of the calendar month, but no earlier than December 31, 1984.
15 Unless the termination date is extended by mutual agreement
16 between the County and the Authority, the termination of the
17 powers and functions of the Authority in the County shall occur
18 at midnight on the termination date, provided that the
19 requirements of this Section have been met.

20 (d) The proceeds of taxes imposed by the Authority under
21 Sections 4.03 and 4.03.1 collected after the termination date
22 within a County wherein the powers of the Authority and the
23 Suburban Bus Division have been terminated under this Section
24 shall be provided by the Authority to the Commuter Rail
25 Division Board to support services under the jurisdiction of
26 the Commuter Rail Division Board which are attributable to that

1 County, as determined by the Regional Transportation Authority
2 Board ~~Commuter Rail Board~~. Any proceeds which are in excess of
3 that necessary to support such services shall be paid by the
4 Authority to that County to be expended for general
5 transportation purposes in accordance with law. If no services
6 under the jurisdiction of the Commuter Rail Division ~~Board~~ are
7 provided in a County wherein the powers of the Authority have
8 been terminated under this Section, all proceeds of taxes
9 imposed by the Authority in the County shall be paid by the
10 Authority to the County to be expended for general
11 transportation purposes in accordance with law. The Authority
12 or the Suburban Bus Division has no obligation to see that the
13 funds expended under this paragraph by the County are spent for
14 general transportation purposes in accordance with law.

15 (Source: P.A. 83-885; 83-886.)

16 (70 ILCS 3615/3A.03 rep.)

17 (70 ILCS 3615/3A.04 rep.)

18 (70 ILCS 3615/3A.06 rep.)

19 (70 ILCS 3615/3A.07 rep.)

20 (70 ILCS 3615/3B.03 rep.)

21 (70 ILCS 3615/3B.04 rep.)

22 (70 ILCS 3615/3B.06 rep.)

23 (70 ILCS 3615/3B.07 rep.)

24 Section 40. The Regional Transportation Authority Act is
25 amended by repealing Sections 3A.03, 3A.04, 3A.06, 3A.07,

1 3B.03, 3B.04, 3B.06, and 3B.07.

2 Section 99. Effective date. This Act takes effect January
3 1, 2021.

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Statutes amended in order of appearance

3	5 ILCS 120/2	from Ch. 102, par. 42
4	5 ILCS 375/2.6 rep.	
5	5 ILCS 375/2.7 rep.	
6	20 ILCS 2712/5-5	
7	65 ILCS 5/11-122.2-1	from Ch. 24, par. 11-122.2-1
8	70 ILCS 3605/2	from Ch. 111 2/3, par. 302
9	70 ILCS 3605/3	from Ch. 111 2/3, par. 303
10	70 ILCS 3605/9a	from Ch. 111 2/3, par. 309a
11	70 ILCS 3605/12a	from Ch. 111 2/3, par. 312a
12	70 ILCS 3605/12b	from Ch. 111 2/3, par. 312b
13	70 ILCS 3605/12c	
14	70 ILCS 3605/19	from Ch. 111 2/3, par. 319
15	70 ILCS 3605/24	from Ch. 111 2/3, par. 324
16	70 ILCS 3605/27	from Ch. 111 2/3, par. 327
17	70 ILCS 3605/27a	from Ch. 111 2/3, par. 327a
18	70 ILCS 3605/28	from Ch. 111 2/3, par. 328
19	70 ILCS 3605/28a	from Ch. 111 2/3, par. 328a
20	70 ILCS 3605/30	from Ch. 111 2/3, par. 330
21	70 ILCS 3605/34	from Ch. 111 2/3, par. 334
22	70 ILCS 3605/4 rep.	
23	70 ILCS 3605/6.1 rep.	
24	70 ILCS 3605/9b rep.	
25	70 ILCS 3605/20 rep.	

1 70 ILCS 3605/21 rep.
2 70 ILCS 3605/22 rep.
3 70 ILCS 3605/23 rep.
4 70 ILCS 3605/28d rep.
5 70 ILCS 3605/44 rep.
6 70 ILCS 3615/1.03 from Ch. 111 2/3, par. 701.03
7 70 ILCS 3615/1.06 new
8 70 ILCS 3615/2.01 from Ch. 111 2/3, par. 702.01
9 70 ILCS 3615/2.01a
10 70 ILCS 3615/2.01b
11 70 ILCS 3615/2.01c
12 70 ILCS 3615/2.01d
13 70 ILCS 3615/2.01e
14 70 ILCS 3615/2.20 from Ch. 111 2/3, par. 702.20
15 70 ILCS 3615/2.21 from Ch. 111 2/3, par. 702.21
16 70 ILCS 3615/2.30
17 70 ILCS 3615/3.01 from Ch. 111 2/3, par. 703.01
18 70 ILCS 3615/3.04 from Ch. 111 2/3, par. 703.04
19 70 ILCS 3615/3.08 from Ch. 111 2/3, par. 703.08
20 70 ILCS 3615/3.12 new
21 70 ILCS 3615/3A.01 from Ch. 111 2/3, par. 703A.01
22 70 ILCS 3615/3A.02 from Ch. 111 2/3, par. 703A.02
23 70 ILCS 3615/3A.05 from Ch. 111 2/3, par. 703A.05
24 70 ILCS 3615/3A.09 from Ch. 111 2/3, par. 703A.09
25 70 ILCS 3615/3A.10 from Ch. 111 2/3, par. 703A.10
26 70 ILCS 3615/3A.11 from Ch. 111 2/3, par. 703A.11

1 70 ILCS 3615/3A.12 from Ch. 111 2/3, par. 703A.12
2 70 ILCS 3615/3A.14 from Ch. 111 2/3, par. 703A.14
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18 70 ILCS 3615/Art. III-C
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20 70 ILCS 3615/3C.05 new
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22 70 ILCS 3615/4.02b
23 70 ILCS 3615/4.03.3
24 70 ILCS 3615/4.04 from Ch. 111 2/3, par. 704.04
25 70 ILCS 3615/4.11 from Ch. 111 2/3, par. 704.11
26 70 ILCS 3615/4.15

- 1 70 ILCS 3615/5.05 from Ch. 111 2/3, par. 705.05
- 2 70 ILCS 3615/3A.03 rep.
- 3 70 ILCS 3615/3A.04 rep.
- 4 70 ILCS 3615/3A.06 rep.
- 5 70 ILCS 3615/3A.07 rep.
- 6 70 ILCS 3615/3B.03 rep.
- 7 70 ILCS 3615/3B.04 rep.
- 8 70 ILCS 3615/3B.06 rep.
- 9 70 ILCS 3615/3B.07 rep.