

1 AN ACT concerning local government.

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

4 Section 5. The Regional Transportation Authority Act is  
5 amended by changing Section 3A.09 as follows:

6 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

7 Sec. 3A.09. General Powers. In addition to any powers  
8 elsewhere provided to the Suburban Bus Board, it shall have all  
9 of the powers specified in Section 2.20 of this Act except for  
10 the powers specified in Section 2.20(a)(v). The Board shall  
11 also have the power:

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

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

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

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

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

8 (e) to borrow money for the purposes of: (i)  
9 constructing a new garage in the northwestern Cook County  
10 suburbs at an estimated cost of \$60,000,000, (ii)  
11 converting the South Cook garage in Markham to a Compressed  
12 Natural Gas facility at an estimated cost of \$12,000,000,  
13 (iii) constructing a new paratransit garage in DuPage  
14 County at an estimated cost of \$25,000,000, and (iv)  
15 expanding the North Shore garage in Evanston to accommodate  
16 additional indoor bus parking at an estimated cost of  
17 \$3,000,000. For the purpose of evidencing the obligation of  
18 the Suburban Bus Board to repay any money borrowed as  
19 provided in this subsection, the Suburban Bus Board may  
20 issue revenue bonds from time to time pursuant to ordinance  
21 adopted by the Suburban Bus Board, subject to the approval  
22 of the Regional Transportation Authority of each such  
23 issuance by the affirmative vote of 12 of its then  
24 Directors; provided that the Suburban Bus Board may not  
25 issue bonds for the purpose of financing the acquisition,  
26 construction, or improvement of any facility other than

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

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

1 payable solely from the revenues or income as aforesaid.

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