



Rep. Julie Hamos

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1 AMENDMENT TO SENATE BILL 572

2 AMENDMENT NO. _____. Amend Senate Bill 572 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Metropolitan Transit Authority Act is
5 amended by changing Section 34 as follows:

6 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

7 Sec. 34. Budget and Program. The Authority, subject to the
8 powers of the Regional Transportation Authority in Section 4.11
9 of the Regional Transportation Authority Act, shall control the
10 finances of the Authority. It shall by ordinance appropriate
11 money to perform the Authority's purposes and provide for
12 payment of debts and expenses of the Authority. Each year the
13 Authority shall prepare and publish a comprehensive annual
14 budget and program document, and a financial plan for the 2
15 years thereafter describing the state of the Authority and
16 presenting for the forthcoming fiscal year and the two

1 following years the Authority'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 and
4 financial plan shall be based on the Regional Transportation
5 Authority's estimate of funds to be made available to the
6 Authority by or through the Regional Transportation Authority
7 and shall conform in all respects to the requirements
8 established by the Regional Transportation Authority. The
9 proposed program and budget 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. After adoption of the Regional Transportation
14 Authority's first Five-Year Program, as provided in Section
15 2.01 of the Regional Transportation Authority Act, the proposed
16 program and budget shall specifically identify any respect in
17 which the recommended program deviates from the Regional
18 Transportation Authority's then existing Five-Year Program,
19 giving the reasons for such deviation. The proposed program and
20 budget shall be available at no cost for public inspection at
21 the Authority's main office and at the Regional Transportation
22 Authority's main office at least 3 weeks prior to any public
23 hearing. Before the proposed budget and program and financial
24 plan are submitted to the Regional Transportation Authority,
25 the Authority shall hold at least one public hearing thereon in
26 each of the counties in which the Authority provides service.

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

1 which do not alter the basis upon which the balanced budget
2 determination was made by the Regional Transportation
3 Authority may be made from time to time by the Board.

4 The budget shall:

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

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

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

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. 87-1249.)

1 Section 10. The Regional Transportation Authority Act is
2 amended by changing Sections 1.02, 2.01, 2.04, 2.05, 2.12,
3 3A.10, 3B.10, 4.01, 4.02, 4.09, 4.11, 4.13, and 5.01 and by
4 adding Section 2.01a, 2.01b, and 2.01c, and 2.12b as follows:

5 (70 ILCS 3615/1.02) (from Ch. 111 2/3, par. 701.02)

6 Sec. 1.02. Findings and Purpose. (a) The General Assembly
7 finds;

8 (i) Public transportation is, as provided in Section 7 of
9 Article XIII of the Illinois Constitution, an essential public
10 purpose for which public funds may be expended and that Section
11 authorizes the State to provide financial assistance to units
12 of local government for distribution to providers of public
13 transportation. There is an urgent need to reform and continue
14 a unit of local government to assure the proper management of
15 public transportation and to receive and distribute State or
16 federal operating assistance and to raise and distribute
17 revenues for local operating assistance. System generated
18 revenues are not adequate for such service and a public need
19 exists to provide for, aid and assist public transportation in
20 the northeastern area of the State, consisting of Cook, DuPage,
21 Kane, Lake, McHenry and Will Counties.

22 (ii) Comprehensive and coordinated regional public
23 transportation is essential to the public health, safety and
24 welfare. It is essential to economic well-being, maintenance of

1 full employment, conservation of sources of energy and land for
2 open space and reduction of traffic congestion and for
3 providing and maintaining a healthful environment for the
4 benefit of present and future generations in the metropolitan
5 region. Public transportation improves the mobility of the
6 public and improves access to jobs, commercial facilities,
7 schools and cultural attractions. Public transportation
8 decreases air pollution and other environmental hazards
9 resulting from excessive use of automobiles and allows for more
10 efficient land use and planning.

11 (iii) Because system generated receipts are not presently
12 adequate, public transportation facilities and services in the
13 northeastern area are in grave financial condition. With
14 existing methods of financing, coordination and management,
15 and relative convenience of automobiles, such public
16 transportation facilities are not providing adequate public
17 transportation to insure the public health, safety and welfare.

18 (iv) Additional commitments to the ~~special~~ public
19 transportation needs ~~problems~~ of the disabled ~~handicapped~~, the
20 economically disadvantaged, and the elderly are necessary.

21 (v) To solve these problems, it is necessary to provide for
22 the creation of a regional transportation authority with the
23 powers necessary to insure adequate public transportation.

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

26 (i) Substantial, recurring deficits in the operations of

1 public transportation services subject to the jurisdiction of
2 the Regional Transportation Authority and periodic cash
3 shortages have occurred either of which could bring about a
4 loss of public transportation services throughout the
5 metropolitan region at any time;

6 (ii) A substantial or total loss of public transportation
7 services or any segment thereof would create an emergency
8 threatening the safety and well-being of the people in the
9 northeastern area of the State; and

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

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

22 (i) The economic vitality of northeastern Illinois
23 requires regionwide and systemwide efforts to increase
24 ridership on the transit systems, constrain road congestion
25 within the metropolitan region, and allocate resources for
26 transportation so as to assist in the development of an

1 adequate, efficient, and coordinated regional transportation
2 system that is in a state of good repair.

3 (ii) To achieve the purposes of this amendatory Act of the
4 95th General Assembly, the powers and duties of the Authority
5 must be enhanced to improve overall planning and coordination,
6 to achieve an integrated and efficient regional transit system,
7 to advance the mobility of transit users, and to increase
8 financial transparency of the Authority and the Service Boards.

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

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

24 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

25 Sec. 2.01. General Allocation of Responsibility for Public

1 Transportation. Provision of Public Transportation — Review
2 and Program. (a) In order to accomplish the ~~its~~ purposes as set
3 forth in this Act, the responsibility for planning, operating,
4 and funding public transportation in the metropolitan region
5 shall be allocated as described in this Act. The Authority
6 shall:

7 (i) adopt plans that implement the public policy of the
8 State to provide adequate, efficient, and coordinated public
9 transportation throughout the metropolitan region;

10 (ii) set goals, objectives, and standards for the
11 Authority, the Service Boards, and transportation agencies;

12 (iii) develop performance measures to inform the public
13 about the extent to which the provision of public
14 transportation in the metropolitan region meets those goals,
15 objectives, and standards;

16 (iv) allocate operating and capital funds made available to
17 support public transportation in the metropolitan region;

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

19 (vi) coordinate the provision of public transportation and
20 the investment in public transportation facilities to enhance
21 the integration of public transportation throughout the
22 metropolitan region, all as provided in this Act.

23 The ~~the~~ Service Boards shall, on a continuing basis
24 determine the level, nature and kind of public transportation
25 which should be provided for the metropolitan region in order
26 to meet the plans, goals, objectives, and standards adopted by

1 the Authority. The Service Boards may provide public
2 transportation by purchasing such service from transportation
3 agencies through purchase of service agreements, by grants to
4 such agencies or by operating such service, all pursuant to
5 this Act and the "Metropolitan Transit Authority Act", as now
6 or hereafter amended. Certain of its actions to implement the
7 responsibilities allocated to the Authority in this subsection
8 (a) shall be taken in 3 public documents adopted by the
9 affirmative vote of at least 9 of its then Directors: A
10 Strategic Plan, a Five-Year Capital Program, and an Annual
11 Budget and Two-Year Financial Plan. ~~The Authority shall~~
12 ~~establish a policy to provide adequate public transportation~~
13 ~~throughout the metropolitan region.~~

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

1 request to the extent it has the right to do so. These audits
2 of the Service Boards or transportation agencies may be project
3 or service specific audits to evaluate their achievement of the
4 goals and objectives of that project or service and their
5 compliance with any applicable requirements. ~~Certain of its~~
6 ~~recommendations in this regard shall be set forth in 2 public~~
7 ~~documents, the Five Year Program provided for in this Section~~
8 ~~and an Annual Budget and Program provided for in Section 4.01.~~

9 ~~(c) The Authority shall, in consultation with the Service~~
10 ~~Boards, each year prepare and, by ordinance, adopt, after~~
11 ~~public hearings held in each county in the metropolitan region,~~
12 ~~a Five Year Program to inform the public and government~~
13 ~~officials of the Authority's objectives and program for~~
14 ~~operations and capital development during the forthcoming~~
15 ~~five year period. The Five Year Program shall set forth the~~
16 ~~standards of service which the public may expect; each Service~~
17 ~~Board's plans for coordinating routes and service of the~~
18 ~~various transportation agencies; the anticipated expense of~~
19 ~~providing public transportation at standards of service then~~
20 ~~existing and under alternative operating programs; the nature,~~
21 ~~location and expense of anticipated capital improvements~~
22 ~~exceeding \$250,000, by specific item and by fiscal year; and~~
23 ~~such demographic and other data developed by planning and other~~
24 ~~related agencies, as the Authority shall consider pertinent to~~
25 ~~the Service Boards' decisions as to levels and nature of~~
26 ~~service, including without limitation the patterns of~~

1 ~~population density and growth, projected commercial and~~
2 ~~residential development, environmental factors and the~~
3 ~~availability of alternative modes of transportation. The~~
4 ~~Five Year Program shall be adopted on the affirmative votes of~~
5 ~~9 of the then Directors.~~

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

7 (70 ILCS 3615/2.01a new)

8 Sec. 2.01a. Strategic Plan.

9 (a) By the affirmative vote of at least 9 of its then
10 Directors, the Authority shall adopt a Strategic Plan, no less
11 than every 5 years, after consultation with the Service Boards
12 and after holding a minimum of 3 public hearings in Cook County
13 and one public hearing in each of the other counties in the
14 region. The Executive Director of the Authority shall review
15 the Strategic Plan on an ongoing basis and make recommendations
16 to the Board of the Authority with respect to any update or
17 amendment of the Strategic Plan. The Strategic Plan shall
18 describe the specific actions to be taken by the Authority and
19 the Service Boards to provide adequate, efficient, and
20 coordinated public transportation.

21 (b) The Strategic Plan shall identify goals and objectives
22 with respect to:

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

25 (ii) coordination of public transportation services

1 and the investment in public transportation facilities to
2 enhance the integration of public transportation
3 throughout the metropolitan region;

4 (iii) coordination of fare and transfer policies to
5 promote transfers by riders among Service Boards,
6 transportation agencies, and public transportation modes,
7 which may include goals and objectives for development of a
8 universal fare instrument that riders may use
9 interchangeably on all public transportation funded by the
10 Authority, and methods to be used to allocate revenues from
11 transfers;

12 (iv) improvements in public transportation facilities
13 to bring those facilities into a state of good repair,
14 enhancements that attract ridership and improve customer
15 service, and expansions needed to serve areas with
16 sufficient demand for public transportation;

17 (v) access for transit-dependent populations,
18 including access by low-income communities to places of
19 employment, utilizing analyses provided by the Chicago
20 Metropolitan Agency for Planning regarding employment and
21 transportation availability, and giving consideration to
22 the location of employment centers in each county and the
23 availability of public transportation at off-peak hours
24 and on weekends;

25 (vi) the financial viability of the public
26 transportation system, including both operating and

1 capital programs;

2 (vii) limiting road congestion within the metropolitan
3 region and enhancing transit options to improve mobility;
4 and

5 (viii) such other goals and objectives that advance the
6 policy of the State to provide adequate, efficient, and
7 coordinated public transportation in the metropolitan
8 region.

9 (c) The Strategic Plan shall establish the process and
10 criteria by which proposals for capital improvements by a
11 Service Board or a transportation agency will be evaluated by
12 the Authority for inclusion in the Five-Year Capital Program,
13 which may include criteria for:

14 (i) allocating funds among maintenance, enhancement,
15 and expansion improvements;

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

18 (iii) projects intended to improve or enhance
19 ridership or customer service;

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

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

25 (vi) other criteria that advance the goals and
26 objectives of the Strategic Plan.

1 (d) The Strategic Plan shall establish performance
2 standards and measurements regarding the adequacy, efficiency,
3 and coordination of public transportation services in the
4 region and the implementation of the goals and objectives in
5 the Strategic Plan. At a minimum, such standards and measures
6 shall include customer-related performance data measured by
7 line, route, or sub-region, as determined by the Authority, on
8 the following:

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

10 (ii) ridership data;

11 (iii) equipment failure rates;

12 (iv) employee and customer safety; and

13 (v) customer satisfaction.

14 The Service Boards and transportation agencies that
15 receive funding from the Authority or Service Boards shall
16 prepare, publish, and submit to the Authority such reports with
17 regard to these standards and measurements in the frequency and
18 form required by the Authority; however, the frequency of such
19 reporting shall be no less than annual. The Service Boards
20 shall publish such reports on their respective websites. The
21 Authority shall compile and publish such reports on its
22 website. Such performance standards and measures shall not be
23 used as the basis for disciplinary action against any employee
24 of the Authority or Service Boards, except to the extent the
25 employment and disciplinary practices of the Authority or
26 Service Board provide for such action.

1 (e) The Strategic Plan shall identify innovations to
2 improve the delivery of public transportation and the
3 construction of public transportation facilities.

4 (f) The Strategic Plan shall describe the expected
5 financial condition of public transportation in the
6 metropolitan region prospectively over a 10-year period, which
7 may include information about the cash position and all known
8 obligations of the Authority and the Service Boards including
9 operating expenditures, debt service, contributions for
10 payment of pension and other post-employment benefits, the
11 expected revenues from fares, tax receipts, grants from the
12 federal, State, and local governments for operating and capital
13 purposes and issuance of debt, the availability of working
14 capital, and the resources needed to achieve the goals and
15 objectives described in the Strategic Plan.

16 (g) In developing the Strategic Plan, the Authority shall
17 rely on such demographic and other data, forecasts, and
18 assumptions developed by the Chicago Metropolitan Agency for
19 Planning with respect to the patterns of population density and
20 growth, projected commercial and residential development, and
21 environmental factors, within the metropolitan region and in
22 areas outside the metropolitan region that may impact public
23 transportation utilization in the metropolitan region. Before
24 adopting or amending any Strategic Plan, the Authority shall
25 consult with the Chicago Metropolitan Agency for Planning
26 regarding the consistency of the Strategic Plan with the

1 Regional Comprehensive Plan adopted pursuant to the Regional
2 Planning Act.

3 (h) The Authority may adopt, by the affirmative vote of at
4 least 9 of its then Directors, sub-regional or corridor plans
5 for specific geographic areas of the metropolitan region in
6 order to improve the adequacy, efficiency, and coordination of
7 existing, or the delivery of new, public transportation. Such
8 plans may also address areas outside the metropolitan region
9 that may impact public transportation utilization in the
10 metropolitan region. In preparing a sub-regional or corridor
11 plan, the Authority may identify changes in operating practices
12 or capital investment in the sub-region or corridor that could
13 increase ridership, reduce costs, improve coordination, or
14 enhance transit-oriented development. The Authority shall
15 consult with any affected Service Boards in the preparation of
16 any sub-regional or corridor plans.

17 (i) If the Authority determines, by the affirmative vote of
18 at least 9 of its then Directors, that, with respect to any
19 proposed new public transportation service or facility, (i)
20 multiple Service Boards or transportation agencies are
21 potential service providers and (ii) the public transportation
22 facilities to be constructed or purchased to provide that
23 service have an expected construction cost of more than
24 \$25,000,000, the Authority shall have sole responsibility for
25 conducting any alternatives analysis and preliminary
26 environmental assessment required by federal or State law.

1 Nothing in this subparagraph (i) shall prohibit a Service Board
2 from undertaking alternatives analysis and preliminary
3 environmental assessment for any public transportation service
4 or facility identified in items (i) and (ii) above that is
5 included in the Five-Year Capital Program as of the effective
6 date of this amendatory Act of the 95th General Assembly;
7 however, any expenditure related to any such public
8 transportation service or facility must be included in a
9 Five-Year Capital Program under the requirements of Sections
10 2.01b and 4.02 this Act.

11 (70 ILCS 3615/2.01b new)

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

1 be included in a Five-Year Capital Program, the Authority may
2 give priority to improvements that are intended to bring public
3 transportation facilities into a state of good repair. The
4 Five-Year Capital Program shall also identify capital
5 improvements to be undertaken by a Service Board, a
6 transportation agency, or a unit of local government and funded
7 by the Authority from amounts in the Innovation, Coordination,
8 and Enhancement Fund, provided that no improvement that is
9 included in the Five-Year Capital Program as of the effective
10 date of this amendatory Act of the 95th General Assembly may
11 receive funding from the Innovation, Coordination, and
12 Enhancement Fund. Before adopting a Five-Year Capital Program,
13 the Authority shall consult with the Chicago Metropolitan
14 Agency for Planning regarding the consistency of the Five-Year
15 Capital Program with the Regional Comprehensive Plan adopted
16 pursuant to the Regional Planning Act.

17 (70 ILCS 3615/2.01c new)

18 Sec. 2.01c. Innovation, Coordination, and Enhancement
19 Fund.

20 (a) The Authority shall establish an Innovation,
21 Coordination, and Enhancement Fund and each year deposit into
22 the Fund an amount equal to 10% of the amount of any
23 State-authorized or appropriated operating funds received by
24 the Authority or the Service Boards that are not authorized or
25 earmarked by the State of Illinois for a specific purpose, and

1 that are in addition to any State, federal, or tax revenues
2 available to the Authority or Service Boards as of the
3 effective date of this amendatory Act of the 95th General
4 Assembly. Amounts on deposit in such Fund and interest and
5 other earnings on those amounts may be used by the Authority,
6 upon the affirmative vote of 9 of its then Directors, and after
7 a public participation process, for operating or capital grants
8 or loans to Service Boards, transportation agencies, or units
9 of local government that advance the goals and objectives
10 identified by the Authority in its Strategic Plan, provided
11 that no improvement that has been included in a Five-Year
12 Capital Program as of the effective date of this amendatory Act
13 of the 95th General Assembly may receive any funding from the
14 Innovation, Coordination, and Enhancement Fund. Unless the
15 Board has determined by a vote of 9 of its then Directors that
16 an emergency exists requiring the use of some or all of the
17 funds then in the Innovation, Coordination, and Enhancement
18 Fund, such funds may only be used to enhance the coordination
19 and integration of public transportation and develop and
20 implement innovations to improve the quality and delivery of
21 public transportation.

22 (b) Any Service Board that receives funds from the
23 Innovation, Coordination, and Enhancement Fund for the
24 operation of eligible programs must (i) implement such programs
25 within one year of receipt of such funds and (ii) within 2
26 years following commencement of any program utilizing such

1 funds, determine whether it is desirable to continue the
2 program, and upon such a determination, either incorporate such
3 program into its annual operating budget and capital program or
4 discontinue such program. No additional funds from the
5 Innovation, Coordination, and Enhancement Fund may be
6 distributed to a Service Board for any individual program
7 beyond 2 years unless the Authority by the affirmative vote of
8 at least 9 of its then Directors waives this limitation. Any
9 such waiver will be with regard to an individual program and
10 with regard to a one year-period, and any further waivers for
11 such individual program require a subsequent vote of the Board.

12 (70 ILCS 3615/2.04) (from Ch. 111 2/3, par. 702.04)

13 Sec. 2.04. Fares and Nature of Service.

14 (a) Whenever a Service Board provides any public
15 transportation by operating public transportation facilities,
16 the Service Board shall provide for the level and nature of
17 fares or charges to be made for such services, and the nature
18 and standards of public transportation to be so provided that
19 meet the goals and objectives adopted by the Authority in the
20 Strategic Plan. Provided, however that if the Board adopts a
21 budget and financial plan for a Service Board in accordance
22 with the provisions in Section 4.11(b)(5), the Board may
23 consistent with the terms of any purchase of service contract
24 provide for the level and nature of fares to be made for such
25 services under the jurisdiction of that Service Board, and the

1 nature and standards of public transportation to be so
2 provided.

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

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

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

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

16 (70 ILCS 3615/2.05) (from Ch. 111 2/3, par. 702.05)

17 Sec. 2.05. Centralized Services; Acquisition and
18 Construction. (a) The Authority may at the request of two or
19 more Service Boards, serve, or designate a Service Board to
20 serve, as a centralized purchasing agent for the Service Boards
21 so requesting.

22 (b) The Authority may at the request of two or more Service
23 Boards perform other centralized services such as ridership
24 information and transfers between services under the
25 jurisdiction of the Service Boards where such centralized

1 services financially benefit the region as a whole. Provided,
2 however, that the Board may require transfers only upon an
3 affirmative vote of 9 of its then Directors.

4 (c) A Service Board or the Authority may for the benefit of
5 a Service Board, to meet its purposes, construct or acquire any
6 public transportation facility for use by a Service Board or
7 for use by any transportation agency and may acquire any such
8 facilities from any transportation agency, including also
9 without limitation any reserve funds, employees' pension or
10 retirement funds, special funds, franchises, licenses,
11 patents, permits and papers, documents and records of the
12 agency. In connection with any such acquisition from a
13 transportation agency the Authority may assume obligations of
14 the transportation agency with regard to such facilities or
15 property or public transportation operations of such agency.

16 In connection with any construction or acquisition, the
17 Authority shall make relocation payments as may be required by
18 federal law or by the requirements of any federal agency
19 authorized to administer any federal program of aid.

20 (d) The Authority shall, after consulting with the Service
21 Boards, develop coordinated and consolidated sales, marketing,
22 advertising, and public information programs that promote the
23 use and coordination of, and transfers among, public
24 transportation services in the metropolitan region. The
25 Authority shall develop and adopt, with the affirmative vote of
26 at least 9 of its then Directors, rules and regulations for the

1 Authority and the Service Boards regarding such programs to
2 ensure that the Service Boards' programs conform with the
3 Authority's programs.

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

5 (70 ILCS 3615/2.12) (from Ch. 111 2/3, par. 702.12)

6 Sec. 2.12. Coordination with Planning Agencies. The
7 Authority and the Service Boards shall cooperate with the
8 various public agencies charged with responsibility for
9 long-range or comprehensive planning for the metropolitan
10 region. The Authority shall utilize the official forecasts and
11 plans of the Chicago Metropolitan Agency for Planning in
12 developing the Strategic Plan and the Five-Year Capital
13 Program. The Authority and the Service Boards shall, prior to
14 the adoption of any Strategic Plan, as provided in Section
15 2.01a of this Act, or the adoption of any Five-Year Capital
16 Program, as provided in paragraph (b) of Section 2.01b 2.01 of
17 this Act, submit its proposals to such agencies for review and
18 comment. The Authority and the Service Boards may make use of
19 existing studies, surveys, plans, data and other materials in
20 the possession of any State agency or department, any planning
21 agency or any unit of local government.

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

23 (70 ILCS 3615/2.12b new)

24 Sec. 2.12b. Coordination of Fares and Service. Upon the

1 request of a Service Board, the Executive Director of the
2 Authority may, upon the affirmative vote of 7 of the then
3 Directors of the Authority, intervene in any matter involving
4 (i) a dispute between Service Boards or a Service Board and a
5 transportation agency with respect to the terms of transfer
6 between, and the allocation of revenues from fares and charges
7 for, transportation services provided by the parties or (ii) a
8 dispute between 2 Service Boards with respect to coordination
9 of service, route duplication, or a change in service. Any
10 Service Board or transportation agency involved in such dispute
11 shall meet with the Executive Director, cooperate in good faith
12 to attempt to resolve the dispute, and provide any books,
13 records, and other information requested by the Executive
14 Director. If the Executive Director is unable to mediate a
15 resolution of any dispute, he or she may resolve the dispute by
16 issuing a written determination directing a change in the fares
17 or charges or the allocation of revenues for such service or
18 directing a change in the nature or provider of service that is
19 the subject of the dispute. The Executive Director shall base
20 such determination upon the goals and objectives of the
21 Strategic Plan established pursuant to Section 2.01a(b). Such
22 determination shall be final and shall be implemented by any
23 affected Service Board and transportation agency within the
24 time frame required by the determination unless it is
25 overturned by the affirmative vote of at least 7 of the then
26 Directors of the Authority.

1 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)

2 Sec. 3A.10. Budget and Program. The Suburban Bus Board,
3 subject to the powers of the Authority in Section 4.11, shall
4 control the finances of the Division. It shall by ordinance
5 appropriate money to perform the Division's purposes and
6 provide for payment of debts and expenses of the Division. Each
7 year the Suburban Bus Board shall prepare and publish a
8 comprehensive annual budget and program document, and a
9 financial plan for the 2 years thereafter describing the state
10 of the Division and presenting for the forthcoming fiscal year
11 and the 2 following years the Suburban Bus Board's plans for
12 such operations and capital expenditures as it intends to
13 undertake and the means by which it intends to finance them.
14 The proposed budget and financial plan shall be based on the
15 Authority's estimate of funds to be made available to the
16 Suburban Bus Board by or through the Authority and shall
17 conform in all respects to the requirements established by the
18 Authority. The proposed program and budget shall contain a
19 statement of the funds estimated to be on hand at the beginning
20 of the fiscal year, the funds estimated to be received from all
21 sources for such year and the funds estimated to be on hand at
22 the end of such year. After adoption of the Authority's first
23 Five-Year Program, as provided in Section 2.01 of this Act, the
24 proposed program and budget shall specifically identify any
25 respect in which the recommended program deviates from the

1 Authority's then existing Five-Year Program, giving the
2 reasons for such deviation. The fiscal year of the Division
3 shall be the same as the fiscal year of the Authority. Before
4 the proposed budget and program and financial plan are
5 submitted to the Authority, the Suburban Bus Board shall hold
6 at least one public hearing thereon in each of the counties in
7 the metropolitan region in which the Division provides service.
8 The Suburban Bus Board shall hold at least one meeting for
9 consideration of the proposed program and budget with the
10 county board of each of the several counties in the
11 metropolitan region in which the Division provides service.
12 After conducting such hearings and holding such meetings and
13 after making such changes in the proposed program and budget as
14 the Suburban Bus Board deems appropriate, it shall adopt an
15 annual budget ordinance at least by November 15 next preceding
16 the beginning of each fiscal year. The budget and program, and
17 financial plan shall then be submitted to the Authority as
18 provided in Section 4.11. In the event that the Board of the
19 Authority determines that the budget and program, and financial
20 plan do not meet the standards of Section 4.11, the Suburban
21 Bus Board shall make such changes as are necessary to meet such
22 requirements and adopt an amended budget ordinance. The amended
23 budget ordinance shall be resubmitted to the Authority pursuant
24 to Section 4.11. The ordinance shall appropriate such sums of
25 money as are deemed necessary to defray all necessary expenses
26 and obligations of the Division, specifying purposes and the

1 objects or programs for which appropriations are made and the
2 amount appropriated for each object or program. Additional
3 appropriations, transfers between items and other changes in
4 such ordinance which do not alter the basis upon which the
5 balanced budget determination was made by the Board of the
6 Authority may be made from time to time by the Suburban Bus
7 Board.

8 The budget shall:

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

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

18 (iii) provide for a level of fares or charges and
19 operating or administrative costs for the public
20 transportation provided by or subject to the jurisdiction
21 of the Suburban Bus Board sufficient to allow the Suburban
22 Bus Board to meet its required system generated revenues
23 recovery ratio and, beginning with the 2007 fiscal year,
24 its system generated ADA paratransit services revenue
25 recovery ratio;

26 (iv) be based upon and employ assumptions and

1 projections which are reasonable and prudent;

2 (v) have been prepared in accordance with sound
3 financial practices as determined by the Board of the
4 Authority; ~~and~~

5 (vi) meet such other uniform financial, budgetary, or
6 fiscal requirements that the Board of the Authority may by
7 rule or regulation establish; and -

8 (vii) be consistent with the goals and objectives
9 adopted by the Regional Transportation Authority in the
10 Strategic Plan.

11 (Source: P.A. 94-370, eff. 7-29-05.)

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

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

1 plan shall be based on the Authority's estimate of funds to be
2 made available to the Commuter Rail Board by or through the
3 Authority and shall conform in all respects to the requirements
4 established by the Authority. The proposed program and budget
5 shall contain a statement of the funds estimated to be on hand
6 at the beginning of the fiscal year, the funds estimated to be
7 received from all sources for such year and the funds estimated
8 to be on hand at the end of such year. After adoption of the
9 Authority's first Five-Year Program, as provided in Section
10 2.01 of this Act, the proposed program and budget shall
11 specifically identify any respect in which the recommended
12 program deviates from the Authority's then existing Five-Year
13 Program, giving the reasons for such deviation. The fiscal year
14 of the Division shall be the same as the fiscal year of the
15 Authority. Before the proposed budget and program and financial
16 plan are submitted to the Authority, the Commuter Rail 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 Commuter Rail Board shall hold at least
20 one meeting for consideration of the proposed program and
21 budget with the county board of each of the several counties in
22 the metropolitan region in which the Division provides service.
23 After conducting such hearings and holding such meetings and
24 after making such changes in the proposed program and budget as
25 the Commuter Rail Board deems appropriate, the board shall
26 adopt its annual budget ordinance at least by November 15 next

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

19 The budget shall:

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

26 (ii) show cash balances including the proceeds of any

1 anticipated cash flow borrowing sufficient to pay with
2 reasonable promptness all costs and expenses as incurred;

3 (iii) provide for a level of fares or charges for the
4 public transportation provided by or subject to the
5 jurisdiction of such Commuter Rail Board sufficient to allow
6 the Commuter Rail Board to meet its required system generated
7 revenue recovery ratio;

8 (iv) be based upon and employ assumptions and projections
9 which the Board of the Authority finds to be reasonable and
10 prudent;

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

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

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

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

19 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

20 Sec. 4.01. Budget and Program.

21 (a) The Board shall control the finances of the Authority.
22 It shall by ordinance adopted by the affirmative vote of at
23 least 9 of its then Directors (i) appropriate money to perform
24 the Authority's purposes and provide for payment of debts and
25 expenses of the Authority, (ii) take action with respect to the

1 budget and two-year financial plan of each Service Board, as
2 provided in Section 4.11, and (iii) adopt an Annual Budget and
3 Two-Year Financial Plan for the Authority that includes the
4 annual budget and two-year financial plan of each Service Board
5 that has been approved by the Authority. Each year the
6 Authority shall prepare and publish a comprehensive annual
7 budget and program document describing the state of the
8 Authority and presenting for the forthcoming fiscal year the
9 Authority's plans for such operations and capital expenditures
10 as the Authority intends to undertake and the means by which it
11 intends to finance them. The Annual Budget and Two-Year
12 Financial Plan proposed program and budget shall contain a
13 statement of the funds estimated to be on hand for the
14 Authority and each Service Board at the beginning of the fiscal
15 year, the funds estimated to be received from all sources for
16 such year, the estimated expenses and obligations of the
17 Authority and each Service Board for all purposes, including
18 expenses for contributions to be made with respect to pension
19 and other employee benefits, and the funds estimated to be on
20 hand at the end of such year. After adoption of the Authority's
21 first Five-Year Program, as provided in Section 2.01 of this
22 Act, the proposed program and budget shall specifically
23 identify any respect in which the recommended program deviates
24 from the Authority's then existing Five-Year Program, giving
25 the reasons for such deviation. The fiscal year of the
26 Authority and each Service Board shall begin on January 1st and

1 end on the succeeding December 31st ~~except that the fiscal year~~
2 ~~that began October 1, 1982, shall end December 31, 1983.~~ By
3 ~~July 1st 1981 and~~ July 1st of each year ~~thereafter~~ the Director
4 of the Illinois Governor's Office of Management and Budget
5 (formerly Bureau of the Budget) shall submit to the Authority
6 an estimate of revenues for the next fiscal year of the
7 Authority to be collected from the taxes imposed by the
8 Authority and the amounts to be available in the Public
9 Transportation Fund and the Regional Transportation Authority
10 Occupation and Use Tax Replacement Fund and the amounts
11 otherwise to be appropriated by the State to the Authority for
12 its purposes. The Authority shall file a copy of its Annual
13 Budget and Two-Year Financial Plan with ~~For the fiscal year~~
14 ~~ending on December 31, 1983, the Board shall report its results~~
15 ~~from operations and financial condition to the General Assembly~~
16 ~~and the Governor by January 31. For the fiscal year beginning~~
17 ~~January 1, 1984, and thereafter, the budget and program shall~~
18 ~~be presented to~~ the General Assembly and the Governor after its
19 adoption ~~not later than the preceding December 31st.~~ Before the
20 proposed Annual Budget and Two-Year Financial Plan ~~budget and~~
21 ~~program~~ is adopted, the Authority shall hold at least one
22 public hearing thereon in the metropolitan region, and shall
23 meet . ~~The Board shall hold at least one meeting for~~
24 ~~consideration of the proposed program and budget~~ with the
25 county board or its designee of each of the several counties in
26 the metropolitan region. After conducting such hearings and

1 holding such meetings and after making such changes in the
2 proposed Annual Budget and Two-Year Financial Plan ~~program and~~
3 ~~budget~~ as the Board deems appropriate, the Board shall adopt
4 its annual appropriation and Annual Budget and Two-Year
5 Financial Plan ~~budget~~ ordinance. The ordinance may be adopted
6 only upon the affirmative votes of 9 of its then Directors. The
7 ordinance shall appropriate such sums of money as are deemed
8 necessary to defray all necessary expenses and obligations of
9 the Authority, specifying purposes and the objects or programs
10 for which appropriations are made and the amount appropriated
11 for each object or program. Additional appropriations,
12 transfers between items and other changes in such ordinance may
13 be made from time to time by the Board upon the affirmative
14 votes of 9 of its then Directors.

15 (b) The Annual Budget and Two-Year Financial Plan ~~budget~~
16 shall show a balance between anticipated revenues from all
17 sources and anticipated expenses including funding of
18 operating deficits or the discharge of encumbrances incurred in
19 prior periods and payment of principal and interest when due,
20 and shall show cash balances sufficient to pay with reasonable
21 promptness all obligations and expenses as incurred.

22 The Annual Budget and Two-Year Financial Plan ~~annual budget~~
23 ~~and financial plan~~ must show:

24 (i) that the level of fares and charges for mass
25 transportation provided by, or under grant or purchase of
26 service contracts of, the Service Boards is sufficient to

1 cause the aggregate of all projected fare revenues from
2 such fares and charges received in each fiscal year to
3 equal at least 50% of the aggregate costs of providing such
4 public transportation in such fiscal year. "Fare revenues"
5 include the proceeds of all fares and charges for services
6 provided, contributions received in connection with public
7 transportation from units of local government other than
8 the Authority and from the State pursuant to subsection (i)
9 of Section 2705-305 of the Department of Transportation Law
10 (20 ILCS 2705/2705-305), and all other operating revenues
11 properly included consistent with generally accepted
12 accounting principles but do not include: the proceeds of
13 any borrowings, and, beginning with the 2007 fiscal year,
14 all revenues and receipts, including but not limited to
15 fares and grants received from the federal, State or any
16 unit of local government or other entity, derived from
17 providing ADA paratransit service pursuant to Section 2.30
18 of the Regional Transportation Authority Act. "Costs"
19 include all items properly included as operating costs
20 consistent with generally accepted accounting principles,
21 including administrative costs, but do not include:
22 depreciation; payment of principal and interest on bonds,
23 notes or other evidences of obligation for borrowed money
24 issued by the Authority; payments with respect to public
25 transportation facilities made pursuant to subsection (b)
26 of Section 2.20 of this Act; any payments with respect to

1 rate protection contracts, credit enhancements or
2 liquidity agreements made under Section 4.14; any other
3 cost to which it is reasonably expected that a cash
4 expenditure will not be made; costs up to \$5,000,000
5 annually for passenger security including grants,
6 contracts, personnel, equipment and administrative
7 expenses, except in the case of the Chicago Transit
8 Authority, in which case the term does not include costs
9 spent annually by that entity for protection against crime
10 as required by Section 27a of the Metropolitan Transit
11 Authority Act; costs as exempted by the Board for projects
12 pursuant to Section 2.09 of this Act; or, beginning with
13 the 2007 fiscal year, expenses related to providing ADA
14 paratransit service pursuant to Section 2.30 of the
15 Regional Transportation Authority Act; and

16 (ii) that the level of fares charged for ADA
17 paratransit services is sufficient to cause the aggregate
18 of all projected revenues from such fares charged and
19 received in each fiscal year to equal at least 10% of the
20 aggregate costs of providing such ADA paratransit services
21 in fiscal years 2007 and 2008 and at least 12% of the
22 aggregate costs of providing such ADA paratransit services
23 in fiscal years 2009 and thereafter; for purposes of this
24 Act, the percentages in this subsection (b)(ii) shall be
25 referred to as the "system generated ADA paratransit
26 services revenue recovery ratio".

1 (c) The actual administrative expenses of the Authority for
2 the fiscal year commencing January 1, 1985 may not exceed
3 \$5,000,000. The actual administrative expenses of the
4 Authority for the fiscal year commencing January 1, 1986, and
5 for each fiscal year thereafter shall not exceed the maximum
6 administrative expenses for the previous fiscal year plus 5%.
7 "Administrative expenses" are defined for purposes of this
8 Section as all expenses except: (1) capital expenses and
9 purchases of the Authority on behalf of the Service Boards; (2)
10 payments to Service Boards; and (3) payment of principal and
11 interest on bonds, notes or other evidence of obligation for
12 borrowed money issued by the Authority; (4) costs for passenger
13 security including grants, contracts, personnel, equipment and
14 administrative expenses; (5) payments with respect to public
15 transportation facilities made pursuant to subsection (b) of
16 Section 2.20 of this Act; and (6) any payments with respect to
17 rate protection contracts, credit enhancements or liquidity
18 agreements made pursuant to Section 4.14.

19 (d) After withholding 15% of the proceeds of any tax
20 imposed by the Authority and 15% of money received by the
21 Authority from the Regional Transportation Authority
22 Occupation and Use Tax Replacement Fund, the Board shall
23 allocate the proceeds and money remaining to the Service Boards
24 as follows: (1) an amount equal to 85% of the proceeds of those
25 taxes collected within the City of Chicago and 85% of the money
26 received by the Authority on account of transfers to the

1 Regional Transportation Authority Occupation and Use Tax
2 Replacement Fund from the County and Mass Transit District Fund
3 attributable to retail sales within the City of Chicago shall
4 be allocated to the Chicago Transit Authority; (2) an amount
5 equal to 85% of the proceeds of those taxes collected within
6 Cook County outside the City of Chicago and 85% of the money
7 received by the Authority on account of transfers to the
8 Regional Transportation Authority Occupation and Use Tax
9 Replacement Fund from the County and Mass Transit District Fund
10 attributable to retail sales within Cook County outside of the
11 city of Chicago shall be allocated 30% to the Chicago Transit
12 Authority, 55% to the Commuter Rail Board and 15% to the
13 Suburban Bus Board; and (3) an amount equal to 85% of the
14 proceeds of the taxes collected within the Counties of DuPage,
15 Kane, Lake, McHenry and Will shall be allocated 70% to the
16 Commuter Rail Board and 30% to the Suburban Bus Board.

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

1 Board's distribution ratio. The term "distribution ratio"
2 means, for purposes of this subsection (e) of this Section
3 4.01, the ratio of the total amount distributed to a Service
4 Board pursuant to subsection (d) of Section 4.01 for the
5 immediately preceding calendar year to the total amount
6 distributed to all of the Service Boards pursuant to subsection
7 (d) of Section 4.01 for the immediately preceding calendar
8 year.

9 (f) To carry out its duties and responsibilities under this
10 Act, further and accomplish the preparation of the annual
11 budget and program as well as the Five-Year Program provided
12 for in Section 2.01 of this Act and to make such interim
13 management decisions as may be necessary, the Board shall
14 employ staff which shall: (1) propose for adoption by the Board
15 of the Authority rules for the Service Boards that establish
16 (i) forms and schedules to be used and information required to
17 be provided with respect to a Five-Year Capital Program, annual
18 budgets, and two-year financial plans and regular reporting of
19 actual results against adopted budgets and financial plans,
20 (ii) financial practices to be followed in the budgeting and
21 expenditure of public funds, (iii) assumptions and projections
22 that must be followed in preparing and submitting its Annual
23 Budget and Two-Year Financial plan or a Five-Year Capital
24 Program; (2) evaluate for the Board public transportation
25 programs operated or proposed by the Service Boards and
26 transportation agencies in terms of the goals and objectives

1 set out in the Strategic Plan ~~, costs and relative priorities;~~
2 (3) (2) keep the Board and the public informed of the extent to
3 which the Service Boards and transportation agencies are
4 meeting the goals and objectives adopted by the Authority in
5 the Strategic Plan ~~public transportation programs and~~
6 ~~accomplishments of such transportation agencies; and (4)~~
7 assess the efficiency or adequacy of public transportation
8 services provided by a Service Board and make recommendations
9 for change in that service ~~(3) coordinate the development and~~
10 ~~implementation of public transportation programs to the end~~
11 that the moneys ~~monies~~ available to the Authority may be
12 expended in the most economical manner possible with the least
13 possible duplication.

14 (g) All ~~Under such regulations as the Board may prescribe,~~
15 ~~all~~ Service Boards, transportation agencies, comprehensive
16 planning agencies, including the Chicago Metropolitan Agency
17 for Planning, or transportation planning agencies in the
18 metropolitan region shall furnish to the Authority ~~Board~~ such
19 information pertaining to public transportation or relevant
20 for plans therefor as it may from time to time require. The
21 Executive Director, or his or her designee, ~~upon payment to any~~
22 ~~such agency or Service Board of the reasonable additional cost~~
23 ~~of its so providing such information except as may otherwise be~~
24 ~~provided by agreement with the Authority, and the Board or any~~
25 ~~duly authorized employee of the Board shall, for the purpose of~~
26 securing any such information necessary or appropriate to carry

1 out any of the powers and responsibilities of the Authority
2 under this Act, have access to, and the right to examine, all
3 books, documents, papers or records of a Service Board or any
4 transportation ~~such~~ agency receiving funds from the Authority
5 or Service Board, and such Service Board or transportation
6 agency shall comply with any request by the Executive Director,
7 or his or her designee, within 30 days or an extended time
8 provided by the Executive Director ~~pertaining to public~~
9 ~~transportation or relevant for plans therefor.~~

10 (Source: P.A. 94-370, eff. 7-29-05.)

11 (70 ILCS 3615/4.02) (from Ch. 111 2/3, par. 704.02)

12 Sec. 4.02. Federal, State and Other Funds.

13 (a) The Authority shall have the power to apply for,
14 receive and expend grants, loans or other funds from the State
15 of Illinois or any department or agency thereof, from any unit
16 of local government, from the federal government or any
17 department or agency thereof, for use in connection with any of
18 the powers or purposes of the Authority as set forth in this
19 Act. The Authority shall have power to make such studies as may
20 be necessary and to enter into contracts or agreements with the
21 State of Illinois or any department or agency thereof, with any
22 unit of local government, or with the federal government or any
23 department or agency thereof, concerning such grants, loans or
24 other funds, or any conditions relating thereto, including
25 obligations to repay such funds. The Authority may make such

1 covenants concerning such grants, loans and funds as it deems
2 proper and necessary in carrying out its responsibilities,
3 purposes and powers as provided in this Act.

4 (b) The Authority shall be the primary public body in the
5 metropolitan region with authority to apply for and receive any
6 grants, loans or other funds relating to public transportation
7 programs from the State of Illinois or any department or agency
8 thereof, or from the federal government or any department or
9 agency thereof. Any unit of local government, Service Board or
10 transportation agency may apply for and receive any such
11 federal or state capital grants, loans or other funds,
12 provided, however that a Service Board may not apply for or
13 receive any grant or loan which is not identified in the
14 Five-Year Program. Any Service Board, unit of local government
15 or transportation agency shall notify the Authority prior to
16 making any such application and shall file a copy thereof with
17 the Authority. Nothing in this Section shall be construed to
18 impose any limitation on the ability of the State of Illinois
19 or any department or agency thereof, any unit of local
20 government or Service Board or transportation agency to make
21 any grants or to enter into any agreement or contract with the
22 National Rail Passenger Corporation. Nor shall anything in this
23 Section impose any limitation on the ability of any school
24 district to apply for or receive any grant, loan or other funds
25 for transportation of school children.

26 (c) The Authority shall provide to the Service Board any

1 monies received relating to public transportation services
2 under the jurisdiction of the Service Boards as follows:

3 (1) As soon as may be practicable after the Authority
4 receives payment, under Section 4.03(m) or Section
5 4.03.1(d), of the proceeds of those taxes levied by the
6 Authority, the Authority shall transfer to each Service
7 Board the amount to which it is entitled under Section
8 4.01(d).~~†~~

9 (2) (blank) ~~The Authority by ordinance adopted by 9 of~~
10 ~~its then Directors shall establish a formula apportioning~~
11 ~~any federal funds for operating assistance purposes the~~
12 ~~Authority receives to each Service Board. In establishing~~
13 ~~the formula, the Board shall consider, among other factors:~~
14 ~~ridership levels, the efficiency with which the service is~~
15 ~~provided, the degree of transit dependence of the area~~
16 ~~served and the cost of service. That portion of any federal~~
17 ~~funds for operating assistance received by the Authority~~
18 ~~shall be paid to each Service Board as soon as may be~~
19 ~~practicable upon their receipt provided the Authority has~~
20 ~~adopted a balanced budget as required by Section 4.01 and~~
21 ~~further provided that the Service Boards are in compliance~~
22 ~~with the requirements in Section 4.11.~~

23 (3) The Authority by ordinance adopted by 9 of its then
24 Directors shall apportion to the Service Boards funds
25 provided by the State of Illinois under Section 4.09 and
26 shall make payment of said funds to each Service Board as

1 soon as may be practicable upon their receipt provided the
2 Authority has adopted a balanced budget as required by
3 Section 4.01 and further provided the Service Board is in
4 compliance with the requirements in Section 4.11.

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

10 (Source: P.A. 94-839, eff. 6-6-06; revised 8-3-06.)

11 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

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

15 (a) ~~As soon as possible after the first day of each month,~~
16 ~~beginning November 1, 1983, the Comptroller shall order~~
17 ~~transferred and the Treasurer shall transfer from the General~~
18 ~~Revenue Fund to a special fund in the State Treasury, to be~~
19 ~~known as the "Public Transportation Fund" \$9,375,000 for each~~
20 ~~month remaining in State fiscal year 1984.~~ As soon as possible
21 after the first day of each month, beginning July 1, 1984, upon
22 certification of the Department of Revenue, the Comptroller
23 shall order transferred and the Treasurer shall transfer from
24 the General Revenue Fund to the Public Transportation Fund an
25 amount equal to 25% of the net revenue, before the deduction of

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

18 (b) (1) All moneys deposited in the Public Transportation
19 Fund and the Regional Transportation Authority Occupation and
20 Use Tax Replacement Fund, whether deposited pursuant to this
21 Section or otherwise, are allocated to the Authority. Pursuant
22 to appropriation, the Comptroller, as soon as possible after
23 each monthly transfer provided in this Section and after each
24 deposit into the Public Transportation Fund, shall order the
25 Treasurer to pay to the Authority out of the Public
26 Transportation Fund the amount so transferred or deposited.

1 Such amounts paid to the Authority may be expended by it for
2 its purposes as provided in this Act.

3 Subject to appropriation to the Department of Revenue, the
4 Comptroller, as soon as possible after each deposit into the
5 Regional Transportation Authority Occupation and Use Tax
6 Replacement Fund provided in this Section and Section 6z-17 of
7 the State Finance Act, shall order the Treasurer to pay to the
8 Authority out of the Regional Transportation Authority
9 Occupation and Use Tax Replacement Fund the amount so
10 deposited. Such amounts paid to the Authority may be expended
11 by it for its purposes as provided in this Act.

12 (2) Provided, however, no moneys deposited under
13 subsection (a) of this Section shall be paid from the Public
14 Transportation Fund to the Authority or its assignee for any
15 fiscal year ~~beginning after the effective date of this~~
16 ~~amendatory Act of 1983~~ until the Authority has certified to the
17 Governor, the Comptroller, and the Mayor of the City of Chicago
18 that it has adopted for that fiscal year an Annual Budget and
19 Two-Year Financial Plan ~~a budget and financial plan~~ meeting the
20 requirements in Section 4.01(b).

21 (c) In recognition of the efforts of the Authority to
22 enhance the mass transportation facilities under its control,
23 the State shall provide financial assistance ("Additional
24 State Assistance") in excess of the amounts transferred to the
25 Authority from the General Revenue Fund under subsection (a) of
26 this Section. Additional State Assistance shall be calculated

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

4	1990	\$5,000,000;
5	1991	\$5,000,000;
6	1992	\$10,000,000;
7	1993	\$10,000,000;
8	1994	\$20,000,000;
9	1995	\$30,000,000;
10	1996	\$40,000,000;
11	1997	\$50,000,000;
12	1998	\$55,000,000; and
13	each year thereafter	\$55,000,000.

14 (c-5) The State shall provide financial assistance
15 ("Additional Financial Assistance") in addition to the
16 Additional State Assistance provided by subsection (c) and the
17 amounts transferred to the Authority from the General Revenue
18 Fund under subsection (a) of this Section. Additional Financial
19 Assistance provided by this subsection shall be calculated as
20 provided in subsection (d), but shall in no event exceed the
21 following specified amounts with respect to the following State
22 fiscal years:

23	2000	\$0;
24	2001	\$16,000,000;
25	2002	\$35,000,000;
26	2003	\$54,000,000;

1 2004 \$73,000,000;
2 2005 \$93,000,000; and
3 each year thereafter \$100,000,000.

4 (d) Beginning with State fiscal year 1990 and continuing
5 for each State fiscal year thereafter, the Authority shall
6 annually certify to the State Comptroller and State Treasurer,
7 separately with respect to each of subdivisions (g)(2) and
8 (g)(3) of Section 4.04 of this Act, the following amounts:

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

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

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

23 (4) The amount of interest, if any, earned by the
24 Authority during the previous State fiscal year on the
25 proceeds of bonds or notes issued pursuant to subdivisions
26 (g)(2) and (g)(3) of Section 4.04, other than refunding or

1 advance refunding bonds or notes.

2 The certification shall include a specific schedule of debt
3 service payments, including the date and amount of each payment
4 for all outstanding bonds or notes and an estimated schedule of
5 anticipated debt service for all bonds and notes it intends to
6 issue, if any, during that State fiscal year, including the
7 estimated date and estimated amount of each payment.

8 Immediately upon the issuance of bonds for which an
9 estimated schedule of debt service payments was prepared, the
10 Authority shall file an amended certification with respect to
11 item (2) above, to specify the actual schedule of debt service
12 payments, including the date and amount of each payment, for
13 the remainder of the State fiscal year.

14 On the first day of each month of the State fiscal year in
15 which there are bonds outstanding with respect to which the
16 certification is made, the State Comptroller shall order
17 transferred and the State Treasurer shall transfer from the
18 General Revenue Fund to the Public Transportation Fund the
19 Additional State Assistance and Additional Financial
20 Assistance in an amount equal to the aggregate of (i)
21 one-twelfth of the sum of the amounts certified under items (1)
22 and (3) above less the amount certified under item (4) above,
23 plus (ii) the amount required to pay debt service on bonds and
24 notes issued during the fiscal year, if any, divided by the
25 number of months remaining in the fiscal year after the date of
26 issuance, or some smaller portion as may be necessary under

1 subsection (c) or (c-5) of this Section for the relevant State
2 fiscal year, plus (iii) any cumulative deficiencies in
3 transfers for prior months, until an amount equal to the sum of
4 the amounts certified under items (1) and (3) above, plus the
5 actual debt service certified under item (2) above, less the
6 amount certified under item (4) above, has been transferred;
7 except that these transfers are subject to the following
8 limits:

9 (A) In no event shall the total transfers in any State
10 fiscal year relating to outstanding bonds and notes issued
11 by the Authority under subdivision (g)(2) of Section 4.04
12 exceed the lesser of the annual maximum amount specified in
13 subsection (c) or the sum of the amounts certified under
14 items (1) and (3) above, plus the actual debt service
15 certified under item (2) above, less the amount certified
16 under item (4) above, with respect to those bonds and
17 notes.

18 (B) In no event shall the total transfers in any State
19 fiscal year relating to outstanding bonds and notes issued
20 by the Authority under subdivision (g)(3) of Section 4.04
21 exceed the lesser of the annual maximum amount specified in
22 subsection (c-5) or the sum of the amounts certified under
23 items (1) and (3) above, plus the actual debt service
24 certified under item (2) above, less the amount certified
25 under item (4) above, with respect to those bonds and
26 notes.

1 The term "outstanding" does not include bonds or notes for
2 which refunding or advance refunding bonds or notes have been
3 issued.

4 (e) Neither Additional State Assistance nor Additional
5 Financial Assistance may be pledged, either directly or
6 indirectly as general revenues of the Authority, as security
7 for any bonds issued by the Authority. The Authority may not
8 assign its right to receive Additional State Assistance or
9 Additional Financial Assistance, or direct payment of
10 Additional State Assistance or Additional Financial
11 Assistance, to a trustee or any other entity for the payment of
12 debt service on its bonds.

13 (f) The certification required under subsection (d) with
14 respect to outstanding bonds and notes of the Authority shall
15 be filed as early as practicable before the beginning of the
16 State fiscal year to which it relates. The certification shall
17 be revised as may be necessary to accurately state the debt
18 service requirements of the Authority.

19 (g) Within 6 months of the end of ~~the 3 month period ending~~
20 ~~December 31, 1983,~~ and each fiscal year thereafter, the
21 Authority shall determine:

22 (i) whether the aggregate of all system generated
23 revenues for public transportation in the metropolitan
24 region which is provided by, or under grant or purchase of
25 service contracts with, the Service Boards equals 50% of
26 the aggregate of all costs of providing such public

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

1 to \$5,000,000 annually for passenger security including
2 grants, contracts, personnel, equipment and administrative
3 expenses, except in the case of the Chicago Transit
4 Authority, in which case the term does not include costs
5 spent annually by that entity for protection against crime
6 as required by Section 27a of the Metropolitan Transit
7 Authority Act; costs as exempted by the Board for projects
8 pursuant to Section 2.09 of this Act; or, beginning with
9 the 2007 fiscal year, expenses related to providing ADA
10 paratransit service pursuant to Section 2.30 of the
11 Regional Transportation Authority Act. If said system
12 generated revenues are less than 50% of said costs, the
13 Board shall remit an amount equal to the amount of the
14 deficit to the State. The Treasurer shall deposit any such
15 payment in the General Revenue Fund; and

16 (ii) whether, beginning with the 2007 fiscal year, the
17 aggregate of all fares charged and received for ADA
18 paratransit services equals the system generated ADA
19 paratransit services revenue recovery ratio percentage of
20 the aggregate of all costs of providing such ADA
21 paratransit services.

22 (h) If the Authority makes any payment to the State under
23 paragraph (g), the Authority shall reduce the amount provided
24 to a Service Board from funds transferred under paragraph (a)
25 in proportion to the amount by which that Service Board failed
26 to meet its required system generated revenues recovery ratio.

1 A Service Board which is affected by a reduction in funds under
2 this paragraph shall submit to the Authority concurrently with
3 its next due quarterly report a revised budget incorporating
4 the reduction in funds. The revised budget must meet the
5 criteria specified in clauses (i) through (vi) of Section
6 4.11(b)(2). The Board shall review and act on the revised
7 budget as provided in Section 4.11(b)(3).

8 (Source: P.A. 94-370, eff. 7-29-05.)

9 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

10 Sec. 4.11. Budget Review Powers.

11 (a) ~~The provisions of this Section shall only be applicable~~
12 ~~to financial periods beginning after December 31, 1983. The~~
13 ~~Transition Board shall adopt a timetable governing the~~
14 ~~certification of estimates and any submissions required under~~
15 ~~this Section for fiscal year 1984 which shall control over the~~
16 ~~provisions of this Act.~~ Based upon estimates which shall be
17 given to the Authority by the Director of the Governor's Office
18 of Management and Budget (formerly Bureau of the Budget) of the
19 receipts to be received by the Authority from the taxes imposed
20 by the Authority and the authorized estimates of amounts to be
21 available from State and other sources to the Service Boards,
22 and the times at which such receipts and amounts will be
23 available, the Board shall, not later than the next preceding
24 September 15th prior to the beginning of the Authority's next
25 fiscal year, advise each Service Board of the amounts estimated

1 by the Board to be available for such Service Board during such
2 fiscal year and the two following fiscal years and the times at
3 which such amounts will be available. The Board shall, at the
4 same time, also advise each Service Board of its required
5 system generated revenues recovery ratio for the next fiscal
6 year which shall be the percentage of the aggregate costs of
7 providing public transportation by or under jurisdiction of
8 that Service Board which must be recovered from system
9 generated revenues. The Board shall, at the same time,
10 beginning with the 2007 fiscal year, also advise each Service
11 Board that provides ADA paratransit services of its required
12 system generated ADA paratransit services revenue recovery
13 ratio for the next fiscal year which shall be the percentage of
14 the aggregate costs of providing ADA paratransit services by or
15 under jurisdiction of that Service Board which must be
16 recovered from fares charged for such services, except that
17 such required system generated ADA paratransit services
18 revenue recovery ratio shall not exceed the minimum percentage
19 established pursuant to Section 4.01(b)(ii) of this Act. In
20 determining a Service Board's system generated revenue
21 recovery ratio, the Board shall consider the historical system
22 generated revenues recovery ratio for the services subject to
23 the jurisdiction of that Service Board. The Board shall not
24 increase a Service Board's system generated revenues recovery
25 ratio for the next fiscal year over such ratio for the current
26 fiscal year disproportionately or prejudicially to increases

1 in such ratios for other Service Boards. The Board may, by
2 ordinance, provide that (i) the cost of research and
3 development projects in the fiscal year beginning January 1,
4 1986 and ending December 31, 1986 conducted pursuant to Section
5 2.09 of this Act, ~~and~~ (ii) up to \$5,000,000 annually of the
6 costs for passenger security, and (iii) expenditures of amounts
7 granted to a Service Board from the Innovation, Coordination,
8 and Enhancement Fund for operating purposes may be exempted
9 from the farebox recovery ratio or the system generated
10 revenues recovery ratio of the Chicago Transit Authority, the
11 Suburban Bus Board, and the Commuter Rail Board, or any of
12 them. ~~For the fiscal year beginning January 1, 1986 and ending~~
13 ~~December 31, 1986, and for the fiscal year beginning January 1,~~
14 ~~1987 and ending December 31, 1987, the Board shall, by~~
15 ~~ordinance, provide that: (1) the amount of a grant, pursuant to~~
16 ~~Section 2705-310 of the Department of Transportation Law (20~~
17 ~~ILCS 2705/2705-310), from the Department of Transportation for~~
18 ~~the cost of services for the mobility limited provided by the~~
19 ~~Chicago Transit Authority, and (2) the amount of a grant,~~
20 ~~pursuant to Section 2705-310 of the Department of~~
21 ~~Transportation Law (20 ILCS 2705/2705-310), from the~~
22 ~~Department of Transportation for the cost of services for the~~
23 ~~mobility limited by the Suburban Bus Board or the Commuter Rail~~
24 ~~Board, be exempt from the farebox recovery ratio or the system~~
25 ~~generated revenues recovery ratio.~~

26 (b) (1) Not later than the next preceding November 15 prior

1 to the commencement of such fiscal year, each Service Board
2 shall submit to the Authority its proposed budget for such
3 fiscal year and its proposed financial plan for the two
4 following fiscal years. Such budget and financial plan shall
5 (i) be prepared in the format, follow the financial and
6 budgetary practices, and be based on any assumptions and
7 projections required by the Authority and (ii) not project or
8 assume a receipt of revenues from the Authority in amounts
9 greater than those set forth in the estimates provided by the
10 Authority pursuant to subsection (a) of this Section.

11 (2) The Board shall review the proposed budget and two-year
12 financial plan submitted by each Service Board, ~~and shall adopt~~
13 ~~a consolidated budget and financial plan.~~ The Board shall
14 approve the budget and two-year financial plan of a Service
15 Board if:

16 ~~(i) the Board has approved the proposed budget and cash~~
17 ~~flow plan for such fiscal year of each Service Board,~~
18 ~~pursuant to the conditions set forth in clauses (ii)~~
19 ~~through (vii) of this paragraph;~~

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

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

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

13 (iv) ~~(v)~~ such budget and plan are based upon and employ
14 assumptions and projections which are reasonable and
15 prudent;

16 (v) ~~(vi)~~ such budget and plan have been prepared in
17 accordance with sound financial practices as determined by
18 the Board; ~~and~~

19 (vi) ~~(vii)~~ such budget and plan meet such other
20 financial, budgetary, or fiscal requirements that the
21 Board may by rule or regulation establish; and ~~-~~

22 (vii) such budget and plan are consistent with the
23 goals and objectives adopted by the Authority in the
24 Strategic Plan.

25 (3) (blank) ~~In determining whether the budget and financial~~
26 ~~plan provide a level of fares or charges sufficient to allow a~~

1 ~~Service Board to meet its required system generated revenue~~
2 ~~recovery ratio and, beginning with the 2007 fiscal year, system~~
3 ~~generated ADA paratransit services revenue recovery ratio~~
4 ~~under clause (iv) in subparagraph (2), the Board shall allow a~~
5 ~~Service Board to carry over cash from farebox revenues to~~
6 ~~subsequent fiscal years.~~

7 (4) Unless the Board by an affirmative vote of 9 of the
8 then Directors determines that the budget and financial plan of
9 a Service Board meets the criteria specified in clauses (i)
10 ~~(ii)~~ through (vii) of subparagraph (2) of this paragraph (b),
11 the Board shall not release to that Service Board any funds for
12 the periods covered by such budget and financial plan after
13 February 1, except 75% of ~~for~~ the cash proceeds of taxes
14 imposed by the Authority under Section 4.03 and Section 4.03.1
15 which are allocated to the Service Board under Section 4.01 and
16 received by the Authority after February 1 shall be released to
17 the Service Board. The remainder of any cash proceeds of taxes
18 imposed by the Authority under Section 4.03 and Section 4.03.1
19 that are allocated to the Service Board under Section 4.01
20 shall be released to the Service Board only upon approval of a
21 budget and financial plan under this Section or adoption of a
22 budget and financial plan on behalf of the Service Board by the
23 Authority.

24 (5) If the Board has not found that the budget and
25 financial plan of a Service Board meets the criteria specified
26 in clauses (i) through (vii) of subparagraph (2) of this

1 paragraph (b), the Board, by the affirmative vote of at least 9
2 of its then Directors, may ~~shall, five working days after the~~
3 ~~start of the Service Board's fiscal year~~ adopt a budget and
4 financial plan meeting such criteria for that Service Board.

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

21 (2) Each Service Board shall, within such period after the
22 end of each fiscal quarter as shall be specified by the Board,
23 report to the Authority its financial condition and results of
24 operations and the financial condition and results of
25 operations of the public transportation services subject to its
26 jurisdiction, as at the end of and for such quarter. If in the

1 judgment of the Board such condition and results are not
2 substantially in accordance with such Service Board's budget
3 for such period, the Board shall so advise such Service Board
4 and such Service Board shall within the period specified by the
5 Board submit a revised budget incorporating such results.

6 (3) If the Board shall determine that a revised budget
7 submitted by a Service Board pursuant to subparagraph (1) or
8 (2) of this paragraph (c) does not meet the criteria specified
9 in clauses (i) ~~(ii)~~ through (vii) of subparagraph (2) of
10 paragraph (b) of this Section, the Board shall not release any
11 monies to that Service Board, except 75% of the cash proceeds
12 of taxes imposed by the Authority under Section 4.03 or 4.03.1
13 which are allocated to the Service Board under Section 4.01. If
14 the Service Board submits a revised financial plan and budget
15 which plan and budget shows that the criteria will be met
16 within a four quarter period, the Board shall continue to
17 release funds to the Service Board. The Board by the
18 affirmative vote of at least 9 ~~a 9 vote~~ of its then Directors
19 may require a Service Board to submit a revised financial plan
20 and budget which shows that the criteria will be met in a time
21 period less than four quarters.

22 (d) All budgets and financial plans, financial statements,
23 audits and other information presented to the Authority
24 pursuant to this Section or which may be required by the Board
25 to permit it to monitor compliance with the provisions of this
26 Section shall be prepared and presented in such manner and

1 frequency and in such detail as shall have been prescribed by
2 the Board, shall be prepared on both an accrual and cash flow
3 basis as specified by the Board, shall present such information
4 as the Authority shall prescribe that fairly presents the
5 condition of any pension plan or trust for health care benefits
6 with respect to retirees established by the Service Board and
7 describes the plans of the Service Board to meet the
8 requirements of Sections 4.02a and 4.02b, and shall identify
9 and describe the assumptions and projections employed in the
10 preparation thereof to the extent required by the Board. If the
11 Executive Director certifies that a Service Board has not
12 presented its budget and two-year financial plan in conformity
13 with the rules adopted by the Authority under the provisions of
14 Section 4.01(f) and this subsection (d), and such certification
15 is accepted by the affirmative vote of at least 9 of the then
16 Directors of the Authority, the Authority shall not distribute
17 to that Service Board any funds for operating purposes in
18 excess of the amounts distributed for such purposes to the
19 Service Board in the previous fiscal year. Except when the
20 Board adopts a budget and a financial plan for a Service Board
21 under paragraph (b) (5), a Service Board shall provide for such
22 levels of transportation services and fares or charges therefor
23 as it deems appropriate and necessary in the preparation of a
24 budget and financial plan meeting the criteria set forth in
25 clauses (i) ~~(ii)~~ through (vii) of subparagraph (2) of paragraph
26 (b) of this Section. The Authority Board shall have access to

1 and the right to examine and copy all books, documents, papers,
2 records, or other source data of a Service Board relevant to
3 any information submitted pursuant to this Section.

4 (e) Whenever this Section requires the Board to make
5 determinations with respect to estimates, budgets or financial
6 plans, or rules or regulations with respect thereto such
7 determinations shall be made upon the affirmative vote of at
8 least 9 of the then Directors and shall be incorporated in a
9 written report of the Board and such report shall be submitted
10 within 10 days after such determinations are made to the
11 Governor, the Mayor of Chicago (if such determinations relate
12 to the Chicago Transit Authority), and the Auditor General of
13 Illinois.

14 (Source: P.A. 94-370, eff. 7-29-05.)

15 (70 ILCS 3615/5.01) (from Ch. 111 2/3, par. 705.01)

16 Sec. 5.01. Hearings and Citizen Participation.

17 (a) The Authority shall provide for and encourage
18 participation by the public in the development and review of
19 public transportation policy, and in the process by which major
20 decisions significantly affecting the provision of public
21 transportation are made. The Authority shall coordinate such
22 public participation processes with the Chicago Metropolitan
23 Agency for Planning to the extent practicable.

24 (b) The Authority shall hold such public hearings as may be
25 required by this Act or as the Authority may deem appropriate

1 to the performance of any of its functions. The Authority shall
2 coordinate such public hearings with the Chicago Metropolitan
3 Agency for Planning to the extent practicable.

4 (c) Unless such items are specifically provided for either
5 in the Five-Year Program or in the annual budget program which
6 has been the subject of public hearings as provided in Sections
7 2.01 or 4.01 of this Act, the Board shall hold public hearings
8 at which citizens may be heard prior to:

9 (i) the construction or acquisition of any public
10 transportation facility, the aggregate cost of which exceeds \$5
11 million; and

12 (ii) the extension of, or major addition to services
13 provided by the Authority or by any transportation agency
14 pursuant to a purchase of service agreement with the Authority.

15 (d) Unless such items are specifically provided for in the
16 annual budget and program which has been the subject of public
17 hearing, as provided in Section 4.01 of this Act, the Board
18 shall hold public hearings at which citizens may be heard prior
19 to the providing for or allowing, by means of any purchase of
20 service agreement or any grant pursuant to Section 2.02 of this
21 Act, any general increase or series of increases in fares or
22 charges for public transportation, whether by the Authority or
23 by any transportation agency, which increase or series of
24 increases within any twelve months affects more than 25% of the
25 consumers of service of the Authority or of the transportation
26 agency; or so providing for or allowing any discontinuance of

1 any public transportation route, or major portion thereof,
2 which has been in service for more than a year.

3 (e) At least twenty days prior notice of any public
4 hearing, as required in this Section, shall be given by public
5 advertisement in a newspaper of general circulation in the
6 metropolitan region.

7 (f) The Authority may designate one or more Directors or
8 may appoint one or more hearing officers to preside over any
9 hearing pursuant to this Act. The Authority shall have the
10 power in connection with any such hearing to issue subpoenas to
11 require the attendance of witnesses and the production of
12 documents, and the Authority may apply to any circuit court in
13 the State to require compliance with such subpoenas.

14 (g) The Authority may require any Service Board to hold one
15 or more public hearings with respect to any item described in
16 paragraphs (c) and (d) of this Section 5.01, notwithstanding
17 whether such item has been the subject of a public hearing
18 under this Section 5.01 or Section 2.01 or 4.01 of this Act.

19 (Source: P.A. 78-3rd S.S.-5.)

20 (70 ILCS 3615/2.12a rep.)

21 Section 15. The Regional Transportation Authority Act is
22 amended by repealing Section 2.12a."