



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6343

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1008.7 new

Amends the Counties Code. Provides that the county boards of Cook, DuPage, Kane, Lake, McHenry, and Will Counties may impose a tax upon all rail line owners (calculated per rail car per mile) for the privilege of operating a rail line within the county and that the rate must be sufficient to complete necessary grade crossing separation work and related infrastructure improvements to improve safety for first responders and the general public. Contains other provisions. Effective immediately.

LRB095 21020 HLH 50145 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 Counties Code is amended by adding Section
5 5-1008.7 as follows:

6 (55 ILCS 5/5-1008.7 new)

7 Sec. 5-1008.7. County tax for railroad grade crossings. The
8 county board of Cook, DuPage, Kane, Lake, McHenry, and Will
9 County may each impose a tax upon all rail line owners for the
10 privilege of operating a rail line within the county. The tax
11 shall be at a rate determined by the Illinois Commerce
12 Commission and approved by the county board, and shall be
13 calculated per rail car per mile traveled in the county. The
14 rate must be sufficient to complete necessary grade crossing
15 separation work and related infrastructure improvements in the
16 county in order to improve safety for first responders and the
17 general public. Not less than 60 days prior to the imposition
18 of the tax by the county board, the Illinois Commerce
19 Commission must submit to the county board a 10-year plan to
20 upgrade grade separation crossings in the county, including
21 costs associated with those upgrades. The Illinois Commerce
22 Commission shall request and receive data from the Department
23 of Transportation and each county board sufficient to enable

1 the submission of the plans.

2 The tax imposed pursuant to this Section shall be collected
3 and enforced by the State Department of Revenue. The Department
4 shall immediately pay over to the State Treasurer, ex officio,
5 as trustee, all taxes and penalties collected under this
6 Section to be deposited into the County Railroad Crossing Fund,
7 which shall be an unappropriated trust fund held outside of the
8 State treasury. On or before the 25th day of each calendar
9 month, the Department shall prepare and certify to the
10 Comptroller the amounts collected in each county from the tax
11 imposed under this Section. The amount to be paid to each
12 county, and deposited into a special fund created in the county
13 treasury for the purposes of this Section, shall be the amount
14 collected in each county minus 2%, which shall be paid to the
15 Illinois Commerce Commission to cover administrative expenses.
16 Within 10 days after receipt by the Comptroller of the
17 disbursement certification provided in this Section, the
18 Comptroller shall cause the orders to be drawn for the
19 respective amounts in accordance with directions contained in
20 the certification.

21 The Illinois Commerce Commission must submit an annual
22 report to the General Assembly, the Governor, and each county
23 board referenced in this Section. The report must contain the
24 Commission's 10-year plan and any updates to that plan.

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.