

**SB0936**



**98TH GENERAL ASSEMBLY**

**State of Illinois**

**2013 and 2014**

**SB0936**

Introduced 1/24/2013, by Sen. John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

605 ILCS 10/8

from Ch. 121, par. 100-8

Amends the Toll Highway Act. Makes a technical change in a Section concerning powers of the Toll Highway Authority.

LRB098 05172 MLW 35203 b

**A BILL FOR**

1 AN ACT concerning transportation.

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

4 Section 5. The Toll Highway Act is amended by changing  
5 Section 8 as follows:

6 (605 ILCS 10/8) (from Ch. 121, par. 100-8)

7 Sec. 8. The Authority shall have the power:

8 (a) To acquire, own, use, hire, lease, operate and ~~and~~  
9 dispose of personal property, real property (except with  
10 respect to the headquarters building and surrounding land of  
11 the Authority located at 2700 Ogden Avenue, Downers Grove,  
12 Illinois, which may be sold or mortgaged only as provided in  
13 Section 7.5 of the State Property Control Act to the extent  
14 that such property is subject to the State Property Control Act  
15 at the time of the proposed sale), any interest therein,  
16 including rights-of-way, franchises and easements.

17 (b) To enter into all contracts and agreements necessary or  
18 incidental to the performance of its powers under this Act. All  
19 employment contracts let under this Act shall be in conformity  
20 with the applicable provisions of "An Act regulating wages of  
21 laborers, mechanics and other workers employed under contracts  
22 for public works," approved June 26, 1941, as amended.

23 (c) To employ and discharge, without regard to the

1 requirements of any civil service or personnel act, such  
2 administrative, engineering, traffic, architectural,  
3 construction, and financial experts, and inspectors, and such  
4 other employees, as are necessary in the Authority's judgment  
5 to carry out the purposes of this Act; and to establish and  
6 administer standards of classification of all of such persons  
7 with respect to their compensation, duties, performance, and  
8 tenure; and to enter into contracts of employment with such  
9 persons for such periods and on such terms as the Authority  
10 deems desirable.

11 (d) To appoint by and with the consent of the Attorney  
12 General, assistant attorneys for such Authority, which said  
13 assistant attorneys shall be under the control, direction and  
14 supervision of the Attorney General and shall serve at his  
15 pleasure.

16 (e) To retain special counsel, subject to the approval of  
17 the Attorney General, as needed from time to time, and fix  
18 their compensation, provided however, such special counsel  
19 shall be subject to the control, direction and supervision of  
20 the Attorney General and shall serve at his pleasure.

21 (f) To acquire, construct, relocate, operate, regulate and  
22 maintain a system of toll highways through and within the State  
23 of Illinois. However, the Authority does not have the power to  
24 acquire, operate, regulate or maintain any system of toll  
25 highways or toll bridges or portions of them (including but not  
26 limited to any system organized pursuant to Division 108 of

1 Article 11 of the Illinois Municipal Code) in the event either  
2 of the following conditions exists at the time the proposed  
3 acquisition, operation, regulation or maintenance of such  
4 system is to become effective:

5 (1) the principal or interest on bonds or other instruments  
6 evidencing indebtedness of the system are in default; or

7 (2) the principal or interest on bonds or other instruments  
8 evidencing indebtedness of the system have been in default at  
9 any time during the 5 year period prior to the proposed  
10 acquisition.

11 To facilitate such construction, operation and maintenance  
12 and subject to the approval of the Division of Highways of the  
13 Department of Transportation, the Authority shall have the full  
14 use and advantage of the engineering staff and facilities of  
15 the Department.

16 (Source: P.A. 93-19, eff. 6-20-03.)