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1 AMENDMENT TO SENATE BILL 1938

2 AMENDMENT NO. _____. Amend Senate Bill 1938 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Illinois Road Usage Charge Act.

6 Section 5. Findings.

7 (a) The General Assembly finds and declares that an
8 efficient and safe transportation system is critical for
9 Illinois' economy and quality of life. The revenue currently
10 available for highways and local roads is not adequate to
11 preserve and maintain existing infrastructure and to provide
12 funds for improvements that would incorporate safety factors,
13 eliminate travel related injuries and fatalities, reduce
14 congestion, and improve service.

15 (b) The General Assembly further recognizes that the gas
16 tax is an ineffective mechanism for meeting Illinois'

1 long-term revenue needs because it will steadily generate less
2 revenue as cars become more fuel efficient and alternative
3 sources of fuel are identified.

4 (c) The General Assembly further recognizes that other
5 states have begun to explore the potential for a road usage
6 charge to replace traditional motor fuel taxes, including the
7 State of Oregon, which established the first permanent road
8 user charge program in the nation. Road usage charging is a
9 policy whereby motorists pay for the use of the roadway
10 network based on the distance they travel. Drivers pay the
11 same rate per mile driven, regardless of what part of the
12 roadway network they use.

13 (d) The General Assembly, therefore, finds that experience
14 to date in other states across the nation demonstrates that
15 mileage-based charges can be implemented in a way that ensures
16 data security and maximum privacy protection for drivers. It
17 is important that Illinois begins to explore alternative
18 revenue sources that may be implemented in lieu of the
19 antiquated motor fuel tax structure now in place.

20 Section 10. Definitions.

21 "Committee" means the Road Usage Charge Advisory
22 Committee.

23 "Department" means the Department of Transportation.

24 "Pilot Program" means the Road Usage Charge Pilot Program.

1 Section 15. Road Usage Charge Advisory Committee.

2 (a) The Road Usage Charge Advisory Committee is
3 established to guide the development and evaluation of the
4 road usage charge pilot program to assess the potential for
5 mileage-based revenue as an alternative to the current system
6 of taxing highway use through motor fuel taxes.

7 (b) The Committee shall consist of 10 members as follows:

8 (1) the Secretary of Transportation or the Secretary's
9 designee;

10 (2) the Executive Director of the Chicago Metropolitan
11 Agency for Planning or the Executive Director's designee;

12 (3) one member appointed by the Senate President;

13 (4) one member appointed by the Speaker of the House
14 of Representatives;

15 (5) one member appointed by the chair of the standing
16 committee of the Senate having primary jurisdiction over
17 transportation;

18 (6) one member appointed by the standing committee of
19 the House of Representatives having primary jurisdiction
20 over transportation; and

21 (7) four members appointed by the Governor.

22 (c) The Committee shall:

23 (1) conduct at least 3 public hearings to gather
24 public comment on issues and concerns related to the pilot
25 program;

26 (2) make recommendations to the Department to

1 establish the rules necessary for implementation of the
2 pilot program, including a process for selecting
3 volunteers, mileage reporting requirements, and privacy
4 standards;

5 (3) make recommendations to the Department on the
6 criteria to be used to evaluate the pilot program; and

7 (4) evaluate the pilot program.

8 (d) On request, the Department shall assist the Committee
9 in implementing this Section.

10 Section 20. Pilot program.

11 (a) The Department, in consultation with the Secretary of
12 State and based on the recommendations of the Committee, shall
13 develop and implement a statewide pilot program by January 1,
14 2026 to assess a user fee on owners of motor vehicles that is
15 based on the number of miles traveled on public roadways in
16 this State by those vehicles.

17 (b) The pilot program must:

18 (1) include at least 1,000 motor vehicles;

19 (2) analyze alternative means of collecting road usage
20 data, including at least one alternative that does not
21 rely on electronic vehicle location data;

22 (3) test the reliability, ease of use, cost, and
23 public acceptance of technology and methods for:

24 (A) counting the number of miles traveled by motor
25 vehicles;

1 (B) reporting the number of miles traveled by
2 particular vehicles; and

3 (C) collecting payments from participants in the
4 pilot program;

5 (4) analyze and evaluate the ability of different
6 technologies and methods to:

7 (A) protect the integrity of data collected and
8 reported;

9 (B) ensure operators' privacy; and

10 (C) vary pricing based on the time of driving and
11 type of public highway;

12 (5) evaluate the enforceability of the road usage
13 charge and opportunities for operators to evade or
14 manipulate the fee;

15 (6) evaluate the impact of the road usage charge on
16 equity; and

17 (7) provide special consideration for privacy,
18 including:

19 (A) collecting a minimum amount of personal
20 information, including location tracking information,
21 necessary to implement the pilot program; and

22 (B) ensuring that processes for collecting,
23 managing, storing, transmitting, and destroying data
24 are in place to protect the integrity of the data and
25 safeguard the privacy of drivers.

26 (c) The Department shall ensure that participants in the

1 pilot program:

2 (1) are included only on a voluntary basis; and

3 (2) represent a variety of motor vehicle operators,
4 including operators of passenger vehicles, commercial
5 motor vehicles, and electric vehicles.

6 (d) The pilot program may not last less than one year.

7 Section 25. Compensation of participants. The Department
8 shall establish, by rule, a process to ensure that
9 participants in the pilot program are not required to spend
10 more on fees or taxes associated with road usage than if they
11 had not participated in the program. A process adopted under
12 this Section may include a refund of motor fuel taxes paid by
13 the participant or other compensation.

14 Section 30. Report. Not later than 18 months after the
15 implementation of the pilot program, the Department, working
16 in conjunction with the Committee, shall submit to the General
17 Assembly a report summarizing the results of the pilot
18 program, including:

19 (1) the feasibility of permanently assessing a vehicle
20 mileage user fee;

21 (2) the cost of the program;

22 (3) privacy concerns and perceptions;

23 (4) data collection technology, including a discussion
24 of the advantages and disadvantages of various types of

1 data collection equipment and the privacy implications and
2 consideration of the equipment;

3 (5) security and compliance, including a discussion of
4 processes and security measures necessary to minimize
5 fraud and tax evasion rates; and

6 (6) the Department's recommendations together with
7 suggested legislation necessary to implement the
8 recommendations.

9 Section 100. The Metropolitan Transit Authority Act is
10 amended by changing Sections 12a, 12b, 12c, 19, 20, 22, 23,
11 28a, and 34 as follows:

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

13 Sec. 12a. (a) In addition to other powers provided in
14 Section 12b, the Authority may issue its notes from time to
15 time, in anticipation of tax receipts of the Regional
16 Transportation Authority allocated to the Authority or of
17 other revenues or receipts of the Authority, in order to
18 provide money for the Authority to cover any cash flow deficit
19 which the Authority anticipates incurring. Provided, however,
20 that no such notes may be issued unless the annual cost thereof
21 is incorporated in a budget or revised budget of the Authority
22 which has been approved by the Regional Transportation
23 Authority. Any such notes are referred to as "Working Cash
24 Notes". Provided further that, the board shall not issue and

1 have outstanding or demand and direct that the Board of the
2 Regional Transportation Authority issue and have outstanding
3 more than an aggregate of \$40,000,000 in Working Cash Notes.
4 No Working Cash Notes shall be issued for a term of longer than
5 18 months. Proceeds of Working Cash Notes may be used to pay
6 day to day operating expenses of the Authority, consisting of
7 wages, salaries and fringe benefits, professional and
8 technical services (including legal, audit, engineering and
9 other consulting services), office rental, furniture, fixtures
10 and equipment, insurance premiums, claims for self-insured
11 amounts under insurance policies, public utility obligations
12 for telephone, light, heat and similar items, travel expenses,
13 office supplies, postage, dues, subscriptions, public hearings
14 and information expenses, fuel purchases, and payments of
15 grants and payments under purchase of service agreements for
16 operations of transportation agencies, prior to the receipt by
17 the Authority from time to time of funds for paying such
18 expenses. Proceeds of the Working Cash Notes shall not be used
19 (i) to increase or provide a debt service reserve fund for any
20 bonds or notes other than Working Cash Notes of the same
21 Series, or (ii) to pay principal of or interest or redemption
22 premium on any capital bonds or notes, whether as such amounts
23 become due or by earlier redemption, issued by the Authority
24 or a transportation agency to construct or acquire public
25 transportation facilities, or to provide funds to purchase
26 such capital bonds or notes.

1 (b) The ordinance providing for the issuance of any such
2 notes shall fix the date or dates of maturity, the dates on
3 which interest is payable, any sinking fund account or reserve
4 fund account provisions and all other details of such notes
5 and may provide for such covenants or agreements necessary or
6 desirable with regard to the issue, sale and security of such
7 notes. The Authority shall determine and fix the rate or rates
8 of interest of its notes issued under this Act in an ordinance
9 adopted by the Board prior to the issuance thereof, none of
10 which rates of interest shall exceed that permitted in the
11 Bond Authorization Act. Interest may be payable annually or
12 semi-annually, or at such other times as determined by the
13 Board. Notes issued under this Section may be issued as serial
14 or term obligations, shall be of such denomination or
15 denominations and form, including interest coupons to be
16 attached thereto, be executed in such manner, shall be payable
17 at such place or places and bear such date as the Board shall
18 fix by the ordinance authorizing such note and shall mature at
19 such time or times, within a period not to exceed 18 months
20 from the date of issue, and may be redeemable prior to maturity
21 with or without premium, at the option of the Board, upon such
22 terms and conditions as the Board shall fix by the ordinance
23 authorizing the issuance of such notes. The Board may provide
24 for the registration of notes in the name of the owner as to
25 the principal alone or as to both principal and interest, upon
26 such terms and conditions as the Board may determine. The

1 ordinance authorizing notes may provide for the exchange of
2 such notes which are fully registered, as to both principal
3 and interest, with notes which are registerable as to
4 principal only. All notes issued under this Section by the
5 Board shall be sold at a price which may be at a premium or
6 discount but such that the interest cost (excluding any
7 redemption premium) to the Board of the proceeds of an issue of
8 such notes, computed to stated maturity according to standard
9 tables of bond values, shall not exceed that permitted in the
10 Bond Authorization Act. Such notes shall be sold at such time
11 or times as the Board shall determine. The notes may be sold
12 either upon competitive bidding or by negotiated sale (without
13 any requirement of publication of intention to negotiate the
14 sale of such notes), as the Board shall determine by ordinance
15 adopted with the affirmative votes of at least 4 Directors,
16 prior to February 1, 2026, and with the affirmative votes of at
17 least 5 Directors, beginning February 1, 2026. In case any
18 officer whose signature appears on any notes or coupons
19 authorized pursuant to this Section shall cease to be such
20 officer before delivery of such notes, such signature shall
21 nevertheless be valid and sufficient for all purposes, the
22 same as if such officer had remained in office until such
23 delivery. Neither the Directors of the Regional Transportation
24 Authority, the Directors of the Authority nor any person
25 executing any bonds or notes thereof shall be liable
26 personally on any such bonds or notes or coupons by reason of

1 the issuance thereof.

2 (c) All notes of the Authority issued pursuant to this
3 Section shall be general obligations of the Authority to which
4 shall be pledged the full faith and credit of the Authority, as
5 provided in this Section. Such notes shall be secured as
6 provided in the authorizing ordinance, which may,
7 notwithstanding any other provision of this Act, include in
8 addition to any other security, a specific pledge or
9 assignment of and lien on or security interest in any or all
10 tax receipts of the Regional Transportation Authority
11 allocated to the Authority and on any or all other revenues or
12 moneys of the Authority from whatever source which may by law
13 be utilized for debt service purposes and a specific pledge or
14 assignment of and lien on or security interest in any funds or
15 accounts established or provided for by the ordinance of the
16 Board authorizing the issuance of such notes. Any such pledge,
17 assignment, lien or security interest for the benefit of
18 holders of notes of the Authority shall be valid and binding
19 from the time the notes are issued without any physical
20 delivery or further act, and shall be valid and binding as
21 against and prior to the claims of all other parties having
22 claims of any kind against the Authority or any other person
23 irrespective of whether such other parties have notice of such
24 pledge, assignment, lien or security interest. The obligations
25 of the Authority incurred pursuant to this Section shall be
26 superior to and have priority over any other obligations of

1 the Authority except for obligations under Section 12. The
2 Board may provide in the ordinance authorizing the issuance of
3 any notes issued pursuant to this Section for the creation of,
4 deposits in, and regulation and disposition of sinking fund or
5 reserve accounts relating to such notes. The ordinance
6 authorizing the issuance of any notes pursuant to this Section
7 may contain provisions as part of the contract with the
8 holders of the notes, for the creation of a separate fund to
9 provide for the payment of principal and interest on such
10 notes and for the deposit in such fund from any or all the tax
11 receipts of the Regional Transportation Authority allocated to
12 the Authority and from any or all such other moneys or revenues
13 of the Authority from whatever source which may by law be
14 utilized for debt service purposes, all as provided in such
15 ordinance, of amounts to meet the debt service requirements on
16 such notes, including principal and interest, and any sinking
17 fund or reserve fund account requirements as may be provided
18 by such ordinance, and all expenses incident to or in
19 connection with such fund and accounts or the payment of such
20 notes. Such ordinance may also provide limitations on the
21 issuance of additional notes of the Authority. No such notes
22 of the Authority shall constitute a debt of the State of
23 Illinois.

24 (d) The ordinance of the Board authorizing the issuance of
25 any notes may provide additional security for such notes by
26 providing for appointment of a corporate trustee (which may be

1 any trust company or bank having the powers of a trust company
2 within the State) with respect to such notes. The ordinance
3 shall prescribe the rights, duties and powers of the trustee
4 to be exercised for the benefit of the Authority and the
5 protection of the holders of such notes. The ordinance may
6 provide for the trustee to hold in trust, invest and use
7 amounts in funds and accounts created as provided by the
8 ordinance with respect to the notes. The ordinance shall
9 provide that amounts so paid to the trustee which are not
10 required to be deposited, held or invested in funds and
11 accounts created by the ordinance with respect to notes or
12 used for paying notes to be paid by the trustee to the
13 Authority.

14 (e) Any notes of the Authority issued pursuant to this
15 Section shall constitute a contract between the Authority and
16 the holders from time to time of such notes. In issuing any
17 note, the Board may include in the ordinance authorizing such
18 issue a covenant as part of the contract with the holders of
19 the notes, that as long as such obligations are outstanding,
20 it shall make such deposits, as provided in paragraph (c) of
21 this Section. A certified copy of the ordinance authorizing
22 the issuance of any such obligations shall be filed at or prior
23 to the issuance of such obligations with the Regional
24 Transportation Authority, Comptroller of the State of Illinois
25 and the Illinois Department of Revenue.

26 (f) The State of Illinois pledges to and agrees with the

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

20 (g) The Board shall not at any time issue, sell or deliver
21 any Interim Financing Notes pursuant to this Section which
22 will cause it to have issued and outstanding at any time in
23 excess of \$40,000,000 of Working Cash Notes. Notes which are
24 being paid or retired by such issuance, sale or delivery of
25 notes, and notes for which sufficient funds have been
26 deposited with the paying agency of such notes to provide for

1 payment of principal and interest thereon or to provide for
2 the redemption thereof, all pursuant to the ordinance
3 authorizing the issuance of such notes, shall not be
4 considered to be outstanding for the purposes of this
5 paragraph.

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

10 (i) In addition to any other authority granted by law, the
11 State Treasurer may, with the approval of the Governor, invest
12 or reinvest, at a price not to exceed par, any State money in
13 the State Treasury which is not needed for current
14 expenditures due or about to become due in Interim Financing
15 Notes. In the event of a default on an interim financing note
16 issued by the Chicago Transit Authority in which State money
17 in the State treasury was invested, the Treasurer may, after
18 giving notice to the Authority, certify to the Comptroller the
19 amounts of the defaulted interim financing note, in accordance
20 with any applicable rules of the Comptroller, and the
21 Comptroller must deduct and remit to the State treasury the
22 certified amounts or a portion of those amounts from the
23 following proportions of payments of State funds to the
24 Authority:

25 (1) in the first year after default, one-third of the
26 total amount of any payments of State funds to the

1 Authority;

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

5 (3) in the third year after default and for each year
6 thereafter until the total invested amount is repaid, the
7 total amount of any payments of State funds to the
8 Authority.

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

10 (70 ILCS 3605/12b) (from Ch. 111 2/3, par. 312b)

11 Sec. 12b. Working Cash Borrowing. In addition to the
12 powers provided in Section 12a, the Board with the affirmative
13 vote of 5 of its Directors, prior to February 1, 2026, and with
14 the affirmative vote of at least 6 of its Directors, beginning
15 February 1, 2026, may demand and direct the Board of the
16 Regional Transportation Authority to issue Working Cash Notes
17 at such time and in such amounts and having such maturities as
18 the Authority deems proper, provided however any such
19 borrowing shall have been specifically identified in the
20 budget of the Authority as approved by the Board of the
21 Regional Transportation Authority. Provided further, that the
22 Board may not issue and have outstanding or demand and direct
23 the Board of the Regional Transportation Authority to issue
24 and have outstanding more than an aggregate of \$40,000,000 in
25 Working Cash Notes.

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

2 (70 ILCS 3605/12c)

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

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

16 (b) (1) After its receipt of a certified copy of a report of
17 the Auditor General of the State of Illinois meeting the
18 requirements of Section 3-2.3 of the Illinois State Auditing
19 Act, the Authority may issue \$1,348,550,000 aggregate original
20 principal amount of bonds and notes. After payment of the
21 costs of issuance and necessary deposits to funds and accounts
22 established with respect to debt service, the net proceeds of
23 such bonds or notes shall be deposited only in the Retirement
24 Plan for Chicago Transit Authority Employees and used only for
25 the purposes required by Section 22-101 of the Illinois

1 Pension Code. Provided that no less than \$1,110,500,000 has
2 been deposited in the Retirement Plan, remaining proceeds of
3 bonds issued under this subparagraph (b)(1) may be used to pay
4 costs of issuance and make necessary deposits to funds and
5 accounts with respect to debt service for bonds and notes
6 issued under this subparagraph or subparagraph (b)(2).

7 (2) After its receipt of a certified copy of a report of
8 the Auditor General of the State of Illinois meeting the
9 requirements of Section 3-2.3 of the Illinois State Auditing
10 Act, the Authority may issue \$639,680,000 aggregate original
11 principal amount of bonds and notes. After payment of the
12 costs of issuance and necessary deposits to funds and accounts
13 established with respect to debt service, the net proceeds of
14 such bonds or notes shall be deposited only in the Retiree
15 Health Care Trust and used only for the purposes required by
16 Section 22-101B of the Illinois Pension Code. Provided that no
17 less than \$528,800,000 has been deposited in the Retiree
18 Health Care Trust, remaining proceeds of bonds issued under
19 this subparagraph (b)(2) may be used to pay costs of issuance
20 and make necessary deposits to funds and accounts with respect
21 to debt service for bonds and notes issued under this
22 subparagraph or subparagraph (b)(1).

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

26 (4) The bonds or notes issued under 12c(b)(1) shall be

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

7 (5) With respect to bonds and notes issued under
8 subparagraph (b), scheduled aggregate annual payments of
9 interest or deposits into funds and accounts established for
10 the purpose of such payment shall commence within one year
11 after the bonds and notes are issued. With respect to
12 principal and interest, scheduled aggregate annual payments of
13 principal and interest or deposits into funds and accounts
14 established for the purpose of such payment shall be not less
15 than 70% in 2009, 80% in 2010, and 90% in 2011, respectively,
16 of scheduled payments or deposits of principal and interest in
17 2012 and shall be substantially equal beginning in 2012 and
18 each year thereafter. For purposes of this subparagraph (b),
19 "substantially equal" means that debt service in any full year
20 after calendar year 2011 is not more than 115% of debt service
21 in any other full year after calendar year 2011 during the term
22 of the bonds or notes. For the purposes of this subsection (b),
23 with respect to bonds and notes that bear interest at a
24 variable rate, interest shall be assumed at a rate equal to the
25 rate for United States Treasury Securities - State and Local
26 Government Series for the same maturity, plus 75 basis points.

1 If the Authority enters into a Swap with a counterparty
2 requiring the Authority to pay a fixed interest rate on a
3 notional amount, and the Authority has made a determination
4 that such Swap was entered into for the purpose of providing
5 substitute interest payments for variable interest rate bonds
6 or notes of a particular maturity or maturities in a principal
7 amount equal to the notional amount of the Swap, then during
8 the term of the Swap for purposes of any calculation of
9 interest payable on such bonds or notes, the interest rate on
10 the bonds or notes of such maturity or maturities shall be
11 determined as if such bonds or notes bore interest at the fixed
12 interest rate payable by the Authority under such Swap.

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

15 (c) The Chicago Transit Board shall provide for the
16 issuance of bonds or notes as authorized in this Section 12c by
17 the adoption of an ordinance. The ordinance, together with the
18 bonds or notes, shall constitute a contract among the
19 Authority, the owners from time to time of the bonds or notes,
20 any bond trustee with respect to the bonds or notes, any
21 related credit enhancer and any provider of any related Swaps.

22 (d) The Authority is authorized to cause the proceeds of
23 the bonds or notes, and any interest or investment earnings on
24 the bonds or notes, and of any Swaps, to be invested until the
25 proceeds and any interest or investment earnings have been
26 deposited with the Retirement Plan or the Retiree Health Care

1 Trust.

2 (e) Bonds or notes issued pursuant to this Section 12c may
3 be general obligations of the Authority, to which shall be
4 pledged the full faith and credit of the Authority, or may be
5 obligations payable solely from particular sources of funds
6 all as may be provided in the authorizing ordinance. The
7 authorizing ordinance for the bonds and notes, whether or not
8 general obligations of the Authority, may provide for the Debt
9 Service (as defined in paragraph (i) of this Section 12c) to
10 have a claim for payment from particular sources of funds,
11 including, without limitation, amounts to be paid to the
12 Authority or a bond trustee. The authorizing ordinance may
13 provide for the means by which the bonds or notes (and any
14 related Swaps) may be secured, which may include, a pledge of
15 any revenues or funds of the Authority from whatever source
16 which may by law be utilized for paying Debt Service. In
17 addition to any other security, upon the written approval of
18 the Regional Transportation Authority by the affirmative vote
19 of 12 of its then Directors, prior to February 1, 2026, and the
20 affirmative vote of at least 14 of its then Directors,
21 beginning February 1, 2026, the ordinance may provide a
22 specific pledge or assignment of and lien on or security
23 interest in amounts to be paid to the Authority by the Regional
24 Transportation Authority and direct payment thereof to the
25 bond trustee for payment of Debt Service with respect to the
26 bonds or notes, subject to the provisions of existing lease

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

1 fund or reserve accounts relating to those bonds or notes and
2 related agreements. The ordinance authorizing the issuance of
3 any such bonds or notes authorized under this Section 12c may
4 contain provisions for the creation of a separate fund to
5 provide for the payment of principal of and interest on those
6 bonds or notes and related agreements. The ordinance may also
7 provide limitations on the issuance of additional bonds or
8 notes of the Authority.

9 (f) Bonds or notes issued under this Section 12c shall not
10 constitute an indebtedness of the Regional Transportation
11 Authority, the State of Illinois, or of any other political
12 subdivision of or municipality within the State, except the
13 Authority.

14 (g) The ordinance of the Chicago Transit Board authorizing
15 the issuance of bonds or notes pursuant to this Section 12c may
16 provide for the appointment of a corporate trustee (which may
17 be any trust company or bank having the powers of a trust
18 company within Illinois) with respect to bonds or notes issued
19 pursuant to this Section 12c. The ordinance shall prescribe
20 the rights, duties, and powers of the trustee to be exercised
21 for the benefit of the Authority and the protection of the
22 owners of bonds or notes issued pursuant to this Section 12c.
23 The ordinance may provide for the trustee to hold in trust,
24 invest and use amounts in funds and accounts created as
25 provided by the ordinance with respect to the bonds or notes in
26 accordance with this Section 12c. The Authority may apply, as

1 it shall determine, any amounts received upon the sale of the
2 bonds or notes to pay any Debt Service on the bonds or notes.
3 The ordinance may provide for a trust indenture to set forth
4 terms of, sources of payment for and security for the bonds and
5 notes.

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

23 (i) For purposes of this Section, "Debt Service" with
24 respect to bonds or notes includes, without limitation,
25 principal (at maturity or upon mandatory redemption),
26 redemption premium, interest, periodic, upfront, and

1 termination payments on Swaps, fees for bond insurance or
2 other credit enhancement, liquidity facilities, the funding of
3 bond or note reserves, bond trustee fees, and all other costs
4 of providing for the security or payment of the bonds or notes.

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

1 related to the issuance of debt shall not be based in any way
2 on the service providers selected by the Authority pursuant to
3 this Section.

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

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

13 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

14 Sec. 19. Chicago Transit Board.

15 (a) Until February 1, 2026, the ~~The~~ governing and
16 administrative body of the Authority shall be a board
17 consisting of 7 ~~seven~~ members, to be known as Chicago Transit
18 Board.

19 (b) On and after February 1, 2026, the governing and
20 administrative body of the authority shall be a board
21 consisting of 8 members, to be known as the Chicago Transit
22 Board.

23 (1) 6 members shall be appointed by the Mayor of the
24 City of Chicago with the advice and consent of the City
25 Council of the City of Chicago. The members appointed

1 under this paragraph (1) shall reside within the City of
2 Chicago and one of these members shall be a representative
3 of organized labor.

4 The member representing organized labor shall be
5 selected from a list of 3 persons recommended by the
6 president of a countywide labor council body representing
7 more than 30 labor organizations recognized under the
8 National Labor Relations Act or the Railway Labor Act
9 located within a county with a population of at least
10 3,000,000 inhabitants. If such a member has not been
11 appointed within 60 days for the initial term, or
12 appointed within 60 days of the expiration of a term or a
13 vacancy in the office, the first person on the list
14 provided to the Mayor will automatically assume the
15 office.

16 (2) 2 members shall be appointed by the President of
17 the Cook County Board of Commissioners with the advice and
18 consent of the members of the Cook County Board of
19 Commissioners. The members appointed under this paragraph
20 (2) shall reside in the part of Cook County outside the
21 City of Chicago.

22 (c) To implement the changes in appointing authority under
23 subsection (b) of this Section, the following provisions
24 apply:

25 (1) Members who are appointed to the Chicago Transit
26 Board by the Mayor of Chicago under subsection (a) of

1 Section 20 and who are serving on the Board on the
2 effective date of this amendatory Act of the 104th General
3 Assembly shall retain their offices until January 31, 2026
4 or until the expiration of a term of office or a vacancy in
5 their respective office. Upon expiration of a term of
6 office or vacancy prior to January 31, 2028, these offices
7 shall be filled under subsection (a) of Section 20.

8 (2) The Mayor of Chicago shall appoint 6 members to
9 the Chicago Transit Board under paragraph (1) of
10 subsection (b) of this Section, to begin their terms of
11 office on February 1, 2026, and their appointments shall
12 be made in time to begin their terms of office on February
13 1, 2026. A member serving as a member on January 31, 2026
14 may be reappointed to the Board. Of the members appointed
15 to begin their terms of office on February 1, 2026, the
16 Mayor of Chicago shall appoint 3 members with 4-year terms
17 and 3 members with 2-year terms. Subsequent terms of
18 office for all members shall be 4 years.

19 (3) Members who are appointed to the Chicago Transit
20 Board by the Governor under subsection (a) of Section 20
21 and who were serving on Board on the effective date of this
22 amendatory Act of the 104th General Assembly shall retain
23 their offices until January 31, 2026. Upon the expiration
24 of a term of office or a vacancy prior to January 31, 2026,
25 these offices shall be filled under subsection (a) of
26 Section 20.

1 (4) Members appointed to the Chicago Transit Board
2 under paragraph (2) of subsection (b) of this Section will
3 begin their terms of office on February 1, 2026, and their
4 appointments shall be made in time to begin their terms of
5 office on February 1, 2026. Of the members appointed to
6 begin their terms on February 1, 2026, the President of
7 the Cook County Board shall appoint one member with a
8 4-year term and one member with a 2-year term. Subsequent
9 terms of office of all members shall be 4 years.

10 (d) Members of the Board shall be residents of the
11 metropolitan area and persons of recognized business ability.
12 Members shall have diverse and substantial relevant experience
13 and expertise in overseeing the planning, operation, and
14 funding of a public transportation system, including, but not
15 limited to, backgrounds in urban and regional planning,
16 management of large capital projects, labor and workforce
17 development, business management, public administration,
18 transportation, and transit and ridership advocacy. No member
19 ~~of the Board of the Authority shall hold any other office or~~
20 ~~employment under the Federal, State or any County or any~~
21 ~~municipal government, or any other unit of local government,~~
22 ~~except an honorary office without compensation or an office in~~
23 ~~the National Guard. No employee of the Authority shall hold~~
24 ~~any other office or employment under the Federal, State or any~~
25 ~~County or any municipal government, or any other unit of local~~
26 ~~government, except an office with compensation not exceeding~~

1 ~~\$15,000 annually or a position in the National Guard or the~~
2 ~~United States military reserves. Provided, however, that the~~
3 ~~Chairman may be a member of the Board of the Regional~~
4 ~~Transportation Authority.~~ No member of the Board or employee
5 of the Authority shall have any private financial interest,
6 profit or benefit in any contract, work or business of the
7 Authority nor in the sale or lease of any property to or from
8 the Authority. The salary of each member of the initial Board
9 shall be \$15,000.00 per annum, and such salary shall not be
10 increased or diminished during his or her term of office. The
11 salaries of successor members of the Board shall be fixed by
12 the Board and shall not be increased or diminished during
13 their respective terms of office. No Board member shall be
14 allowed any fees, perquisites or emoluments, reward or
15 compensation for his or her services as a member or officer of
16 the Authority aside from his or her salary or pension, but he
17 or she shall be reimbursed for actual expenses incurred by him
18 or her in the performance of his or her duties.

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

20 (70 ILCS 3605/20) (from Ch. 111 2/3, par. 320)

21 Sec. 20. Terms; vacancies.

22 (a) Until February 1, 2026 ~~Within sixty (60) days after~~
23 ~~the adoption of this Act by the electors of one or more cities,~~
24 ~~villages and incorporated towns within the metropolitan area~~
25 ~~having a population in the aggregate of at least 100,000~~

1 ~~according to the Federal census of 1940~~, the Governor, by and
2 with the advice and consent of the Senate, shall appoint three
3 members of the Board for initial terms expiring September
4 first of the years 1947, 1948 and 1949, respectively, at least
5 one of which members shall be a resident of that portion of the
6 metropolitan area which is outside the corporate limits of the
7 City of Chicago, and the Mayor, with advice and consent of the
8 City Council of the City of Chicago, shall appoint 4 ~~four~~
9 members of the Board for initial terms expiring September
10 first of the years 1946, 1950, 1951 and 1952, respectively. At
11 the expiration of the term of any member appointed by the
12 Governor his successor shall be appointed by the Governor, and
13 at the expiration of the term of any member appointed by the
14 Mayor his successor shall be appointed by the Mayor in like
15 manner, and with like regard as to the place of residence of
16 the appointee, as appointments for the initial terms. All
17 successors shall hold office for the term of 7 ~~seven~~ years from
18 the first day of September of the year in which they are
19 appointed, except in case of an appointment to fill a vacancy.
20 In case of vacancy in the office of any member appointed by the
21 Governor during the recess of the Senate, the Governor shall
22 make a temporary appointment until the next meeting of the
23 Senate when he shall nominate some person to fill such office;
24 and any person so nominated, who is confirmed by the Senate,
25 shall hold his office during the remainder of the term and
26 until his successor shall be appointed and qualified. If the

1 Senate is not in session at the time this Act takes effect, the
2 Governor shall make temporary appointments as in case of
3 vacancies. Each appointment by the Governor shall be subject
4 to approval by the Mayor, and each appointment by the Mayor
5 shall be subject to approval by the Governor and, when so
6 approved, the Governor and the Mayor shall certify their
7 respective appointments and approvals to the Secretary of
8 State. If the Governor or the Mayor does not approve or
9 disapprove the appointment by the Mayor or the Governor,
10 respectively, within 15 days after receipt thereof, the person
11 is appointed. Within 30 ~~thirty~~ days after certification and
12 approval of his appointment, and before entering upon the
13 duties of his office, each member of the Board shall take and
14 subscribe the constitutional oath of office and file it in the
15 office of the Secretary of State.

16 (b) Beginning February 1, 2026, each board member shall
17 hold office for a term of 4 years and until the member's
18 successor has been appointed and has qualified. A vacancy
19 shall occur upon resignation, death, conviction of a felony,
20 or removal from office. Any member may be removed from office
21 (i) upon concurrence vote of 6 of the then-serving board
22 members, on a formal finding of incompetence, neglect of duty,
23 or malfeasance in office or (ii) by the Governor in response to
24 a summary report received from the Executive Inspector General
25 in accordance with Section 10-50 of the State Officials and
26 Employees Ethics Act, provided the member has an opportunity

1 to be publicly heard in person or by counsel before removal.
2 Within 30 days after the office of any member becomes vacant
3 for any reason, the appointing authorities of the member shall
4 make an appointment to fill the vacancy. A vacancy shall be
5 filled for the unexpired term of the member.

6 (Source: P.A. 79-938.)

7 (70 ILCS 3605/22) (from Ch. 111 2/3, par. 322)

8 Sec. 22. As soon as possible after the appointment of the
9 initial members, the board shall organize for the transaction
10 of business, select a chairman and a temporary secretary from
11 its own number, and adopt by-laws, rules and regulations to
12 govern its proceedings. The initial chairman and successors
13 shall be elected by the Board from time to time for the term of
14 his office as a member of the Board or for the term of three
15 years, whichever is shorter.

16 As soon as possible after the appointment of the members
17 of the Board on February 1, 2026, the board shall organize for
18 the transaction of business and select a chairman and a
19 temporary secretary from its own number. The Board shall fix
20 the salary of the chairman in addition to his salary as a
21 member of the Board, which shall not be increased or
22 diminished during his term of office as chairman. But if the
23 chairman is engaged in any other business or employment during
24 his term as chairman, his annual salary shall be not more than
25 \$25,000.

1 (Source: P.A. 80-937.)

2 (70 ILCS 3605/23) (from Ch. 111 2/3, par. 323)

3 Sec. 23. Regular meetings of the Board shall be held at
4 least once in each calendar month, the time and place of such
5 meetings to be fixed by the Board. Until February 1, 2026, 4
6 ~~Four~~ members of the Board shall constitute a quorum for the
7 transaction of business and, beginning February 1, 2026, 5
8 members of the Board shall constitute a quorum. All action of
9 the Board shall be by ordinance or resolution, and the
10 affirmative vote of at least 4 ~~four~~ members, prior to February
11 1, 2026, or at least 5 members, beginning February 1, 2026,
12 shall be necessary for the adoption of any ordinance or
13 resolution. All such ordinances and resolutions before taking
14 effect shall be approved by the chairman of the Board, and if
15 he shall approve thereof he shall sign the same, and such as he
16 shall not approve he shall return to the Board with his
17 objections thereto in writing at the next regular meeting of
18 the Board occurring after the passage thereof. But in case the
19 chairman shall fail to return any ordinance or resolution with
20 his objections thereto by the time aforesaid, he shall be
21 deemed to have approved the same and it shall take effect
22 accordingly. Upon the return of any ordinance or resolution by
23 the chairman with his objections, the vote by which the same
24 was passed shall be reconsidered by the Board, and if upon such
25 reconsideration said ordinance or resolution is passed by the

1 affirmative vote of at least 5 ~~five~~ members, prior to February
2 1, 2026, and at least 6 members, beginning February 1, 2026, it
3 shall go into effect notwithstanding the veto of the chairman.
4 All ordinances, resolutions and all proceedings of the
5 Authority and all documents and records in its possession
6 shall be public records, and open to public inspection, except
7 such documents and records as shall be kept or prepared by the
8 Board for use in negotiations, action or proceedings to which
9 the Authority is a party.

10 Open meetings of the Board shall be broadcast to the
11 public and maintained in real-time on the Board's website
12 using a high-speed Internet connection. Recordings of each
13 meeting broadcast shall be posted to the Board's website
14 within a reasonable time after the meeting and shall be
15 maintained as public records to the extent practicable, as
16 determined by the Board. Compliance with the provisions of
17 this amendatory Act of the 98th General Assembly does not
18 relieve the Board of its obligations under the Open Meetings
19 Act.

20 (Source: P.A. 98-1139, eff. 6-1-15.)

21 (70 ILCS 3605/28a) (from Ch. 111 2/3, par. 328a)

22 Sec. 28a. (a) The Board may deal with and enter into
23 written contracts with the employees of the Authority through
24 accredited representatives of such employees or
25 representatives of any labor organization authorized to act

1 for such employees, concerning wages, salaries, hours, working
2 conditions and pension or retirement provisions; provided,
3 nothing herein shall be construed to permit hours of labor in
4 excess of those provided by law or to permit working
5 conditions prohibited by law. In case of dispute over wages,
6 salaries, hours, working conditions, or pension or retirement
7 provisions the Board may arbitrate any question or questions
8 and may agree with such accredited representatives or labor
9 organization that the decision of a majority of any
10 arbitration board shall be final, provided each party shall
11 agree in advance to pay half of the expense of such
12 arbitration.

13 No contract or agreement shall be made with any labor
14 organization, association, group or individual for the
15 employment of members of such organization, association, group
16 or individual for the construction, improvement, maintenance,
17 operation or administration of any property, plant or
18 facilities under the jurisdiction of the Authority, where such
19 organization, association, group or individual denies on the
20 ground of race, creed, color, sex, religion, physical or
21 mental disability unrelated to ability, or national origin
22 membership and equal opportunities for employment to any
23 citizen of Illinois.

24 (b)(1) The provisions of this paragraph (b) apply to
25 collective bargaining agreements (including extensions and
26 amendments of existing agreements) entered into on or after

1 January 1, 1984.

2 (2) The Board shall deal with and enter into written
3 contracts with their employees, through accredited
4 representatives of such employees authorized to act for such
5 employees concerning wages, salaries, hours, working
6 conditions, and pension or retirement provisions about which a
7 collective bargaining agreement has been entered prior to the
8 effective date of this amendatory Act of 1983. Any such
9 agreement of the Authority shall provide that the agreement
10 may be reopened if the amended budget submitted pursuant to
11 Section 2.18a of the Regional Transportation Authority Act is
12 not approved by the Board of the Regional Transportation
13 Authority. The agreement may not include a provision requiring
14 the payment of wage increases based on changes in the Consumer
15 Price Index. The Board shall not have the authority to enter
16 into collective bargaining agreements with respect to inherent
17 management rights, which include such areas of discretion or
18 policy as the functions of the employer, standards of
19 services, its overall budget, the organizational structure and
20 selection of new employees and direction of personnel.
21 Employers, however, shall be required to bargain collectively
22 with regard to policy matters directly affecting wages, hours
23 and terms and conditions of employment, as well as the impact
24 thereon upon request by employee representatives. To preserve
25 the rights of employers and exclusive representatives which
26 have established collective bargaining relationships or

1 negotiated collective bargaining agreements prior to the
2 effective date of this amendatory Act of 1983, employers shall
3 be required to bargain collectively with regard to any matter
4 concerning wages, hours or conditions of employment about
5 which they have bargained prior to the effective date of this
6 amendatory Act of 1983.

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

11 (4) Within 30 days of the signing of any such collective
12 bargaining agreement, the Board shall determine the costs of
13 each provision of the agreement, prepare an amended budget
14 incorporating the costs of the agreement, and present the
15 amended budget to the Board of the Regional Transportation
16 Authority for its approval under Section 4.11 of the Regional
17 Transportation Authority Act. The Board of the Regional
18 Transportation Authority may approve the amended budget by an
19 affirmative vote of 12 of its then Directors, prior to
20 February 1, 2026, and by an affirmative vote of at least 14
21 Directors, beginning February 1, 2026. If the budget is not
22 approved by the Board of the Regional Transportation
23 Authority, the agreement may be reopened and its terms may be
24 renegotiated. Any amended budget which may be prepared
25 following renegotiation shall be presented to the Board of the
26 Regional Transportation Authority for its approval in like

1 manner.

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

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

4 Sec. 34. Budget and Program. The Authority, subject to the
5 powers of the Regional Transportation Authority in Section
6 4.11 of the Regional Transportation Authority Act, shall
7 control the finances of the Authority. It shall by ordinance
8 appropriate money to perform the Authority's purposes and
9 provide for payment of debts and expenses of the Authority.
10 Each year the Authority shall prepare and publish a
11 comprehensive annual budget and five-year capital program
12 document, and a financial plan for the 2 years thereafter
13 describing the state of the Authority and presenting for the
14 forthcoming fiscal year and the two following years the
15 Authority's plans for such operations and capital expenditures
16 as it intends to undertake and the means by which it intends to
17 finance them. The proposed budget, financial plan, and
18 five-year capital program shall be based on the Regional
19 Transportation Authority's estimate of funds to be made
20 available to the Authority by or through the Regional
21 Transportation Authority and shall conform in all respects to
22 the requirements established by the Regional Transportation
23 Authority. The proposed budget, financial plan, and five-year
24 capital program shall contain a statement of the funds
25 estimated to be on hand at the beginning of the fiscal year,

1 the funds estimated to be received from all sources for such
2 year and the funds estimated to be on hand at the end of such
3 year. The proposed budget, financial plan, and five-year
4 capital program shall be available at no cost for public
5 inspection at the Authority's main office and at the Regional
6 Transportation Authority's main office at least 3 weeks prior
7 to any public hearing. Before the proposed budget, financial
8 plan, and five-year capital program are submitted to the
9 Regional Transportation Authority, the Authority shall hold at
10 least one public hearing thereon in each of the counties in
11 which the Authority provides service. All Board members of the
12 Authority shall attend a majority of the public hearings
13 unless reasonable cause is given for their absence. After the
14 public hearings, the Board of the Authority shall hold at
15 least one meeting for consideration of the proposed program
16 and budget with the Cook County Board. Prior to the capital
17 program being submitted to the Regional Transportation
18 Authority, the Authority shall hold at least one meeting for
19 consideration of the proposed 5-year capital program with
20 representatives of labor organizations that have a collective
21 bargaining agreement with the Authority. After conducting such
22 hearings and holding such meetings and after making such
23 changes in the proposed budget, financial plan, and five-year
24 capital program as the Board deems appropriate, it shall adopt
25 an annual budget ordinance at least by November 15th preceding
26 the beginning of each fiscal year. The budget, financial plan,

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

21 The budget shall:

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

1 principal and interest on outstanding indebtedness;

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

5 (iii) provide for a level of fares or charges and
6 operating or administrative costs for the public
7 transportation provided by or subject to the jurisdiction
8 of the Board sufficient to allow the Board to meet its
9 required system generated revenue recovery ratio as
10 determined in accordance with subsection (a) of Section
11 4.11 of the Regional Transportation Authority Act;

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

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

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

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

23 The Board shall establish a fiscal operating year. At
24 least 30 ~~thirty~~ days prior to the beginning of the first full
25 fiscal year after the creation of the Authority, and annually
26 thereafter, the Board shall cause to be prepared a tentative

1 budget which shall include all operation and maintenance
2 expense for the ensuing fiscal year. The tentative budget
3 shall be considered by the Board and, subject to any revision
4 and amendments as may be determined, shall be adopted prior to
5 the first day of the ensuing fiscal year as the budget for that
6 year. No expenditures for operations and maintenance in excess
7 of the budget shall be made during any fiscal year except by
8 the affirmative vote of at least 5 ~~five~~ members of the Board,
9 prior to February 1, 2026, and by the affirmative vote of at
10 least 6 members, beginning February 1, 2026. It shall not be
11 necessary to include in the annual budget any statement of
12 necessary expenditures for pensions or retirement annuities,
13 or for interest or principal payments on bonds or
14 certificates, or for capital outlays, but it shall be the duty
15 of the Board to make provision for payment of same from
16 appropriate funds. The Board may not alter its fiscal year
17 without the prior approval of the Board of the Regional
18 Transportation Authority.

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

20 (70 ILCS 3605/21 rep.)

21 Section 101. The Metropolitan Transit Authority Act is
22 amended by repealing Section 21.

23 Section 105. The Regional Transportation Authority Act is
24 amended by changing Sections 2.01, 2.01a, 2.01b, 2.01c, 2.04,

1 2.05, 2.08, 2.12b, 2.14, 2.18a, 2.30, 2.45, 3.01, 3.03, 3.05,
2 3A.02, 3A.09, 3A.10, 3A.14, 3B.02, 3B.09, 3B.10, 3B.13, 4.01,
3 4.03, 4.03.3, 4.04, 4.09, 4.11, 4.13, and 4.14 and by adding
4 Sections 2.08a, 2.43, and 2.44 as follows:

5 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

6 Sec. 2.01. General Allocation of Responsibility for Public
7 Transportation.

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

12 (i) adopt plans that implement the public policy of
13 the State to provide adequate, efficient, geographically
14 equitable and coordinated public transportation throughout
15 the metropolitan region;

16 (ii) set goals, objectives, and standards for the
17 Authority, the Service Boards, and transportation
18 agencies;

19 (iii) develop performance measures to inform the
20 public about the extent to which the provision of public
21 transportation in the metropolitan region meets those
22 goals, objectives, and standards;

23 (iv) allocate operating and capital funds made
24 available to support public transportation in the
25 metropolitan region;

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

3 (vi) coordinate the provision of public transportation
4 and the investment in public transportation facilities to
5 enhance the integration of public transportation
6 throughout the metropolitan region, all as provided in
7 this Act.

8 The Service Boards shall, on a continuing basis determine
9 the level, nature and kind of public transportation which
10 should be provided for the metropolitan region in order to
11 meet the plans, goals, objectives, and standards adopted by
12 the Authority. The Service Boards may provide public
13 transportation by purchasing such service from transportation
14 agencies through purchase of service agreements, by grants to
15 such agencies or by operating such service, all pursuant to
16 this Act and the "Metropolitan Transit Authority Act", as now
17 or hereafter amended. Certain of its actions to implement the
18 responsibilities allocated to the Authority in this subsection
19 (a) shall be taken in 3 public documents adopted by the
20 affirmative vote of at least 12 of its then Directors, prior to
21 February 1, 2026, and by the affirmative vote of at least 14 of
22 its then Directors, beginning February 1, 2026: A Strategic
23 Plan; a Five-Year Capital Program; and an Annual Budget and
24 Two-Year Financial Plan.

25 (b) The Authority shall subject the operating and capital
26 plans and expenditures of the Service Boards in the

1 metropolitan region with regard to public transportation to
2 continuing review so that the Authority may budget and expend
3 its funds with maximum effectiveness and efficiency. The
4 Authority shall conduct audits of each of the Service Boards
5 no less than every 5 years. Such audits may include
6 management, performance, financial, and infrastructure
7 condition audits. The Authority may conduct management,
8 performance, financial, and infrastructure condition audits of
9 transportation agencies that receive funds from the Authority.
10 The Authority may direct a Service Board to conduct any such
11 audit of a transportation agency that receives funds from such
12 Service Board, and the Service Board shall comply with such
13 request to the extent it has the right to do so. These audits
14 of the Service Boards or transportation agencies may be
15 project or service specific audits to evaluate their
16 achievement of the goals and objectives of that project or
17 service and their compliance with any applicable requirements.
18 (Source: P.A. 98-1027, eff. 1-1-15.)

19 (70 ILCS 3615/2.01a)

20 Sec. 2.01a. Strategic Plan.

21 (a) By the affirmative vote of at least 12 of its then
22 Directors, prior to February 1, 2026, and by the affirmative
23 vote of at least 14 Directors, beginning February 1, 2026, the
24 Authority shall adopt a Strategic Plan, no less than every 5
25 years, after consultation with the Service Boards and after

1 holding a minimum of 3 public hearings in Cook County and one
2 public hearing in each of the other counties in the region. The
3 Executive Director of the Authority shall review the Strategic
4 Plan on an ongoing basis and make recommendations to the Board
5 of the Authority with respect to any update or amendment of the
6 Strategic Plan. The Strategic Plan shall describe the specific
7 actions to be taken by the Authority and the Service Boards to
8 provide adequate, efficient, and coordinated public
9 transportation.

10 (b) The Strategic Plan shall identify goals and objectives
11 with respect to:

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

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

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

26 (iv) improvements in public transportation facilities

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

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

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

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

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

23 (c) The Strategic Plan shall establish the process and
24 criteria by which proposals for capital improvements by a
25 Service Board or a transportation agency will be evaluated by
26 the Authority for inclusion in the Five-Year Capital Program,

1 which may include criteria for:

2 (i) allocating funds among maintenance, enhancement,
3 and expansion improvements;

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

6 (iii) projects intended to improve or enhance
7 ridership or customer service;

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

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

13 (vi) other criteria that advance the goals and
14 objectives of the Strategic Plan.

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

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

24 (ii) ridership data;

25 (iii) equipment failure rates;

26 (iv) employee and customer safety; and

1 (v) customer satisfaction.

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

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

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

1 capital purposes and issuance of debt, the availability of
2 working capital, and the resources needed to achieve the goals
3 and objectives described in the Strategic Plan.

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

19 (h) The Authority may adopt, by the affirmative vote of at
20 least 12 of its then Directors, prior to February 1, 2026, and
21 by the affirmative vote of at least 14 of its then Directors,
22 beginning February 1, 2026, sub-regional or corridor plans for
23 specific geographic areas of the metropolitan region in order
24 to improve the adequacy, efficiency, geographic equity and
25 coordination of existing, or the delivery of new, public
26 transportation. Such plans may also address areas outside the

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

10 (i) If the Authority determines, by the affirmative vote
11 of at least 12 of its then Directors, prior to February 1,
12 2026, and by the affirmative vote of at least 14 of its then
13 Directors, beginning February 1, 2026, that, with respect to
14 any proposed new public transportation service or facility,
15 (i) multiple Service Boards or transportation agencies are
16 potential service providers and (ii) the public transportation
17 facilities to be constructed or purchased to provide that
18 service have an expected construction cost of more than
19 \$25,000,000, the Authority shall have sole responsibility for
20 conducting any alternatives analysis and preliminary
21 environmental assessment required by federal or State law.
22 Nothing in this subparagraph (i) shall prohibit a Service
23 Board from undertaking alternatives analysis and preliminary
24 environmental assessment for any public transportation service
25 or facility identified in items (i) and (ii) above that is
26 included in the Five-Year Capital Program as of the effective

1 date of this amendatory Act of the 95th General Assembly;
2 however, any expenditure related to any such public
3 transportation service or facility must be included in a
4 Five-Year Capital Program under the requirements of Sections
5 2.01b and 4.02 of this Act.

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

7 (70 ILCS 3615/2.01b)

8 Sec. 2.01b. The Five-Year Capital Program. By the
9 affirmative vote of at least 12 of its then Directors, prior to
10 February 1, 2026, and by the affirmative vote of at least 14 of
11 its then Directors, beginning February 1, 2026, the Authority,
12 after consultation with the Service Boards and after holding a
13 minimum of 3 public hearings in Cook County and one public
14 hearing in each of the other counties in the metropolitan
15 region, shall each year adopt a Five-Year Capital Program that
16 shall include each capital improvement to be undertaken by or
17 on behalf of a Service Board provided that the Authority finds
18 that the improvement meets any criteria for capital
19 improvements contained in the Strategic Plan, is not
20 inconsistent with any sub-regional or corridor plan adopted by
21 the Authority, and can be funded within amounts available with
22 respect to the capital and operating costs of such
23 improvement. In reviewing proposals for improvements to be
24 included in a Five-Year Capital Program, the Authority may
25 give priority to improvements that are intended to bring

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

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

17 (70 ILCS 3615/2.01c)

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

20 (a) The Authority shall establish an Innovation,
21 Coordination, and Enhancement Fund and deposit into the Fund
22 an amount equal to \$10,000,000 in 2008, and, each year
23 thereafter, an amount equal to the amount deposited in the
24 previous year increased or decreased by the percentage growth
25 or decline in revenues received by the Authority from taxes

1 imposed under Section 4.03 in the previous year. Amounts on
2 deposit in such Fund and interest and other earnings on those
3 amounts may be used by the Authority, upon the affirmative
4 vote of 12 of its then Directors, prior to February 1, 2026,
5 and by the affirmative vote of at least 14 of its then
6 Directors beginning February 1, 2026, and after a public
7 participation process, for operating or capital grants or
8 loans to Service Boards, transportation agencies, or units of
9 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
13 Act of the 95th General Assembly may receive any funding from
14 the Innovation, Coordination, and Enhancement Fund. Unless the
15 Board has determined, by a vote of 12 of its then Directors,
16 prior to February 1, 2026, and by the affirmative vote of at
17 least 14 of its then Directors beginning February 1, 2026,
18 that an emergency exists requiring the use of some or all of
19 the funds then in the Innovation, Coordination, and
20 Enhancement Fund, such funds may only be used to enhance the
21 coordination and integration of public transportation and
22 develop and implement innovations to improve the quality and
23 delivery of public transportation.

24 (b) Any grantee that receives funds from the Innovation,
25 Coordination, and Enhancement Fund for the operation of
26 eligible programs must (i) implement such programs within one

1 year of receipt of such funds and (ii) within 2 years following
2 commencement of any program utilizing such funds, determine
3 whether it is desirable to continue the program, and upon such
4 a determination, either incorporate such program into its
5 annual operating budget and capital program or discontinue
6 such program. No additional funds from the Innovation,
7 Coordination, and Enhancement Fund may be distributed to a
8 grantee for any individual program beyond 2 years unless the
9 Authority, by the affirmative vote of at least 12 of its then
10 Directors, prior to February 1, 2026, and by the affirmative
11 vote of at least 14 of its then Directors, beginning February
12 1, 2026, waives this limitation. Any such waiver will be with
13 regard to an individual program and with regard to a one-year
14 period ~~one-year period~~, and any further waivers for such
15 individual program require a subsequent vote of the Board.

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

17 (70 ILCS 3615/2.04) (from Ch. 111 2/3, par. 702.04)

18 Sec. 2.04. Fares and Nature of Service.

19 (a) Whenever a Service Board provides any public
20 transportation by operating public transportation facilities,
21 the Service Board shall provide for the level and nature of
22 fares or charges to be made for such services, and the nature
23 and standards of public transportation to be so provided that
24 meet the goals and objectives adopted by the Authority in the
25 Strategic Plan. Provided, however that if the Board adopts a

1 budget and financial plan for a Service Board in accordance
2 with the provisions in Section 4.11(b)(5), the Board may
3 consistent with the terms of any purchase of service contract
4 provide for the level and nature of fares to be made for such
5 services under the jurisdiction of that Service Board, and the
6 nature and standards of public transportation to be so
7 provided.

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

22 (c) In so providing for the fares or charges and the nature
23 and standards of public transportation, any purchase of
24 service agreements or grant contracts shall provide, among
25 other matters, for the terms or cost of transfers or
26 interconnections between different modes of transportation and

1 different public transportation agencies, schedules or routes
2 of such service, changes which may be made in such service, the
3 nature and condition of the facilities used in providing
4 service, the manner of collection and disposition of fares or
5 charges, the records and reports to be kept and made
6 concerning such service, for interchangeable tickets or other
7 coordinated or uniform methods of collection of charges, and
8 shall further require that the transportation agency comply
9 with any determination made by the Board of the Authority
10 under and subject to the provisions of Section 2.12b of this
11 Act. In regard to any such service, the Authority and the
12 Service Boards shall give attention to and may undertake
13 programs to promote use of public transportation and to
14 provide coordinated ticket sales and passenger information. In
15 the case of a grant to a transportation agency which remains
16 subject to Illinois Commerce Commission supervision and
17 regulation, the Service Boards shall exercise the powers set
18 forth in this Section in a manner consistent with such
19 supervision and regulation by the Illinois Commerce
20 Commission.

21 (d) By January 1, 2013, the Authority, in consultation
22 with the Service Boards and the general public, must develop a
23 policy regarding transfer fares on all fixed-route public
24 transportation services provided by the Service Boards. The
25 policy shall also set forth the fare sharing agreements
26 between the Service Boards that apply to interagency fare

1 passes and tickets. The policy established by the Authority
2 shall be submitted to each of the Service Boards for its
3 approval or comments and objection. After receiving the
4 policy, the Service Boards have 90 days to approve or take
5 other action regarding the policy. If all of the Service
6 Boards agree to the policy, then a regional agreement shall be
7 created and signed by each of the Service Boards. The terms of
8 the agreement may be changed upon petition by any of the
9 Service Boards and by agreement of the other Service Boards.

10 (e) By January 1, 2015, the Authority must develop and
11 implement a regional fare payment system. The regional fare
12 payment system must use and conform with established
13 information security industry standards and requirements of
14 the financial industry. The system must allow consumers to use
15 contactless credit cards, debit cards, and prepaid cards to
16 pay for all fixed-route public transportation services.
17 Beginning in 2012 and each year thereafter until 2015, the
18 Authority must submit an annual report to the Governor and
19 General Assembly describing the progress of the Authority and
20 each of the Service Boards in implementing the regional fare
21 payment system. The Authority must adopt rules to implement
22 the requirements set forth in this Section.

23 (f) Beginning July 1, 2026, the Authority shall be the
24 sole agency responsible for the management and oversight of
25 the fare collection systems used on all public transportation
26 provided by the Service Boards. In that capacity, the

1 Authority shall develop and implement a regionally coordinated
2 and consolidated fare collection system to go into effect by
3 July 1, 2027. The Authority must develop and make available
4 for use by riders a universal fare instrument that may be used
5 interchangeably on all public transportation funded by the
6 Authority. The Authority and Service Boards must adopt rules
7 to implement the requirement set forth in this Section.

8 The Service Boards shall retain their own authority to set
9 fare rates under Sections 3A.10 and 3B.10 of this Act and
10 Section 30 of the Metropolitan Transit Authority Act. Any
11 change to fares proposed by a Service Board must be submitted
12 to the Authority for the Authority's consideration. The
13 Authority may disapprove of any proposed fare rate changes by
14 the Service Boards in whole or may propose a different fare
15 rate, within 30 days after the fare rate change was proposed by
16 an affirmative vote of at least 14 members of the Board.

17 Beginning January 1, 2026, at least once every 2 years,
18 the Authority shall assess the need to make fare adjustments
19 for public transportation provided by all Service Boards in
20 light of inflation, budgetary needs, and other relevant policy
21 considerations. The Authority shall perform the first
22 assessment beginning March 1, 2026. The Board shall submit
23 proposed fare changes to each Service Board for the Service
24 Board's consideration. The Service Boards shall adopt or
25 disapprove of any proposed fare rate changes within 30 days
26 after the Authority submitted the proposal by a simple

1 majority vote of each Service Board.

2 (g) By July 1, 2026, the Authority shall implement:

3 (1) an income-based reduced fare program; and

4 (2) fare-capping for individual services and across
5 public transportation service providers. Fare-capping
6 means the action of no longer charging a rider for any
7 additional fares for the duration of a daily, weekly,
8 monthly, or 30-day pass once the rider has purchased
9 enough regular one-way fares to reach the cost of the
10 applicable pass.

11 (h) The Authority shall provide regular reports to the
12 Governor and General Assembly on progress made in implementing
13 the changes made by this amendatory Act of the 104th General
14 Assembly under subsections (f) and (g) of this Section as
15 outlined under Section 2.44.

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

17 (70 ILCS 3615/2.05) (from Ch. 111 2/3, par. 702.05)

18 Sec. 2.05. Centralized Services; Acquisition and
19 Construction.

20 (a) The Authority may at the request of two or more Service
21 Boards, serve, or designate a Service Board to serve, as a
22 centralized purchasing agent for the Service Boards so
23 requesting.

24 (b) The Authority may at the request of two or more Service
25 Boards perform other centralized services such as ridership

1 information and transfers between services under the
2 jurisdiction of the Service Boards where such centralized
3 services financially benefit the region as a whole. Provided,
4 however, that the Board may require transfers only upon an
5 affirmative vote of 12 of its then Directors, prior to
6 February 1, 2026, and by the affirmative vote of at least 14 of
7 its then Directors, beginning February 1, 2026.

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

20 In connection with any construction or acquisition, the
21 Authority shall make relocation payments as may be required by
22 federal law or by the requirements of any federal agency
23 authorized to administer any federal program of aid.

24 (d) The Authority shall, after consulting with the Service
25 Boards, develop regionally coordinated and consolidated sales,
26 marketing, advertising, and public information programs that

1 promote the use and coordination of, and transfers among,
2 public transportation services in the metropolitan region. The
3 Authority shall develop and adopt, with the affirmative vote
4 of at least 12 of its then Directors, prior to February 1,
5 2026, and with the affirmative vote of at least 14 of its then
6 Directors, beginning February 1, 2026, rules and regulations
7 for the Authority and the Service Boards regarding such
8 programs to ensure that the Service Boards' independent
9 programs conform with the Authority's regional programs.

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

11 (70 ILCS 3615/2.08) (from Ch. 111 2/3, par. 702.08)

12 Sec. 2.08. Protection Against Crime. The Authority shall
13 cooperate with the various State, municipal, sheriff's and
14 transportation agency police forces in the metropolitan region
15 for the protection of employees and consumers of public
16 transportation services and public transportation facilities
17 against crime. By July 1, 2026, the ~~The~~ Authority shall
18 establish ~~may provide by ordinance for~~ an Authority police
19 force to aid, coordinate, and supplement other police forces
20 in protecting persons and property and reducing the threats of
21 crime with regard to public transportation provided by all
22 Service Boards. The Authority police force shall have the
23 authority to police its transit property, vehicles, and
24 stations along all routes of the 3 Service Boards, carry out
25 investigations, and make arrests. Such police shall have the

1 same powers with regard to such protection of persons and
2 property as those exercised by police of municipalities and
3 may include members of other police forces in the metropolitan
4 region. The Authority shall establish minimum standards for
5 selection and training of members of such police force
6 employed by it. Training shall be accomplished at schools
7 certified by the Illinois Law Enforcement Training Standards
8 Board established pursuant to the Illinois Police Training
9 Act. Such training shall be subject to the rules and standards
10 adopted pursuant to Section 7 of that Act. The Authority may
11 participate in any training program conducted under that Act.
12 The Authority may provide for the coordination or
13 consolidation of security services and police forces
14 maintained with regard to public transportation services and
15 facilities by various transportation agencies and may contract
16 with any municipality or county in the metropolitan region to
17 provide protection of persons or property with regard to
18 public transportation. The Authority police force shall work
19 in tandem with the Metra police force, supplementing their
20 services as needed. Employees of the Authority or of any
21 transportation agency affected by any action of the Authority
22 under this Section shall be provided the protection set forth
23 in Section 2.16. Neither the Authority, the Suburban Bus
24 Division, the Commuter Rail Division, nor any of their
25 Directors, officers or employees shall be held liable for
26 failure to provide a security or police force or, if a security

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

5 The Authority shall provide regular reports to the
6 Governor and General Assembly on progress made in implementing
7 the changes made by this amendatory Act of the 104th General
8 Assembly under this Section as outlined under Section 2.44.
9 These reports shall include the organizational structure of
10 the police force, number of officers, detectives, and other
11 staff employed, future employment plans, coordination and
12 partnerships with existing police forces, training
13 accomplishments, technology advancements, and a summary of
14 data on number of incidents of crime and code of conduct
15 violations on the system and other performance measures used
16 to evaluate the effectiveness of the police force.

17 (Source: P.A. 91-357, eff. 7-29-99.)

18 (70 ILCS 3615/2.08a new)

19 Sec. 2.08a. Transit Ambassador Program.

20 (a) By July 1, 2026, 2 separate Transit Ambassador
21 Programs shall be implemented to cover services provided by
22 the Chicago Transit Authority and the Suburban Bus Division.
23 The Chicago Transit Authority and the Suburban Bus Division
24 shall each implement a Transit Ambassador Program, comprised
25 of employees of each respective Service Board.

1 (b) The purpose of the Transit Ambassador Programs shall
2 be to ensure the safety of transit system passengers and
3 personnel, provide assistance to passengers, and promote
4 compliance with system rules and governing laws.

5 (c) The Service Boards that have Transit Ambassador
6 Programs shall bargain with the unions with which it has
7 collective bargaining relationships to determine the initial
8 unit placement, hours, duties, qualifications, training,
9 compensation, and benefits of any positions created or
10 modified through or because of the Transit Ambassador Program.

11 Such duties may include:

12 (1) monitoring passenger activity and compliance with
13 laws and rules;

14 (2) inspecting passenger fares;

15 (3) providing navigational and other passenger
16 assistance; and

17 (4) liaising with law enforcement and social services
18 to address unsafe conditions, violations of rules,
19 regulations, and laws by passengers and to connect persons
20 with relevant social, medical, and other services.

21 (d) Employees hired to perform Transit Ambassador duties
22 shall be full-time employees of the Service Board establishing
23 the program.

24 (e) Those employed by the Chicago Transit Authority as
25 Customer Service Assistants shall be offered the positions
26 established pursuant to the Chicago Transit Authority Rail

1 Transit Ambassador Program prior to hiring any other personnel
2 for the positions.

3 (70 ILCS 3615/2.12b)

4 Sec. 2.12b. Coordination of Fares and Service. Upon the
5 request of a Service Board, the Executive Director of the
6 Authority may, upon the affirmative vote of 9 of the then
7 Directors of the Authority, prior to February 1, 2026, and by
8 the affirmative vote of at least 11 of its then Directors,
9 beginning February 1, 2026, intervene in any matter involving

10 (i) a dispute between Service Boards or a Service Board and a
11 transportation agency providing service on behalf of a Service
12 Board with respect to the terms of transfer between, and the
13 allocation of revenues from fares and charges for,
14 transportation services provided by the parties or (ii) a
15 dispute between 2 Service Boards with respect to coordination
16 of service, route duplication, or a change in service. Any
17 Service Board or transportation agency involved in such
18 dispute shall meet with the Executive Director, cooperate in
19 good faith to attempt to resolve the dispute, and provide any
20 books, records, and other information requested by the
21 Executive Director. If the Executive Director is unable to
22 mediate a resolution of any dispute, he or she may provide a
23 written determination recommending a change in the fares or
24 charges or the allocation of revenues for such service or
25 directing a change in the nature or provider of service that is

1 the subject of the dispute. The Executive Director shall base
2 such determination upon the goals and objectives of the
3 Strategic Plan established pursuant to Section 2.01a(b). Such
4 determination shall be presented to the Board of the Authority
5 and, if approved, by the affirmative vote of at least 9 of the
6 then Directors of the Authority, prior to February 1, 2026,
7 and by the affirmative vote of at least 11 of its then
8 Directors, beginning February 1, 2026, shall be final and
9 shall be implemented by any affected Service Board and
10 transportation agency within the time frame required by the
11 determination.

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

13 (70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

14 Sec. 2.14. Appointment of Officers and Employees. The
15 Authority may appoint, retain and employ officers, attorneys,
16 agents, engineers and employees. The officers shall include an
17 Executive Director, who shall be the chief executive officer
18 of the Authority, appointed by the Chairman with the
19 concurrence of 11 of the other then Directors of the Board,
20 prior to February 1, 2026, and by the concurrence of at least
21 13 Directors, beginning February 1, 2026. The Executive
22 Director shall organize the staff of the Authority, shall
23 allocate their functions and duties, shall transfer such staff
24 to the Suburban Bus Division and the Commuter Rail Division as
25 is sufficient to meet their purposes, shall fix compensation

1 and conditions of employment of the staff of the Authority,
2 and consistent with the policies of and direction from the
3 Board, take all actions necessary to achieve its purposes,
4 fulfill its responsibilities and carry out its powers, and
5 shall have such other powers and responsibilities as the Board
6 shall determine. The Executive Director must be an individual
7 of proven transportation and management skills and may not be
8 a member of the Board. The Authority may employ its own
9 professional management personnel to provide professional and
10 technical expertise concerning its purposes and powers and to
11 assist it in assessing the performance of the Service Boards
12 in the metropolitan region.

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

19 No unlawful discrimination, as defined and prohibited in
20 the Illinois Human Rights Act, shall be made in any term or
21 aspect of employment nor shall there be discrimination based
22 upon political reasons or factors. The Authority shall
23 establish regulations to insure that its discharges shall not
24 be arbitrary and that hiring and promotion are based on merit.

25 The Authority shall be subject to the "Illinois Human
26 Rights Act", as now or hereafter amended, and the remedies and

1 procedure established thereunder. The Authority shall file an
2 affirmative action program for employment by it with the
3 Department of Human Rights to ensure that applicants are
4 employed and that employees are treated during employment,
5 without regard to unlawful discrimination. Such affirmative
6 action program shall include provisions relating to hiring,
7 upgrading, demotion, transfer, recruitment, recruitment
8 advertising, selection for training and rates of pay or other
9 forms of compensation.

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

11 (70 ILCS 3615/2.18a) (from Ch. 111 2/3, par. 702.18a)

12 Sec. 2.18a. (a) The provisions of this Section apply to
13 collective bargaining agreements (including extensions and
14 amendments to existing agreements) between Service Boards or
15 transportation agencies subject to the jurisdiction of Service
16 Boards and their employees, which are entered into after
17 January 1, 1984.

18 (b) The Authority shall approve amended budgets prepared
19 by Service Boards which incorporate the costs of collective
20 bargaining agreements between Service Boards and their
21 employees. The Authority shall approve such an amended budget
22 provided that it determines, by the affirmative vote of 12 of
23 its then members, prior to February 1, 2026, and by the
24 affirmative vote of at least 14 of its then members, beginning
25 February 1, 2026, that the amended budget meets the standards

1 established in Section 4.11.

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

3 (70 ILCS 3615/2.30)

4 Sec. 2.30. Paratransit services.

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

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

25 (c) No later than January 1, 2006, the Authority, in

1 collaboration with the Suburban Bus Board and the Chicago
2 Transit Authority, shall develop a plan for the provision of
3 ADA paratransit services and submit such plan to the Federal
4 Transit Administration for approval. Approval of such plan by
5 the Authority shall require the affirmative votes of 12 of the
6 then Directors, prior to February 1, 2026, and the affirmative
7 votes of at least 14 of its then Directors, beginning February
8 1, 2026. The Suburban Bus Board, the Chicago Transit Authority
9 and the Authority shall comply with the requirements of the
10 Americans with Disabilities Act of 1990 and its implementing
11 regulations in developing and approving such plan including,
12 without limitation, consulting with individuals with
13 disabilities and groups representing them in the community,
14 and providing adequate opportunity for public comment and
15 public hearings. The plan shall include the contents required
16 for a paratransit plan pursuant to the Americans with
17 Disabilities Act of 1990 and its implementing regulations. The
18 plan shall also include, without limitation, provisions to:

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

23 (2) transfer the appropriate ADA paratransit services,
24 management, personnel, service contracts and assets from
25 the Chicago Transit Authority to the Authority or the
26 Suburban Bus Board, as necessary, by no later than July 1,

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

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

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

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

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

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

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

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

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

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

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

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

1 Federal Transit Administration shall be developed by the
2 Authority, in collaboration with the Suburban Bus Board and
3 the Chicago Transit Authority, and the Authority shall submit
4 such revision, update or certification to the Federal Transit
5 Administration for approval. Approval of such revisions,
6 updates or certifications by the Authority shall require the
7 affirmative votes of 12 of the then Directors, prior to
8 February 1, 2026, and the affirmative votes of at least 14 of
9 the then Directors, beginning February 1, 2026.

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

16 (f) By no later than April 1, 2007, the Authority shall
17 develop and submit to the General Assembly and the Governor a
18 funding plan for ADA paratransit services. Approval of such
19 plan by the Authority shall require the affirmative votes of
20 12 of the then Directors, prior to February 1, 2026, and by the
21 affirmative vote of at least 14 of its then Directors,
22 beginning February 1, 2026. The funding plan shall, at a
23 minimum, contain an analysis of the current costs of providing
24 ADA paratransit services, projections of the long-term costs
25 of providing ADA paratransit services, identification of and
26 recommendations for possible cost efficiencies in providing

1 ADA paratransit services, and identification of and
2 recommendations for possible funding sources for providing ADA
3 paratransit services. The Illinois Department of
4 Transportation, the Illinois Department of Public Aid, the
5 Suburban Bus Board, the Chicago Transit Authority and other
6 State and local public agencies as appropriate shall cooperate
7 with the Authority in the preparation of such funding plan.

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

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

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

17 (70 ILCS 3615/2.43 new)

18 Sec. 2.43. Comprehensive metropolitan region transit plan.

19 (a) By July 1, 2027, the Authority shall complete a plan
20 for the purpose of evaluating the metropolitan region's
21 existing public transportation funding and policy processes
22 and developing alternative solutions. The Authority shall
23 evaluate and consider the following topics and produce a final
24 report of the data, findings, and recommendations to the
25 General Assembly that:

1 (1) evaluates the existing governance of the
2 metropolitan region's public transportation system,
3 including roles and responsibilities for each of the
4 Service Boards, the Authority, and the State;

5 (2) evaluates functions performed by the Authority and
6 each of the Service Boards that may be considered for
7 consolidation to be performed under the Authority,
8 including, but not limited to, procurement and purchasing,
9 accounting, grant management, communications, labor
10 relations, and human resources;

11 (3) evaluates existing planning processes, including
12 strategic plans, capital programming, and budgeting
13 performed by the Authority and each Service Board and
14 considers the implementation of a streamlined planning
15 process under the Authority;

16 (4) evaluates existing funding formulas for each of
17 the Service Boards and the Authority and considers
18 alternate funding distribution processes to be managed by
19 the Authority;

20 (5) evaluates existing coordination processes used
21 between the Service Boards regarding service routes and
22 connection between different services and considers the
23 development and implementation of a new, streamlined
24 approach to improve service connections;

25 (6) evaluates existing last-mile service options
26 through the service territory and considers the addition

1 of region-wide services; and

2 (7) outlines a feasible consolidation process for
3 functions evaluated in this Section.

4 (b) By April 1, 2026, the Authority shall enter into a
5 contract with a third party to assist the Authority in
6 producing a document that evaluates the topics described in
7 this Section and outlines formal recommendations that can be
8 acted upon by the General Assembly. The Authority shall
9 prepare a summary of its activities and produce a final report
10 of the data, findings, and recommendations for the General
11 Assembly by July 1, 2027. The final report shall include
12 specific, actionable recommendations for legislation and
13 organizational adjustments.

14 (c) Throughout the development of the study, the Authority
15 and the third party performing the study shall coordinate with
16 labor organizations whose members are employed by the
17 Authority or the Service Boards. The Authority and third party
18 shall conduct, at a minimum, 2 meetings with these labor
19 organizations, with one occurring during the development and
20 fact-finding stage of the study and one occurring after the
21 completion of a draft but before the draft's consideration by
22 the Board.

23 (d) The Service Boards shall work closely with the
24 Authority and provide all relevant data and information
25 necessary to complete this plan. The Authority shall have
26 access to and the right to examine and copy all books,

1 documents, papers, record or other source data of a Service
2 Board relevant to any information submitted pursuant to this
3 Section.

4 (e) This plan shall maintain the 3 Service Boards and
5 separate Authority and in no way shall consider consolidation
6 into one public transportation organization.

7 (f) The Authority shall provide regular reports to the
8 Governor and General Assembly on progress made in implementing
9 the changes made by this amendatory Act of the 104th General
10 Assembly under this Section as outlined under Section 2.44.

11 (70 ILCS 3615/2.44 new)

12 Sec. 2.44. Authority and Service Board accountability. To
13 ensure the changes made by this amendatory Act of the 104th
14 General Assembly are actively pursued and implemented in a
15 timely manner, the following accountability measures shall
16 apply to the Authority and Service Boards:

17 (1) In fiscal year 2026 and each fiscal year
18 thereafter, the Authority shall submit 2 reports to the
19 Governor and General Assembly reporting progress made on
20 reforms adopted under Sections 2.04, 2.08, 2.08a, 2.43,
21 3A.10, 3B.10, 4.01, and 4.09 of this Act. The reports
22 shall be submitted by September 15 and March 15 of each
23 year, beginning on September 15, 2025.

24 (2) The Service Boards shall work closely with the
25 Authority and provide all relevant data and information

1 necessary to implement the changes made by this amendatory
2 Act of the 104th General Assembly.

3 (A) In fiscal year 2026 and each fiscal year
4 thereafter, the Service Boards shall submit quarterly
5 reports to the Authority reporting or progress made
6 under Sections 2.04, 2.08, 2.08a, 2.43, 3A.10, 3B.10,
7 4.01, and 4.09 of this Act. The reports shall be
8 submitted by January 31, April 30, July 31, and
9 October 31 of each year, beginning on October 31,
10 2025.

11 (B) If the Executive Director certifies that a
12 Service Board has not submitted data or documents as
13 requested by the Authority or has not been willing to
14 actively communicate and coordinate as requested by
15 the Authority concerning changes to Sections 2.04,
16 2.08, 2.08a, 2.43, 2.44, 3A.10, 3B.10, 4.01, and 4.09
17 of this Act by this amendatory Act of the 104th General
18 Assembly and if that certification is accepted by the
19 affirmative vote of at least 14 of the then Directors
20 of the Authority, then the Authority shall reduce the
21 distribution of funds for operating purposes to that
22 Service Board by 10% of the cash proceeds of taxes
23 imposed by the Authority under Section 4.03 and
24 Section 4.03.1 and 10% of the amounts transferred to
25 the Authority from the Public Transportation Fund
26 under subsection (a) of Section 4.09. Such reduction

1 shall apply the first month following an affirmative
2 vote of the Directors. Such funding shall be released
3 to the Service Board only upon proof of cooperation by
4 the Service Boards, to be decided by the affirmative
5 vote of at least 14 of then Directors of the Authority.

6 (70 ILCS 3615/2.45 new)

7 Sec. 2.45. Illinois Jobs Plan.

8 (a) As used in this Section:

9 "Covered transportation agency" means the Chicago Transit
10 Authority, the Commuter Rail Division and the Suburban Bus
11 Division of the Regional Transportation Authority, the
12 Regional Transportation Authority, and all of their
13 subsidiaries and affiliates.

14 "Covered transportation contract" means a contract for the
15 acquisition of public transportation equipment, including, but
16 not limited to, rolling stock, locomotives, and buses with a
17 base-buy value of \$10,000,000 or more.

18 "Illinois Jobs Plan" means a component of an application
19 submitted by applicants for covered transportation contracts
20 where bidders are required to state, at a minimum, all of the
21 following:

22 (1) The minimum number of full-time equivalent jobs
23 that will be retained and created if awarded the contract.

24 (2) The minimum wage and benefit amounts by job
25 classification for nonsupervisory workers on the contract.

1 (3) The minimum number of jobs that will be
2 specifically retained and created for disadvantaged
3 workers as defined in Section 15-10 of the Community
4 Energy, Climate, and Jobs Planning Act, if awarded the
5 contract.

6 (4) Detailed description of and proposed amounts for
7 worker training by job classification.

8 (b) Notwithstanding any law requiring a government entity
9 to award contracts to the lowest responsible bidder, beginning
10 January 1, 2026, covered transportation agencies shall award
11 all covered transportation contracts using a competitive
12 best-value procurement process and shall require bidders to
13 submit an Illinois Jobs Plan for itself and any participating
14 subcontractor as part of their solicitation responses.

15 (c) Covered transportation agencies shall adopt and
16 publish procedures and guidelines for evaluating bidder
17 qualifications in accordance with this Section. Solicitation
18 documents shall disclose the minimum qualification
19 requirements and specify the criteria that will be assigned a
20 weighted value. The evaluation process shall use a scoring
21 method based on those factors, including the Illinois Jobs
22 Plan, and the contract price. The Illinois Jobs Plan shall be
23 scored as part of the overall proposal and incorporated as
24 material terms of the final contract.

25 (d) Contractors and participating subcontractors on
26 covered transportation contracts shall be required to submit

1 annual Illinois Jobs Plan reports to covered transportation
2 agencies demonstrating compliance with their Illinois Jobs
3 Plan commitments. The Illinois Jobs Plan and annual compliance
4 reports shall be made available to the public and not be
5 considered trade secret, confidential, privileged, or
6 otherwise exempt from disclosure under paragraph (g) of
7 subsection (1) of Section 7 of the Freedom of Information Act.

8 (e) This Section does not apply to a contract awarded
9 based on a solicitation issued before January 1, 2026.

10 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

11 Sec. 3.01. Board of Directors. The corporate authorities
12 and governing body of the Authority shall be a Board
13 consisting of 13 Directors until April 1, 2008, ~~and~~ 16
14 Directors until February 1, 2026, and 21 Directors thereafter,
15 appointed as follows:

16 (a) Before February 1, 2026, 4 ~~Four~~ Directors appointed by
17 the Mayor of the City of Chicago, with the advice and consent
18 of the City Council of the City of Chicago, and, only until
19 April 1, 2008, a fifth director who shall be the Chairman of
20 the Chicago Transit Authority. After April 1, 2008 and until
21 February 1, 2026, the Mayor of the City of Chicago, with the
22 advice and consent of the City Council of the City of Chicago,
23 shall appoint a fifth Director. After February 1, 2026, the
24 Mayor of the City of Chicago, with the advice and consent of
25 the City Council of the City of Chicago, shall appoint 5

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

5 (b) Before February 1, 2026, 4 ~~Four~~ Directors appointed by
6 the votes of a majority of the members of the Cook County Board
7 elected from districts, a majority of the electors of which
8 reside outside Chicago. After April 1, 2008, a fifth Director
9 appointed by the President of the Cook County Board with the
10 advice and consent of the members of the Cook County Board.
11 After February 1, 2026, 5 Directors appointed by the President
12 of the Cook County Board with the advice and consent of the
13 members of the Cook County Board. At least 3 Directors ~~Each~~
14 ~~Director~~ appointed under this subsection ~~subparagraph~~ shall
15 reside in that part of Cook County outside Chicago.

16 (c) Until April 1, 2008, 3 Directors appointed by the
17 Chairmen of the County Boards of DuPage, Kane, Lake, McHenry,
18 and Will Counties, as follows:

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

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

5 (d) After April 1, 2008 and continuing after February 1,
6 2026, 5 Directors appointed by the Chairmen of the County
7 Boards of DuPage, Kane, Lake and McHenry Counties and the
8 County Executive of Will County, as follows:

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

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

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

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

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

26 (vi) (Blank). ~~To implement the changes in appointing~~

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

11 (e) Beginning February 1, 2026, 5 Directors appointed by
12 the Governor, with the advice and consent of the Senate. One
13 Director shall represent organized labor, one Director shall
14 represent the business community of the Chicago region, and
15 one Director shall represent a public transportation advocacy
16 organization. The Directors shall be appointed by February 1,
17 2026, and their terms shall begin at that time.

18 The Director representing organized labor shall reside
19 within the 6-county region of the Authority. The Director
20 shall be selected from a list of 3 persons recommended by the
21 president of a statewide labor organization representing labor
22 organizations recognized under the National Labor Relations
23 Act or the Railway Labor Act. If such a Director has not been
24 appointed within 60 days for the initial term, or appointed
25 within 60 days of the expiration of a term or a vacancy, then
26 the first person on the list provided to the Governor will

1 automatically assume such office.

2 (f) The Chairperson serving on the effective date of this
3 amendatory Act of the 104th General Assembly shall continue to
4 serve as Chairperson until February 1, 2026 or until a
5 successor is appointed and qualified or a vacancy occurs in
6 the office. As soon as possible after the Board of Directors
7 convenes following the appointments on February 1, 2026, as
8 outlined in subsection (g) of this Section, a new Chairman
9 shall be appointed. The Chairperson shall be appointed by the
10 other Directors, by the affirmative vote of at least 13 of the
11 then Directors with at least 2 affirmative votes from
12 Directors who reside in the City of Chicago, at least 2
13 affirmative votes from Directors who reside in Cook County
14 outside the City of Chicago, and at least 2 affirmative votes
15 from Directors who reside in DuPage County, Lake County, Will
16 County, Kane County, or McHenry County. The Chairperson shall
17 not be appointed from among the other Directors. The chairman
18 shall be a resident of the metropolitan region.

19 (g) A new Board of Directors shall be appointed as
20 directed under this Section to begin their terms of office on
21 February 1, 2026, and their appointments shall be made in time
22 to begin their terms on February 1, 2026. All Directors
23 serving on the effective date of this amendatory Act of the
24 104th General Assembly shall retain their offices until
25 February 1, 2026. In the event of the expiration of a term of
26 office or a vacancy occurs prior to February 1, 2026, a new

1 Director shall be appointed as directed in statute. A Director
2 servng in this position on January 31, 2026 may be
3 reappointed.

4 (1) Of the new Directors appointed under subsection
5 (a) of this Section on February 1, 2026, the Mayor of
6 Chicago shall appoint 2 Directors with 4-year terms and 3
7 Directors with 2-year terms. Subsequent terms of all
8 Directors shall be 4 years.

9 (2) Of the new Directors appointed under subsection
10 (b) of this Section on February 1, 2026, the President of
11 the Cook County Board shall appoint 3 Directors with
12 4-year terms and 2 Directors with 2-year terms. Subsequent
13 terms of all Directors shall be 4 years.

14 (3) Of the new Directors appointed under subsection
15 (d) of this Section on February 1, 2026, the Chairmen of
16 the County Boards of DuPage, Kane, and Lake Counties shall
17 appoint Directors with 2-year terms. Of the new Directors
18 appointed under subsection (d) of this Section on February
19 1, 2026, the Chairmen of the County Board of McHenry
20 County and the County Executive of Will County shall
21 appoint Directors with 4-year terms. Subsequent terms of
22 all Directors shall be 4 years.

23 (4) Of the new Directors appointed under subsection
24 (e) of this Section on February 1, 2026, the Governor
25 shall appoint 2 Directors with 4-year terms and one
26 Director with a 2-year term. Subsequent terms of all

1 Directors shall be 4 years.

2 (h) Directors shall have diverse and substantial relevant
3 experience and expertise in overseeing the planning,
4 operation, and funding of a public transportation system,
5 including, but not limited to, backgrounds in urban and
6 regional planning, management of large capital projects, labor
7 and workforce development, business management, public
8 administration, transportation, and transit and ridership
9 advocacy. ~~The Chairman serving on the effective date of this~~
10 ~~amendatory Act of the 95th General Assembly shall continue to~~
11 ~~serve as Chairman until the expiration of his or her term of~~
12 ~~office and until his or her successor is appointed and~~
13 ~~qualified or a vacancy occurs in the office. Upon the~~
14 ~~expiration or vacancy of the term of the Chairman then serving~~
15 ~~upon the effective date of this amendatory Act of the 95th~~
16 ~~General Assembly, the Chairman shall be appointed by the other~~
17 ~~Directors, by the affirmative vote of at least 11 of the then~~
18 ~~Directors with at least 2 affirmative votes from Directors who~~
19 ~~reside in the City of Chicago, at least 2 affirmative votes~~
20 ~~from Directors who reside in Cook County outside the City of~~
21 ~~Chicago, and at least 2 affirmative votes from Directors who~~
22 ~~reside in the Counties of DuPage, Lake, Will, Kane, or~~
23 ~~McHenry. The chairman shall not be appointed from among the~~
24 ~~other Directors. The chairman shall be a resident of the~~
25 ~~metropolitan region.~~

26 ~~(f) Except as otherwise provided by this Act no Director~~

1 ~~shall, while serving as such, be an officer, a member of the~~
2 ~~Board of Directors or Trustees or an employee of any Service~~
3 ~~Board or transportation agency, or be an employee of the State~~
4 ~~of Illinois or any department or agency thereof, or of any~~
5 ~~municipality, county, or any other unit of local government or~~
6 ~~receive any compensation from any elected or appointed office~~
7 ~~under the Constitution and laws of Illinois; except that a~~
8 ~~Director may be a member of a school board.~~

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

13 ~~(h) (Blank).~~

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

15 (70 ILCS 3615/3.03) (from Ch. 111 2/3, par. 703.03)

16 Sec. 3.03. Terms, vacancies. Prior to February 1, 2026,
17 each ~~Each~~ Director shall hold office for a term of 5 years, and
18 until his successor has been appointed and has qualified. A
19 vacancy shall occur upon resignation, death, conviction of a
20 felony, or removal from office of a Director. Any Director may
21 be removed from office (i) upon concurrence of not less than 11
22 Directors, on a formal finding of incompetence, neglect of
23 duty, or malfeasance in office or (ii) by the Governor in
24 response to a summary report received from the Executive
25 Inspector General in accordance with Section 20-50 of the

1 State Officials and Employees Ethics Act, provided he or she
2 has an opportunity to be publicly heard in person or by counsel
3 prior to removal. Within 30 days after the office of any member
4 becomes vacant for any reason, the appointing authorities of
5 such member shall make an appointment to fill the vacancy. A
6 vacancy shall be filled for the unexpired term.

7 Beginning February 1, 2026, each Director shall hold
8 office for a term of 4 years and until the Director's successor
9 has been appointed and has qualified. A vacancy shall occur
10 upon resignation, death, conviction of a felony, or removal
11 from office of a Director. Any Director may be removed from
12 office (i) upon concurrence of at least 14 of the current
13 Directors, on a formal finding of incompetence, neglect of
14 duty, or malfeasance in office or (ii) by the Governor in
15 response to a summary report received from the Executive
16 Inspector General in accordance with Section 20-50 of the
17 State Officials and Employees Ethics Act, provided the
18 Director has an opportunity to be publicly heard in person or
19 by counsel before removal. Within 30 days after the office of
20 any Director becomes vacant for any reason, the appointing
21 authorities of the Director shall make an appointment to fill
22 the vacancy. A vacancy shall be filled for the unexpired term.

23 Whenever a vacancy for a Director, except as to the
24 Chairman or those Directors appointed by the Mayor of the City
25 of Chicago, exists for longer than 4 months, the new Director
26 shall be chosen by election by all legislative members in the

1 General Assembly representing the affected area. In order to
2 qualify as a voting legislative member in this matter, the
3 affected area must be more than 50% of the geographic area of
4 the legislative district.

5 (Source: P.A. 95-708, eff. 1-18-08; 96-1528, eff. 7-1-11.)

6 (70 ILCS 3615/3.05) (from Ch. 111 2/3, par. 703.05)

7 Sec. 3.05. Meetings. The Board shall prescribe the times
8 and places for meetings and the manner in which special
9 meetings may be called. The Board shall comply in all respects
10 with the "Open Meetings Act", approved July 11, 1957, as now or
11 hereafter amended. All records, documents and papers of the
12 Authority, other than those relating to matters concerning
13 which closed sessions of the Board may be held, shall be
14 available for public examination, subject to such reasonable
15 regulations as the Board may adopt.

16 A majority of the Directors holding office shall
17 constitute a quorum for the conduct of business. Except as
18 otherwise provided in this Act, the affirmative votes of at
19 least 9 Directors, prior to February 1, 2026, and by the
20 affirmative vote of at least 11 Directors, beginning February
21 1, 2026, shall be necessary for approving any contract or
22 agreement, adopting any rule or regulation, and any other
23 action required by this Act to be taken by resolution or
24 ordinance.

25 The Board shall meet with the Regional Citizens Advisory

1 Board at least once every 4 months.

2 Open meetings of the Board shall be broadcast to the
3 public and maintained in real-time on the Board's website
4 using a high-speed Internet connection. Recordings of each
5 meeting broadcast shall be posted to the Board's website
6 within a reasonable time after the meeting and shall be
7 maintained as public records to the extent practicable, as
8 determined by the Board. Compliance with the provisions of
9 this amendatory Act of the 98th General Assembly does not
10 relieve the Board of its obligations under the Open Meetings
11 Act.

12 (Source: P.A. 98-1139, eff. 6-1-15.)

13 (70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

14 Sec. 3A.02. Suburban Bus Board. Beginning February 1,
15 2026, the ~~The~~ governing body of the Suburban Bus Division
16 shall be a board consisting of 12 ~~13~~ directors appointed as
17 follows:

18 (a) Until February 1, 2026, 6 ~~Six~~ Directors appointed
19 by the members of the Cook County Board elected from that
20 part of Cook County outside of Chicago, or in the event
21 such Board of Commissioners becomes elected from single
22 member districts, by those Commissioners elected from
23 districts, a majority of the residents of which reside
24 outside of Chicago from the chief executive officers of
25 the municipalities, of that portion of Cook County outside

1 of Chicago. On and after February 1, 2026, a total of 6
2 Directors appointed by the President of the Cook County
3 Board of Commissioners with the advice and consent of the
4 members of the Cook County Board of Commissioners. The
5 members shall reside in the part of Cook County outside
6 the City of Chicago, except ~~Provided however,~~ that:

7 (1) One of the Directors shall be a representative
8 of organized labor. The Director shall reside within
9 the 6-county region of the Authority. The Director
10 shall be selected from a list of 3 persons recommended
11 by the president of a statewide labor organization
12 representing labor organizations recognized under the
13 National Labor Relations Act or the Railway Labor Act.
14 If the Director has not been appointed within 60 days
15 for the initial term, or appointed within 60 days of
16 the expiration of a term of office or a vacancy, the
17 first person on the list provided to the President of
18 Cook County shall automatically assume the office;

19 (2) One of the Directors shall be a representative
20 of a senior advocacy organization and shall reside
21 within Cook County;

22 (3) One of the Directors shall be a representative
23 of the disability rights community and shall reside in
24 the part of Cook County outside the City of Chicago;
25 and

26 (4) Three of the Directors shall be at-large

1 Directors and shall reside in the part of Cook County
2 outside of the City of Chicago;

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

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

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

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

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

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

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

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

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

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

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

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

13 (h) The Chairperson serving on the effective date of
14 this amendatory Act of the 104th General Assembly shall
15 continue to serve as Chairperson until February 1, 2026 or
16 until a successor is appointed and qualified or until a
17 vacancy occurs in the office. As soon as possible after
18 the Suburban Bus Board convenes following the appointments
19 on February 1, 2026 as outlined in subsections (i) and (j)
20 of this Section, a new Chairperson shall be appointed. The
21 Chairperson shall be appointed from among the other
22 Directors by the affirmative vote of at least 8 of the then
23 Directors ~~Chairman by the Governor for the initial term,~~
24 ~~and thereafter by a majority of the Chairmen of the~~
25 ~~DuPage, Kane, Lake, McHenry and Will County Boards and the~~
26 ~~members of the Cook County Board elected from that part of~~

1 ~~Cook County outside of Chicago, or in the event such Board~~
2 ~~of Commissioners is elected from single member districts,~~
3 ~~by those Commissioners elected from districts, a majority~~
4 ~~of the electors of which reside outside of Chicago; and~~
5 ~~who after the effective date of this amendatory Act of the~~
6 ~~95th General Assembly may not be a resident of the City of~~
7 ~~Chicago.~~

8 (i) To implement the changes in appointing authority under
9 subsection (a) of this Section all existing Directors serving
10 on the effective date of this amendatory Act of the 104th
11 General Assembly shall retain their offices until the
12 expiration or vacancy of their respective terms of office or
13 until February 1, 2026, whichever occurs first. In the event
14 of the expiration of the term of office or a vacancy of these
15 offices occurs before February 1, 2026, a new Director shall
16 be appointed as directed in statute. New Directors shall be
17 appointed in accordance with subsection (a) of this Section
18 will begin their terms of office on February 1, 2026 and the
19 appointment shall be made in due time to begin their terms at
20 this time. Of the Directors to be appointed on February 1,
21 2026, the President of the Cook County Board shall appoint 3
22 Directors with a 4-year term and 3 Directors with a 2-year
23 term. Subsequent terms of all Directors shall be 4-years. A
24 Director serving in this position on January 31, 2026 may be
25 reappointed if so chosen.

26 (j) All existing Directors appointed under subsections

1 (b), (c), (d), (e), and (f) of this Section serving on the
2 effective date of this amendatory Act of the 104th General
3 Assembly will retain their offices until the expiration or
4 vacancy of their respective term of office or until February
5 1, 2026, whichever occurs first. In the event of the
6 expiration of the term or a vacancy of these offices occurs
7 prior to February 1, 2026, a new Director shall be appointed as
8 directed in statute. New Directors shall be appointed in
9 accordance with subsections (b), (c), (d), (e), and (f) of
10 this Section to begin their terms on February 1, 2026 and the
11 appointment shall be made in time to begin their terms on
12 February 1, 2026. Of the new Directors appointed under
13 paragraphs (b), (c), (d), (e), and (f) of this Section on
14 February 1, 2026, the Chairmen of the County Boards of DuPage,
15 Kane, and Lake Counties will appoint Directors with 4-year
16 terms. Of the new Directors appointed under subsection (d) of
17 this Section on February 1, 2026, the Chairmen of the County
18 Board of McHenry County and the County Executive of Will
19 County will appoint Directors with 2-year terms. Subsequent
20 terms of all Directors will be 4 years. A Director serving in
21 this position on January 31, 2026 may be reappointed if so
22 chosen.

23 (k) Directors shall have diverse and substantial relevant
24 experience and expertise in overseeing the planning,
25 operation, and funding of a public transportation system,
26 including, but not limited to, backgrounds in urban and

1 regional planning, management of large capital projects, labor
2 and workforce development, business management, public
3 administration, transportation, and transit and ridership
4 advocacy.

5 (1) Each appointment made under subsections ~~paragraphs~~ (a)
6 through (g) and under Section 3A.03 shall be certified by the
7 appointing authority to the Suburban Bus Board which shall
8 maintain the certifications as part of the official records of
9 the Suburban Bus Board; provided that the initial appointments
10 shall be certified to the Secretary of State, who shall
11 transmit the certifications to the Suburban Bus Board
12 following its organization.

13 For the purposes of this Section, "chief executive officer
14 of a municipality" includes a former chief executive officer
15 of a municipality within the specified Region or County,
16 provided that the former officer continues to reside within
17 such Region or County.

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

19 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

20 Sec. 3A.09. General powers. In addition to any powers
21 elsewhere provided to the Suburban Bus Board, it shall have
22 all of the powers specified in Section 2.20 of this Act except
23 for the powers specified in Section 2.20(a)(v). The Board
24 shall also have the power:

25 (a) to cooperate with the Regional Transportation

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

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

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

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

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

1 obligation of the Suburban Bus Board to repay any money
2 borrowed as provided in this subsection, the Suburban Bus
3 Board may issue revenue bonds from time to time pursuant
4 to ordinance adopted by the Suburban Bus Board, subject to
5 the approval of the Regional Transportation Authority of
6 each such issuance by the affirmative vote of 12 of its
7 then Directors, prior to February 1, 2026, and by the
8 affirmative vote of at least 14 members, beginning
9 February 1, 2026; provided that the Suburban Bus Board may
10 not issue bonds for the purpose of financing the
11 acquisition, construction, or improvement of any facility
12 other than those listed in this subsection (e). All such
13 bonds shall be payable solely from the revenues or income
14 or any other funds that the Suburban Bus Board may
15 receive, provided that the Suburban Bus Board may not
16 pledge as security for such bonds the moneys, if any, that
17 the Suburban Bus Board receives from the Regional
18 Transportation Authority pursuant to Section 4.03.3(f) of
19 the Regional Transportation Authority Act. The bonds shall
20 bear interest at a rate not to exceed the maximum rate
21 authorized by the Bond Authorization Act and shall mature
22 at such time or times not exceeding 25 years from their
23 respective dates. Bonds issued pursuant to this paragraph
24 must be issued with scheduled principal or mandatory
25 redemption payments in equal amounts in each fiscal year
26 over the term of the bonds, with the first principal or

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

1 instituted. Under no circumstances shall any bonds issued
2 by the Suburban Bus Board or any other obligation of the
3 Suburban Bus Board in connection with the issuance of such
4 bonds be or become an indebtedness or obligation of the
5 State of Illinois, the Regional Transportation Authority,
6 or any other political subdivision of or municipality
7 within the State, nor shall any such bonds or obligations
8 be or become an indebtedness of the Suburban Bus Board
9 within the purview of any constitutional limitation or
10 provision, and it shall be plainly stated on the face of
11 each bond that it does not constitute such an indebtedness
12 or obligation but is payable solely from the revenues or
13 income as aforesaid; and

14 (f) to adopt ordinances and make all rules and
15 regulations proper or necessary to regulate the use,
16 operation, and maintenance of its property and facilities
17 and to carry into effect the powers granted to the
18 Suburban Bus Board, with any necessary fines or penalties,
19 such as the suspension of riding privileges or
20 confiscation of fare media under Section 2.40, as the
21 Board deems proper.

22 (Source: P.A. 103-281, eff. 1-1-24.)

23 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)
24 Sec. 3A.10. Budget and Program. The Suburban Bus Board,
25 subject to the powers of the Authority in Section 4.11, shall

1 control the finances of the Division. It shall by ordinance
2 appropriate money to perform the Division's purposes and
3 provide for payment of debts and expenses of the Division.
4 Each year the Suburban Bus Board shall prepare and publish a
5 comprehensive annual budget and proposed five-year capital
6 program document, and a financial plan for the 2 years
7 thereafter describing the state of the Division and presenting
8 for the forthcoming fiscal year and the 2 following years the
9 Suburban Bus Board's plans for such operations and capital
10 expenditures as it intends to undertake and the means by which
11 it intends to finance them. The proposed budget, financial
12 plan, and five-year capital program shall be based on the
13 Authority's estimate of funds to be made available to the
14 Suburban Bus Board by or through the Authority and shall
15 conform in all respects to the requirements established by the
16 Authority. The proposed budget, financial plan, and five-year
17 capital program shall contain a statement of the funds
18 estimated to be on hand at the beginning of the fiscal year,
19 the funds estimated to be received from all sources for such
20 year and the funds estimated to be on hand at the end of such
21 year. The fiscal year of the Division shall be the same as the
22 fiscal year of the Authority. Before the proposed budget,
23 financial plan, and five-year capital program are submitted to
24 the Authority, the Suburban Bus Board shall hold at least one
25 public hearing thereon in each of the counties in the
26 metropolitan region in which the Division provides service.

1 The Suburban Bus Board shall hold at least one meeting for
2 consideration of the proposed budget, financial plan, and
3 five-year capital program with the county board of each of the
4 several counties in the metropolitan region in which the
5 Division provides service. Prior to the capital program being
6 submitted to the Authority, the Suburban Bus Board shall hold
7 at least one meeting for consideration of the proposed 5-year
8 capital program with representatives of labor organizations
9 that have a collective bargaining agreement with the Suburban
10 Bus Board. After conducting such hearings and holding such
11 meetings and after making such changes in the proposed budget,
12 financial plan, and five-year capital program as the Suburban
13 Bus Board deems appropriate, it shall adopt an annual budget
14 ordinance at least by November 15 next preceding the beginning
15 of each fiscal year. The budget, financial plan, and five-year
16 capital program shall then be submitted to the Authority as
17 provided in Section 4.11. In the event that the Board of the
18 Authority determines that the budget and financial plan do not
19 meet the standards of Section 4.11, the Suburban Bus Board
20 shall make such changes as are necessary to meet such
21 requirements and adopt an amended budget ordinance. The
22 amended budget ordinance shall be resubmitted to the Authority
23 pursuant to Section 4.11. The ordinance shall appropriate such
24 sums of money as are deemed necessary to defray all necessary
25 expenses and obligations of the Division, specifying purposes
26 and the objects or programs for which appropriations are made

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

7 The budget shall:

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

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

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

25 (iv) be based upon and employ assumptions and
26 projections which are reasonable and prudent;

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

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

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

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

11 (70 ILCS 3615/3A.14) (from Ch. 111 2/3, par. 703A.14)
12 Sec. 3A.14. Labor.

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

16 (b) The Suburban Bus Board shall deal with and enter into
17 written contracts with their employees, through accredited
18 representatives of such employees authorized to act for such
19 employees concerning wages, salaries, hours, working
20 conditions, and pension or retirement provisions about which a
21 collective bargaining agreement has been entered prior to the
22 effective date of this amendatory Act of 1983. Any such
23 agreement of the Suburban Bus Board shall provide that the
24 agreement may be reopened if the amended budget submitted
25 pursuant to Section 2.18a of this Act is not approved by the

1 Board of the Authority. The agreement may not include a
2 provision requiring the payment of wage increases based on
3 changes in the Consumer Price Index. The Suburban Bus Board
4 shall not have the authority to enter collective bargaining
5 agreements with respect to inherent management rights, which
6 include such areas of discretion or policy as the functions of
7 the employer, standards of services, its overall budget, the
8 organizational structure and selection of new employees and
9 direction of personnel. Employers, however, shall be required
10 to bargain collectively with regard to policy matters directly
11 affecting wages, hours and terms and conditions of employment,
12 as well as the impact thereon, upon request by employee
13 representatives. To preserve the rights of employers and
14 exclusive representatives which have established collective
15 bargaining relationships or negotiated collective bargaining
16 agreements prior to the effective date of this amendatory Act
17 of 1983, employers shall be required to bargain collectively
18 with regard to any matter concerning wages, hours or
19 conditions of employment about which they have bargained prior
20 to the effective date of this amendatory Act of 1983.

21 (c) The collective bargaining agreement may not include a
22 prohibition on the use of part-time operators on any service
23 operated by the Suburban Bus Board except where prohibited by
24 federal law.

25 (d) Within 30 days of the signing of any such collective
26 bargaining agreement, the Suburban Bus Board shall determine

1 the costs of each provision of the agreement, prepare an
2 amended budget incorporating the costs of the agreement, and
3 present the amended budget to the Board of the Authority for
4 its approval under Section 4.11. The Board may approve the
5 amended budget by an affirmative vote of 12 of its then
6 Directors, prior to February 1, 2026, and by the affirmative
7 vote of at least 14 members, beginning February 1, 2026. If the
8 budget is not approved by the Board of the Authority, the
9 agreement may be reopened and its terms may be renegotiated.
10 Any amended budget which may be prepared following
11 renegotiation shall be presented to the Board of the Authority
12 for its approval in like manner.

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

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

15 Sec. 3B.02. Commuter Rail Board.

16 (a) Until April 1, 2008, the governing body of the
17 Commuter Rail Division shall be a board consisting of 7
18 directors appointed pursuant to Sections 3B.03 and 3B.04, as
19 follows:

20 (1) One director shall be appointed by the Chairman of
21 the Board of DuPage County with the advice and consent of
22 the County Board of DuPage County and shall reside in
23 DuPage County.

24 (2) Two directors appointed by the Chairmen of the
25 County Boards of Kane, Lake, McHenry and Will Counties

1 with the concurrence of not less than a majority of the
2 chairmen from such counties, from nominees by the
3 Chairmen. Each such chairman may nominate not more than
4 two persons for each position. Each such director shall
5 reside in a county in the metropolitan region other than
6 Cook or DuPage County.

7 (3) Three directors appointed by the members of the
8 Cook County Board elected from that part of Cook County
9 outside of Chicago, or, in the event such Board of
10 Commissioners becomes elected from single member
11 districts, by those Commissioners elected from districts,
12 a majority of the residents of which reside outside
13 Chicago. In either case, such appointment shall be with
14 the concurrence of 4 ~~four~~ such Commissioners. Each such
15 director shall reside in that part of Cook County outside
16 Chicago.

17 (4) One director appointed by the Mayor of the City of
18 Chicago, with the advice and consent of the City Council
19 of the City of Chicago. Such director shall reside in the
20 City of Chicago.

21 (5) The chairman shall be appointed by the directors,
22 from the members of the board, with the concurrence of 5 of
23 such directors.

24 (b) After April 1, 2008 and before February 1, 2026, the
25 governing body of the Commuter Rail Division shall be a board
26 consisting of 11 directors appointed, pursuant to Sections

1 3B.03 and 3B.04, as follows:

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

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

20 (3) One Director shall be appointed by the Will County
21 Executive with the advice and consent of the Will County
22 Board and shall reside in Will County. To implement the
23 change in appointing authority under this Section, upon
24 the expiration of the term of or vacancy in office of the
25 Director appointed under item (2) of subsection (a) of
26 this Section who resides in Will County, a Director shall

1 be appointed under this subparagraph.

2 (4) One Director shall be appointed by the Chairman of
3 the Lake County Board with the advice and consent of the
4 Lake County Board and shall reside in Lake County.

5 (5) One Director shall be appointed by the Chairman of
6 the Kane County Board with the advice and consent of the
7 Kane County Board and shall reside in Kane County.

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

17 (7) Five Directors residing in Cook County outside of
18 the City of Chicago, as follows:

19 (i) One Director who resides in Cook County
20 outside of the City of Chicago, appointed by the
21 President of the Cook County Board with the advice and
22 consent of the members of the Cook County Board.

23 (ii) One Director who resides in the township of
24 Barrington, Palatine, Wheeling, Hanover, Schaumburg,
25 or Elk Grove. To implement the changes in appointing
26 authority under this Section, upon the expiration of

1 the term of or vacancy in office of the Director
2 appointed under paragraph (3) of subsection (a) of
3 this Section who resides in the geographic area
4 described in this subparagraph, a Director shall be
5 appointed under this subparagraph.

6 (iii) One Director who resides in the township of
7 Northfield, New Trier, Maine, Niles, Evanston, Leyden,
8 Norwood Park, River Forest, or Oak Park.

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

19 (v) One Director who resides in the township of
20 Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To
21 implement the changes in appointing authority under
22 this Section, upon the expiration of the term of or
23 vacancy in office of the Director appointed under
24 paragraph (3) of subsection (a) of this Section who
25 resides in the geographic area described in this
26 subparagraph and whose term of office had expired as

1 of August 1, 2007, a Director shall be appointed under
2 this subparagraph.

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

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

24 (c) On and after February 1, 2026 the governing body of the
25 Commuter Rail Division shall be a board consisting of 11
26 Directors appointed under Sections 3B.03 and 3B.04 as follows:

1 (1) One Director shall be appointed by the Mayor of
2 the City of Chicago with the advice and consent of the City
3 Council of the City of Chicago for an initial term of 4
4 years. Subsequent terms shall be 4 years. The Director
5 appointed under this paragraph (1) shall reside within the
6 City of Chicago.

7 (2) Five Directors shall be appointed by the President
8 of the Cook County Board of Commissioners with the advice
9 and consent of the members of the Cook County Board of
10 Commissioners. Of these 5 Directors, 3 shall have an
11 initial term of 2 years, and 2 shall have an initial term
12 of 4 years. Subsequent terms of all members shall be 4
13 years. The Directors appointed under this paragraph (2)
14 shall reside in the part of Cook County outside the City of
15 Chicago.

16 (3) One of the Directors appointed by the President of
17 the Cook County Board of Commissioners shall be a
18 representative of organized labor. The Director appointed
19 under this paragraph (3) shall reside within the 6-county
20 region of the Authority and shall be selected from a list
21 of 3 persons recommended by the president of a statewide
22 labor organization representing labor organizations
23 recognized under the National Labor Relations Act or the
24 Railway Labor Act. If the Director has not been appointed
25 within 60 days for the initial term, or appointed within
26 60 days of the expiration of a term or a vacancy, the first

1 person on the list provided to the President of the Cook
2 County Board shall automatically assume the office.

3 (4) Five Directors appointed by the Chairmen of the
4 County Boards of DuPage, Kane, Lake, and McHenry counties
5 and the County Executive of Will County as follows:

6 (A) One Director appointed by the Chairman of the
7 DuPage County Board with the advice and consent of the
8 DuPage County Board for an initial term of 4 years.
9 Subsequent terms of the Director shall be 4 years to
10 begin February 1, 2026. The appointment shall be made
11 in time to begin the Director's term at this time. The
12 Director appointed under this subparagraph (A) shall
13 reside in DuPage County.

14 (B) One Director appointed by the Chairman of the
15 Kane County Board with the advice and consent of the
16 Kane County Board for an initial term to begin
17 February 1, 2026. Subsequent terms of the Director
18 shall be 4 years. The appointment shall be made in time
19 to begin the Director's term on February 1, 2026. The
20 Director appointed under this subparagraph (B) shall
21 reside in Kane County.

22 (C) One Director appointed by the Chairman of the
23 Lake County Board with the advice and consent of the
24 Lake County Board for an initial term of 4 years to
25 begin February 1, 2026. Subsequent terms of the
26 Director shall be 4 years. The appointment shall be

1 made in time to begin the Director's term at this time.
2 The Director appointed under this subparagraph (C)
3 shall reside in Lake County.

4 (D) One Director appointed by the Chairman of the
5 McHenry County Board with the advice and consent of
6 the McHenry County Board for an initial term of 2 years
7 to begin February 1, 2026. Subsequent terms of the
8 Director shall be 4 years. The appointment shall be
9 made in time to begin the Director's term at this time.
10 The Director appointed under this subparagraph (D)
11 shall reside in McHenry County.

12 (E) One Director appointed by the County Executive
13 of Will County with the advice and consent of the Will
14 County Board for an initial term of 4 years to begin
15 February 1, 2026. Subsequent terms of the Director
16 shall be 4 years. The appointment shall be made in time
17 to begin the Director's term at this time. The
18 Director appointed under this subparagraph (E) shall
19 reside in Will County.

20 (8) The Chairman serving on the effective date of this
21 amendatory Act of the 104th General Assembly shall
22 continue to serve as Chairman until February 1, 2026 or
23 until a successor is appointed and qualified or a vacancy
24 occurs in the office. As soon as possible after the
25 Commuter Rail Board convenes following the appointments on
26 February 1, 2026 as outlined in subsection (c) of this

1 Section, a new Chairman shall be appointed. The Chairman
2 shall be appointed from among the other Directors by the
3 affirmative vote of at least 7 of the then Directors.

4 (d) A new Board of Directors shall be appointed as
5 directed under subsection (c) of this Section to begin their
6 terms on February 1, 2026. The appointments shall be made in
7 time to begin their terms at this time. All Directors
8 appointed under subsection (b) of this Section serving on the
9 effective date of this amendatory Act of the 104th General
10 Assembly shall retain their offices until February 1, 2026, or
11 until the expiration of or vacancy of their respective terms
12 of office. In the event of the expiration of a term of office
13 or a vacancy in these offices occurs prior to February 1, 2026,
14 a new Director shall be appointed as provided by law. A
15 Director serving in this position on January 31, 2026 may be
16 reappointed if so chosen.

17 (e) Directors shall have diverse and substantial relevant
18 experience and expertise in overseeing the planning,
19 operation, and funding of a public transportation system,
20 including, but not limited to, backgrounds in urban and
21 regional planning, management of large capital projects, labor
22 and workforce development, business management, public
23 administration, transportation, and transit and ridership
24 advocacy.

25 ~~(c) No director, while serving as such, shall be an~~
26 ~~officer, a member of the board of directors or trustee or an~~

1 ~~employee of any transportation agency, or be an employee of~~
2 ~~the State of Illinois or any department or agency thereof, or~~
3 ~~of any county, municipality, or any other unit of local~~
4 ~~government or receive any compensation from any elected or~~
5 ~~appointed office under the Constitution and laws of Illinois.~~

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

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

12 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

13 Sec. 3B.09. General Powers. In addition to any powers
14 elsewhere provided to the Commuter Rail Board, it shall have
15 all of the powers specified in Section 2.20 of this Act except
16 for the powers specified in Section 2.20(a)(v). The Board
17 shall also have the power:

18 (a) to cooperate with the Regional Transportation
19 Authority in the exercise by the Regional Transportation
20 Authority of all the powers granted it by such Act;

21 (b) to receive funds from the Regional Transportation
22 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10
23 of the "Regional Transportation Authority Act", all as
24 provided in the "Regional Transportation Authority Act";

25 (c) to receive financial grants from the Regional

1 Transportation Authority or a Service Board, as defined in the
2 "Regional Transportation Authority Act", upon such terms and
3 conditions as shall be set forth in a grant contract between
4 either the Division and the Regional Transportation Authority
5 or the Division and another Service Board, which contract or
6 agreement may be for such number of years or duration as the
7 parties may agree, all as provided in the "Regional
8 Transportation Authority Act"; and

9 (d) to borrow money for the purpose of acquiring,
10 constructing, reconstructing, extending, or improving any
11 Public Transportation Facilities (as defined in Section 1.03
12 of the Regional Transportation Authority Act) operated by or
13 to be operated by or on behalf of the Commuter Rail Division.
14 For the purpose of evidencing the obligation of the Commuter
15 Rail Board to repay any money borrowed as provided in this
16 subsection, the Commuter Rail Board may issue revenue bonds
17 from time to time pursuant to ordinance adopted by the
18 Commuter Rail Board, subject to the approval of the Regional
19 Transportation Authority of each such issuance by the
20 affirmative vote of 12 of its then Directors, prior to
21 February 1, 2026, and by the affirmative vote of at least 14 of
22 its then Directors, beginning February 1, 2026; provided that
23 the Commuter Rail Board may not issue bonds for the purpose of
24 financing the acquisition, construction, or improvement of a
25 corporate headquarters building. All such bonds shall be
26 payable solely from the revenues or income or any other funds

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

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

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

24 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

25 Sec. 3B.10. Budget and Program. The Commuter Rail Board,

1 subject to the powers of the Authority in Section 4.11, shall
2 control the finances of the Division. It shall by ordinance
3 appropriate money to perform the Division's purposes and
4 provide for payment of debts and expenses of the Division.
5 Each year the Commuter Rail Board shall prepare and publish a
6 comprehensive annual budget and proposed five-year capital
7 program document, and a financial plan for the two years
8 thereafter describing the state of the Division and presenting
9 for the forthcoming fiscal year and the two following years
10 the Commuter Rail Board's plans for such operations and
11 capital expenditures as the Commuter Rail Board intends to
12 undertake and the means by which it intends to finance them.
13 The proposed budget, financial plan, and five-year capital
14 program shall be based on the Authority's estimate of funds to
15 be made available to the Commuter Rail Board by or through the
16 Authority and shall conform in all respects to the
17 requirements established by the Authority. The proposed
18 budget, financial plan, and five-year capital program shall
19 contain a statement of the funds estimated to be on hand at the
20 beginning of the fiscal year, the funds estimated to be
21 received from all sources for such year and the funds
22 estimated to be on hand at the end of such year. The fiscal
23 year of the Division shall be the same as the fiscal year of
24 the Authority. Before the proposed budget, financial plan, and
25 five-year capital program are submitted to the Authority, the
26 Commuter Rail Board shall hold at least one public hearing

1 thereon in each of the counties in the metropolitan region in
2 which the Division provides service. The Commuter Rail Board
3 shall hold at least one meeting for consideration of the
4 proposed budget, financial plan, and five-year capital plan
5 with the county board of each of the several counties in the
6 metropolitan region in which the Division provides service.
7 Prior to the capital program being submitted to the Authority,
8 the Commuter Rail Board shall hold at least one meeting for
9 consideration of the proposed 5-year capital program with
10 representatives of labor organizations that have a collective
11 bargaining agreement with the Commuter Rail Board. After
12 conducting such hearings and holding such meetings and after
13 making such changes in the proposed budget, financial plan,
14 and five-year capital plan as the Commuter Rail Board deems
15 appropriate, the board shall adopt its annual budget ordinance
16 at least by November 15 next preceding the beginning of each
17 fiscal year. The budget, financial plan, and five-year capital
18 program shall then be submitted to the Authority as provided
19 in Section 4.11. In the event that the Board of the Authority
20 determines that the budget and program, and financial plan do
21 not meet the standards of Section 4.11, the Commuter Rail
22 Board shall make such changes as are necessary to meet such
23 requirements and adopt an amended budget ordinance. The
24 amended budget ordinance shall be resubmitted to the Authority
25 pursuant to Section 4.11. The ordinance shall appropriate such
26 sums of money as are deemed necessary to defray all necessary

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

9 The budget shall:

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

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

19 (iii) provide for a level of fares or charges for the
20 public transportation provided by or subject to the
21 jurisdiction of such Commuter Rail Board sufficient to
22 allow the Commuter Rail Board to meet its required system
23 generated revenue recovery ratio;

24 (iv) be based upon and employ assumptions and
25 projections which the Board of the Authority finds to be
26 reasonable and prudent;

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

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

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

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

11 (70 ILCS 3615/3B.13) (from Ch. 111 2/3, par. 703B.13)
12 Sec. 3B.13. Labor.

13 (a) The provisions of this Section apply to collective
14 bargaining agreements (including extensions and amendments of
15 existing agreements) entered into on or after January 1, 1984.
16 This Section does not apply to collective bargaining
17 agreements that are subject to the provisions of the Railway
18 Labor Act, as now or hereafter amended.

19 (b) The Commuter Rail Board shall deal with and enter into
20 written contracts with their employees, through accredited
21 representatives of such employees authorized to act for such
22 employees concerning wages, salaries, hours, working
23 conditions, and pension or retirement provisions about which a
24 collective bargaining agreement has been entered prior to the
25 effective date of this amendatory Act of 1983. Any such

1 agreement of the Commuter Rail Board shall provide that the
2 agreement may be reopened if the amended budget submitted
3 pursuant to Section 2.18a of this Act is not approved by the
4 Board of the Authority. The agreement may not include a
5 provision requiring the payment of wage increases based on
6 changes in the Consumer Price Index. The Commuter Rail Board
7 shall not have the authority to enter collective bargaining
8 agreements with respect to inherent management rights which
9 include such areas of discretion or policy as the functions of
10 the employer, standards of services, its overall budget, the
11 organizational structure and selection of new employees and
12 direction of personnel. Employers, however, shall be required
13 to bargain collectively with regard to policy matters directly
14 affecting wages, hours and terms and conditions of employment,
15 as well as the impact thereon, upon request by employee
16 representatives. To preserve the rights of the Commuter Rail
17 Board and exclusive representatives which have established
18 collective bargaining relationships or negotiated collective
19 bargaining agreements prior to the effective date of this
20 amendatory Act of 1983, the Commuter Rail Board shall be
21 required to bargain collectively with regard to any matter
22 concerning wages, hours or conditions of employment about
23 which they have bargained prior to the effective date of this
24 amendatory Act of 1983.

25 (c) The collective bargaining agreement may not include a
26 prohibition on the use of part-time operators on any service

1 operated by the Commuter Rail Board except where prohibited by
2 federal law.

3 (d) Within 30 days of the signing of any such collective
4 bargaining agreement, the Commuter Rail Board shall determine
5 the costs of each provision of the agreement, prepare an
6 amended budget incorporating the costs of the agreement, and
7 present the amended budget to the Board of the Authority for
8 its approval under Section 4.11. The Board may approve the
9 amended budget by an affirmative vote of 12 of its then
10 Directors, prior to February 1, 2026, and by the affirmative
11 vote of at least 14 of its then Directors, beginning February
12 1, 2026. If the budget is not approved by the Board of the
13 Authority, the agreement may be reopened and its terms may be
14 renegotiated. Any amended budget which may be prepared
15 following renegotiation shall be presented to the Board of the
16 Authority for its approval in like manner.

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

18 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

19 Sec. 4.01. Budget and Program.

20 (a) The Board shall control the finances of the Authority.
21 It shall by ordinance adopted by the affirmative vote of at
22 least 12 of its then Directors, prior to February 1, 2026, and
23 by the affirmative vote of at least 14 of its then Directors,
24 beginning February 1, 2026, (i) appropriate money to perform
25 the Authority's purposes and provide for payment of debts and

1 expenses of the Authority, (ii) take action with respect to
2 the budget and two-year financial plan of each Service Board,
3 as provided in Section 4.11, and (iii) adopt an Annual Budget
4 and Two-Year Financial Plan for the Authority that includes
5 the annual budget and two-year financial plan of each Service
6 Board that has been approved by the Authority. The Annual
7 Budget and Two-Year Financial Plan shall contain a statement
8 of the funds estimated to be on hand for the Authority and each
9 Service Board at the beginning of the fiscal year, the funds
10 estimated to be received from all sources for such year, the
11 estimated expenses and obligations of the Authority and each
12 Service Board for all purposes, including expenses for
13 contributions to be made with respect to pension and other
14 employee benefits, and the funds estimated to be on hand at the
15 end of such year. The fiscal year of the Authority and each
16 Service Board shall begin on January 1st and end on the
17 succeeding December 31st. By July 1st of each year the
18 Director of the Illinois Governor's Office of Management and
19 Budget (formerly Bureau of the Budget) shall submit to the
20 Authority an estimate of revenues for the next fiscal year of
21 the Authority to be collected from the taxes imposed by the
22 Authority and the amounts to be available in the Public
23 Transportation Fund and the Regional Transportation Authority
24 Occupation and Use Tax Replacement Fund and the amounts
25 otherwise to be appropriated by the State to the Authority for
26 its purposes. The Authority shall file a copy of its Annual

1 Budget and Two-Year Financial Plan with the General Assembly
2 and the Governor after its adoption. Before the proposed
3 Annual Budget and Two-Year Financial Plan is adopted, the
4 Authority shall hold at least one public hearing thereon in
5 the metropolitan region, and shall meet with the county board
6 or its designee of each of the several counties in the
7 metropolitan region. After conducting such hearings and
8 holding such meetings and after making such changes in the
9 proposed Annual Budget and Two-Year Financial Plan as the
10 Board deems appropriate, the Board shall adopt its annual
11 appropriation and Annual Budget and Two-Year Financial Plan
12 ordinance. The ordinance may be adopted only upon the
13 affirmative votes of 12 of its then Directors, prior to
14 February 1, 2026, and by the affirmative vote of at least 14 of
15 its then Directors, beginning February 1, 2026. The ordinance
16 shall appropriate such sums of money as are deemed necessary
17 to defray all necessary expenses and obligations of the
18 Authority, specifying purposes and the objects or programs for
19 which appropriations are made and the amount appropriated for
20 each object or program. Additional appropriations, transfers
21 between items and other changes in such ordinance may be made
22 from time to time by the Board upon the affirmative votes of 12
23 of its then Directors, prior to February 1, 2026, and by the
24 affirmative vote of at least 14 of its then Directors,
25 beginning February 1, 2026.

26 (b) The Annual Budget and Two-Year Financial Plan shall

1 show a balance between anticipated revenues from all sources
2 and anticipated expenses including funding of operating
3 deficits or the discharge of encumbrances incurred in prior
4 periods and payment of principal and interest when due, and
5 shall show cash balances sufficient to pay with reasonable
6 promptness all obligations and expenses as incurred.

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

8 (i) that the level of fares and charges for mass
9 transportation provided by, or under grant or purchase of
10 service contracts of, the Service Boards is sufficient to
11 cause the aggregate of all projected fare revenues from
12 such fares and charges received in each fiscal year to
13 equal at least 50% of the aggregate costs of providing
14 such public transportation in such fiscal year. However,
15 due to the fiscal impacts of the COVID-19 pandemic, the
16 aggregate of all projected fare revenues from such fares
17 and charges received in fiscal years 2021, 2022, 2023,
18 2024, and 2025 may be less than 50% of the aggregate costs
19 of providing such public transportation in those fiscal
20 years. The aggregate of all projected fare revenues from
21 such fares and charges received in fiscal years 2026 and
22 2027 shall equal at least 25% of the aggregate cost of
23 providing such public transportation in those fiscal
24 years. The aggregate of all projected fare revenues from
25 such fares and charges received in fiscal years 2028 and
26 2029 and for every fiscal year thereafter shall equal at

1 least 15% of the aggregate cost of providing such public
2 transportation in those fiscal years. Prior to the
3 beginning of fiscal year 2030, the General Assembly shall
4 reevaluate and determine the appropriate system generated
5 revenues recovery ratio for future years. "Fare revenues"
6 include the proceeds of all fares and charges for services
7 provided, contributions received in connection with public
8 transportation from units of local government other than
9 the Authority, except for contributions received by the
10 Chicago Transit Authority from a real estate transfer tax
11 imposed under subsection (i) of Section 8-3-19 of the
12 Illinois Municipal Code, and from the State pursuant to
13 subsection (i) of Section 2705-305 of the Department of
14 Transportation Law (20 ILCS 2705/2705-305), and all other
15 operating revenues properly included consistent with
16 generally accepted accounting principles but do not
17 include: the proceeds of any borrowings, and, beginning
18 with the 2007 fiscal year, all revenues and receipts,
19 including but not limited to fares and grants received
20 from the federal, State or any unit of local government or
21 other entity, derived from providing ADA paratransit
22 service pursuant to Section 2.30 of the Regional
23 Transportation Authority Act. "Costs" include all items
24 properly included as operating costs consistent with
25 generally accepted accounting principles, including
26 administrative costs, but do not include: depreciation;

1 payment of principal and interest on bonds, notes or other
2 evidences of obligation for borrowed money issued by the
3 Authority; payments with respect to public transportation
4 facilities made pursuant to subsection (b) of Section 2.20
5 of this Act; any payments with respect to rate protection
6 contracts, credit enhancements or liquidity agreements
7 made under Section 4.14; any other cost to which it is
8 reasonably expected that a cash expenditure will not be
9 made; costs for passenger security including grants,
10 contracts, personnel, equipment and administrative
11 expenses, except in the case of the Chicago Transit
12 Authority, in which case the term does not include costs
13 spent annually by that entity for protection against crime
14 as required by Section 27a of the Metropolitan Transit
15 Authority Act; the payment by the Chicago Transit
16 Authority of Debt Service, as defined in Section 12c of
17 the Metropolitan Transit Authority Act, on bonds or notes
18 issued pursuant to that Section; the payment by the
19 Commuter Rail Division of debt service on bonds issued
20 pursuant to Section 3B.09; expenses incurred by the
21 Suburban Bus Division for the cost of new public
22 transportation services funded from grants pursuant to
23 Section 2.01e of this amendatory Act of the 95th General
24 Assembly for a period of 2 years from the date of
25 initiation of each such service; costs as exempted by the
26 Board for projects pursuant to Section 2.09 of this Act;

1 or, beginning with the 2007 fiscal year, expenses related
2 to providing ADA paratransit service pursuant to Section
3 2.30 of the Regional Transportation Authority Act; and in
4 fiscal years 2008 through 2012 inclusive, costs in the
5 amount of \$200,000,000 in fiscal year 2008, reducing by
6 \$40,000,000 in each fiscal year thereafter until this
7 exemption is eliminated; and expenses incurred by any and
8 all Service Boards for the cost of new public
9 transportation services for a period of 2 years from the
10 date of initiation of each such service; and

11 (ii) that the level of fares charged for ADA
12 paratransit services is sufficient to cause the aggregate
13 of all projected revenues from such fares charged and
14 received in each fiscal year to equal at least 10% of the
15 aggregate costs of providing such ADA paratransit
16 services. However, due to the fiscal impacts of the
17 COVID-19 pandemic, the aggregate of all projected fare
18 revenues from such fares and charges received in fiscal
19 years 2021, 2022, 2023, 2024, and 2025 may be less than 10%
20 of the aggregate costs of providing such ADA paratransit
21 services in those fiscal years. The aggregate of all
22 projected revenues from such fares charged and received in
23 fiscal years 2026 and 2027 shall equal at least 5% of the
24 aggregate costs of providing such ADA paratransit services
25 in those fiscal years. The aggregate of all projected
26 revenues from such fares charged and received in fiscal

1 years 2028 and 2029 and every fiscal year thereafter shall
2 equal at least 3% of the aggregate costs of providing such
3 ADA paratransit services in those fiscal years. Prior to
4 the beginning of fiscal year 2030, the General Assembly
5 shall reevaluate and determine the appropriate system
6 generated revenues recovery ratio for ADA paratransit
7 services for future years. For purposes of this Act, the
8 percentages in this subsection (b) (ii) shall be referred
9 to as the "system generated ADA paratransit services
10 revenue recovery ratio". For purposes of the system
11 generated ADA paratransit services revenue recovery ratio,
12 "costs" shall include all items properly included as
13 operating costs consistent with generally accepted
14 accounting principles. However, the Board may exclude from
15 costs an amount that does not exceed the allowable
16 "capital costs of contracting" for ADA paratransit
17 services pursuant to the Federal Transit Administration
18 guidelines for the Urbanized Area Formula Program.

19 The Authority shall file a statement certifying that the
20 Service Boards published the data described in subsection
21 (b-5) with the General Assembly and the Governor after
22 adoption of the Annual Budget and Two-Year Financial Plan
23 required by subsection (a). If the Authority fails to file a
24 statement certifying publication of the data, then the
25 appropriations to the Department of Transportation for grants
26 to the Authority intended to reimburse the Service Boards for

1 providing free and reduced fares shall be withheld.

2 (b-5) For fiscal years 2024, ~~and~~ 2025, 2026, and every
3 year thereafter, the Service Boards must publish a monthly
4 comprehensive set of data regarding transit service and
5 safety. The data included shall include information to track
6 operations including:

7 (1) staffing levels, including numbers of budgeted
8 positions, current positions employed, hired staff,
9 attrition, staff in training, and absenteeism rates;

10 (2) scheduled service and delivered service, including
11 percentage of scheduled service delivered by day, service
12 by mode of transportation, service by route and rail line,
13 total number of revenue miles driven, excess wait times by
14 day, by mode of transportation, by bus route, and by stop;
15 and

16 (3) safety on the system, including the number of
17 incidents of crime and code of conduct violations on
18 system, any performance measures used to evaluate the
19 effectiveness of investments in private security, safety
20 equipment, and other security investments in the system.
21 If no performance measures exist to evaluate the
22 effectiveness of these safety investments, the Service
23 Boards and Authority shall develop and publish these
24 performance measures.

25 The Authority and Service Boards shall solicit input and
26 ideas on publishing data on the service reliability,

1 operations, and safety of the system from the public and
2 groups representing transit riders, workers, and businesses.

3 (c) The actual administrative expenses of the Authority
4 for the fiscal year commencing January 1, 1985 may not exceed
5 \$5,000,000. The actual administrative expenses of the
6 Authority for the fiscal year commencing January 1, 1986, and
7 for each fiscal year thereafter shall not exceed the maximum
8 administrative expenses for the previous fiscal year plus 5%.
9 "Administrative expenses" are defined for purposes of this
10 Section as all expenses except: (1) capital expenses and
11 purchases of the Authority on behalf of the Service Boards;
12 (2) payments to Service Boards; and (3) payment of principal
13 and interest on bonds, notes or other evidence of obligation
14 for borrowed money issued by the Authority; (4) costs for
15 passenger security including grants, contracts, personnel,
16 equipment and administrative expenses; (5) payments with
17 respect to public transportation facilities made pursuant to
18 subsection (b) of Section 2.20 of this Act; and (6) any
19 payments with respect to rate protection contracts, credit
20 enhancements or liquidity agreements made pursuant to Section
21 4.14.

22 (d) This subsection applies only until the Department
23 begins administering and enforcing an increased tax under
24 Section 4.03(m) as authorized by this amendatory Act of the
25 95th General Assembly. After withholding 15% of the proceeds
26 of any tax imposed by the Authority and 15% of money received

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

23 (e) This subsection applies only until the Department
24 begins administering and enforcing an increased tax under
25 Section 4.03(m) as authorized by this amendatory Act of the
26 95th General Assembly. Moneys received by the Authority on

1 account of transfers to the Regional Transportation Authority
2 Occupation and Use Tax Replacement Fund from the State and
3 Local Sales Tax Reform Fund shall be allocated among the
4 Authority and the Service Boards as follows: 15% of such
5 moneys shall be retained by the Authority and the remaining
6 85% shall be transferred to the Service Boards as soon as may
7 be practicable after the Authority receives payment. Moneys
8 which are distributable to the Service Boards pursuant to the
9 preceding sentence shall be allocated among the Service Boards
10 on the basis of each Service Board's distribution ratio. The
11 term "distribution ratio" means, for purposes of this
12 subsection (e) of this Section 4.01, the ratio of the total
13 amount distributed to a Service Board pursuant to subsection
14 (d) of Section 4.01 for the immediately preceding calendar
15 year to the total amount distributed to all of the Service
16 Boards pursuant to subsection (d) of Section 4.01 for the
17 immediately preceding calendar year.

18 (f) To carry out its duties and responsibilities under
19 this Act, the Board shall employ staff which shall: (1)
20 propose for adoption by the Board of the Authority rules for
21 the Service Boards that establish (i) forms and schedules to
22 be used and information required to be provided with respect
23 to a five-year capital program, annual budgets, and two-year
24 financial plans and regular reporting of actual results
25 against adopted budgets and financial plans, (ii) financial
26 practices to be followed in the budgeting and expenditure of

1 public funds, (iii) assumptions and projections that must be
2 followed in preparing and submitting its annual budget and
3 two-year financial plan or a five-year capital program; (2)
4 evaluate for the Board public transportation programs operated
5 or proposed by the Service Boards and transportation agencies
6 in terms of the goals and objectives set out in the Strategic
7 Plan; (3) keep the Board and the public informed of the extent
8 to which the Service Boards and transportation agencies are
9 meeting the goals and objectives adopted by the Authority in
10 the Strategic Plan; and (4) assess the efficiency or adequacy
11 of public transportation services provided by a Service Board
12 and make recommendations for change in that service to the end
13 that the moneys available to the Authority may be expended in
14 the most economical manner possible with the least possible
15 duplication.

16 (g) All Service Boards, transportation agencies,
17 comprehensive planning agencies, including the Chicago
18 Metropolitan Agency for Planning, or transportation planning
19 agencies in the metropolitan region shall furnish to the
20 Authority such information pertaining to public transportation
21 or relevant for plans therefor as it may from time to time
22 require. The Executive Director, or his or her designee,
23 shall, for the purpose of securing any such information
24 necessary or appropriate to carry out any of the powers and
25 responsibilities of the Authority under this Act, have access
26 to, and the right to examine, all books, documents, papers or

1 records of a Service Board or any transportation agency
2 receiving funds from the Authority or Service Board, and such
3 Service Board or transportation agency shall comply with any
4 request by the Executive Director, or his or her designee,
5 within 30 days or an extended time provided by the Executive
6 Director.

7 (h) No Service Board shall undertake any capital
8 improvement which is not identified in the Five-Year Capital
9 Program.

10 (i) Each Service Board shall furnish to the Board access
11 to its financial information including, but not limited to,
12 audits and reports. The Board shall have real-time access to
13 the financial information of the Service Boards; however, the
14 Board shall be granted read-only access to the Service Board's
15 financial information.

16 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

17 (70 ILCS 3615/4.03)

18 Sec. 4.03. Taxes.

19 (a) In order to carry out any of the powers or purposes of
20 the Authority, the Board may, by ordinance adopted with the
21 concurrence of 12 of the then Directors, prior to February 1,
22 2026, and by the affirmative vote of at least 14 of the then
23 Directors, beginning February 1, 2026, impose throughout the
24 metropolitan region any or all of the taxes provided in this
25 Section. Except as otherwise provided in this Act, taxes

1 imposed under this Section and civil penalties imposed
2 incident thereto shall be collected and enforced by the State
3 Department of Revenue. The Department shall have the power to
4 administer and enforce the taxes and to determine all rights
5 for refunds for erroneous payments of the taxes. Nothing in
6 Public Act 95-708 is intended to invalidate any taxes
7 currently imposed by the Authority. The increased vote
8 requirements to impose a tax shall only apply to actions taken
9 after January 1, 2008 (the effective date of Public Act
10 95-708).

11 (b) The Board may impose a public transportation tax upon
12 all persons engaged in the metropolitan region in the business
13 of selling at retail motor fuel for operation of motor
14 vehicles upon public highways. The tax shall be at a rate not
15 to exceed 5% of the gross receipts from the sales of motor fuel
16 in the course of the business. As used in this Act, the term
17 "motor fuel" shall have the same meaning as in the Motor Fuel
18 Tax Law. The Board may provide for details of the tax. The
19 provisions of any tax shall conform, as closely as may be
20 practicable, to the provisions of the Municipal Retailers
21 Occupation Tax Act, including, without limitation, conformity
22 to penalties with respect to the tax imposed and as to the
23 powers of the State Department of Revenue to promulgate and
24 enforce rules and regulations relating to the administration
25 and enforcement of the provisions of the tax imposed, except
26 that reference in the Act to any municipality shall refer to

1 the Authority and the tax shall be imposed only with regard to
2 receipts from sales of motor fuel in the metropolitan region,
3 at rates as limited by this Section.

4 (c) In connection with the tax imposed under paragraph (b)
5 of this Section, the Board may impose a tax upon the privilege
6 of using in the metropolitan region motor fuel for the
7 operation of a motor vehicle upon public highways, the tax to
8 be at a rate not in excess of the rate of tax imposed under
9 paragraph (b) of this Section. The Board may provide for
10 details of the tax.

11 (d) The Board may impose a motor vehicle parking tax upon
12 the privilege of parking motor vehicles at off-street parking
13 facilities in the metropolitan region at which a fee is
14 charged, and may provide for reasonable classifications in and
15 exemptions to the tax, for administration and enforcement
16 thereof and for civil penalties and refunds thereunder and may
17 provide criminal penalties thereunder, the maximum penalties
18 not to exceed the maximum criminal penalties provided in the
19 Retailers' Occupation Tax Act. The Authority may collect and
20 enforce the tax itself or by contract with any unit of local
21 government. The State Department of Revenue shall have no
22 responsibility for the collection and enforcement unless the
23 Department agrees with the Authority to undertake the
24 collection and enforcement. As used in this paragraph, the
25 term "parking facility" means a parking area or structure
26 having parking spaces for more than 2 vehicles at which motor

1 vehicles are permitted to park in return for an hourly, daily,
2 or other periodic fee, whether publicly or privately owned,
3 but does not include parking spaces on a public street, the use
4 of which is regulated by parking meters.

5 (e) The Board may impose a Regional Transportation
6 Authority Retailers' Occupation Tax upon all persons engaged
7 in the business of selling tangible personal property at
8 retail in the metropolitan region. In Cook County, the tax
9 rate shall be 1.25% of the gross receipts from sales of food
10 for human consumption that is to be consumed off the premises
11 where it is sold (other than alcoholic beverages, food
12 consisting of or infused with adult use cannabis, soft drinks,
13 candy, and food that has been prepared for immediate
14 consumption) and tangible personal property taxed at the 1%
15 rate under the Retailers' Occupation Tax Act, and 1% of the
16 gross receipts from other taxable sales made in the course of
17 that business. In DuPage, Kane, Lake, McHenry, and Will
18 counties, the tax rate shall be 0.75% of the gross receipts
19 from all taxable sales made in the course of that business. The
20 rate of tax imposed in DuPage, Kane, Lake, McHenry, and Will
21 counties under this Section on sales of aviation fuel on or
22 after December 1, 2019 shall, however, be 0.25% unless the
23 Regional Transportation Authority in DuPage, Kane, Lake,
24 McHenry, and Will counties has an "airport-related purpose"
25 and the additional 0.50% of the 0.75% tax on aviation fuel is
26 expended for airport-related purposes. If there is no

1 airport-related purpose to which aviation fuel tax revenue is
2 dedicated, then aviation fuel is excluded from the additional
3 0.50% of the 0.75% tax. The tax imposed under this Section and
4 all civil penalties that may be assessed as an incident
5 thereof shall be collected and enforced by the State
6 Department of Revenue. The Department shall have full power to
7 administer and enforce this Section; to collect all taxes and
8 penalties so collected in the manner hereinafter provided; and
9 to determine all rights to credit memoranda arising on account
10 of the erroneous payment of tax or penalty hereunder. In the
11 administration of, and compliance with this Section, the
12 Department and persons who are subject to this Section shall
13 have the same rights, remedies, privileges, immunities,
14 powers, and duties, and be subject to the same conditions,
15 restrictions, limitations, penalties, exclusions, exemptions,
16 and definitions of terms, and employ the same modes of
17 procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,
18 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions
19 therein other than the State rate of tax), 2c, 3 (except as to
20 the disposition of taxes and penalties collected, and except
21 that the retailer's discount is not allowed for taxes paid on
22 aviation fuel that are subject to the revenue use requirements
23 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133), 4, 5, 5a, 5b, 5c,
24 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7, 8, 9,
25 10, 11, 12, and 13 of the Retailers' Occupation Tax Act and
26 Section 3-7 of the Uniform Penalty and Interest Act, as fully

1 as if those provisions were set forth herein.

2 The Board and DuPage, Kane, Lake, McHenry, and Will
3 counties must comply with the certification requirements for
4 airport-related purposes under Section 2-22 of the Retailers'
5 Occupation Tax Act. For purposes of this Section,
6 "airport-related purposes" has the meaning ascribed in Section
7 6z-20.2 of the State Finance Act. This exclusion for aviation
8 fuel only applies for so long as the revenue use requirements
9 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the
10 Authority.

11 Persons subject to any tax imposed under the authority
12 granted in this Section may reimburse themselves for their
13 seller's tax liability hereunder by separately stating the tax
14 as an additional charge, which charge may be stated in
15 combination in a single amount with State taxes that sellers
16 are required to collect under the Use Tax Act, under any
17 bracket schedules the Department may prescribe.

18 Whenever the Department determines that a refund should be
19 made under this Section to a claimant instead of issuing a
20 credit memorandum, the Department shall notify the State
21 Comptroller, who shall cause the warrant to be drawn for the
22 amount specified, and to the person named, in the notification
23 from the Department. The refund shall be paid by the State
24 Treasurer out of the Regional Transportation Authority tax
25 fund established under paragraph (n) of this Section or the
26 Local Government Aviation Trust Fund, as appropriate.

1 If a tax is imposed under this subsection (e), a tax shall
2 also be imposed under subsections (f) and (g) of this Section.

3 For the purpose of determining whether a tax authorized
4 under this Section is applicable, a retail sale by a producer
5 of coal or other mineral mined in Illinois, is a sale at retail
6 at the place where the coal or other mineral mined in Illinois
7 is extracted from the earth. This paragraph does not apply to
8 coal or other mineral when it is delivered or shipped by the
9 seller to the purchaser at a point outside Illinois so that the
10 sale is exempt under the Federal Constitution as a sale in
11 interstate or foreign commerce.

12 No tax shall be imposed or collected under this subsection
13 on the sale of a motor vehicle in this State to a resident of
14 another state if that motor vehicle will not be titled in this
15 State.

16 Nothing in this Section shall be construed to authorize
17 the Regional Transportation Authority to impose a tax upon the
18 privilege of engaging in any business that under the
19 Constitution of the United States may not be made the subject
20 of taxation by this State.

21 (f) If a tax has been imposed under paragraph (e), a
22 Regional Transportation Authority Service Occupation Tax shall
23 also be imposed upon all persons engaged_T in the metropolitan
24 region in the business of making sales of service_T who_L as an
25 incident to making the sales of service, transfer tangible
26 personal property within the metropolitan region, either in

1 the form of tangible personal property or in the form of real
2 estate as an incident to a sale of service. In Cook County, the
3 tax rate shall be: (1) 1.25% of the serviceman's cost price of
4 food prepared for immediate consumption and transferred
5 incident to a sale of service subject to the service
6 occupation tax by an entity that is located in the
7 metropolitan region and that is licensed under the Hospital
8 Licensing Act, the Nursing Home Care Act, the Assisted Living
9 and Shared Housing Act, the Specialized Mental Health
10 Rehabilitation Act of 2013, the ID/DD Community Care Act, the
11 MC/DD Act, or the Child Care Act of 1969, or an entity that
12 holds a permit issued pursuant to the Life Care Facilities
13 Act; (2) 1.25% of the selling price of food for human
14 consumption that is to be consumed off the premises where it is
15 sold (other than alcoholic beverages, food consisting of or
16 infused with adult use cannabis, soft drinks, candy, and food
17 that has been prepared for immediate consumption) and tangible
18 personal property taxed at the 1% rate under the Service
19 Occupation Tax Act; and (3) 1% of the selling price from other
20 taxable sales of tangible personal property transferred. In
21 DuPage, Kane, Lake, McHenry, and Will counties, the rate shall
22 be 0.75% of the selling price of all tangible personal
23 property transferred. The rate of tax imposed in DuPage, Kane,
24 Lake, McHenry, and Will counties under this Section on sales
25 of aviation fuel on or after December 1, 2019 shall, however,
26 be 0.25% unless the Regional Transportation Authority in

1 DuPage, Kane, Lake, McHenry, and Will counties has an
2 "airport-related purpose" and the additional 0.50% of the
3 0.75% tax on aviation fuel is expended for airport-related
4 purposes. If there is no airport-related purpose to which
5 aviation fuel tax revenue is dedicated, then aviation fuel is
6 excluded from the additional 0.5% of the 0.75% tax.

7 The Board and DuPage, Kane, Lake, McHenry, and Will
8 counties must comply with the certification requirements for
9 airport-related purposes under Section 2-22 of the Retailers'
10 Occupation Tax Act. For purposes of this Section,
11 "airport-related purposes" has the meaning ascribed in Section
12 6z-20.2 of the State Finance Act. This exclusion for aviation
13 fuel only applies for so long as the revenue use requirements
14 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the
15 Authority.

16 The tax imposed under this paragraph and all civil
17 penalties that may be assessed as an incident thereof shall be
18 collected and enforced by the State Department of Revenue. The
19 Department shall have full power to administer and enforce
20 this paragraph; to collect all taxes and penalties due
21 hereunder; to dispose of taxes and penalties collected in the
22 manner hereinafter provided; and to determine all rights to
23 credit memoranda arising on account of the erroneous payment
24 of tax or penalty hereunder. In the administration of and
25 compliance with this paragraph, the Department and persons who
26 are subject to this paragraph shall have the same rights,

1 remedies, privileges, immunities, powers, and duties, and be
2 subject to the same conditions, restrictions, limitations,
3 penalties, exclusions, exemptions, and definitions of terms,
4 and employ the same modes of procedure, as are prescribed in
5 Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all
6 provisions therein other than the State rate of tax), 4
7 (except that the reference to the State shall be to the
8 Authority), 5, 7, 8 (except that the jurisdiction to which the
9 tax shall be a debt to the extent indicated in that Section 8
10 shall be the Authority), 9 (except as to the disposition of
11 taxes and penalties collected, and except that the returned
12 merchandise credit for this tax may not be taken against any
13 State tax, and except that the retailer's discount is not
14 allowed for taxes paid on aviation fuel that are subject to the
15 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.
16 47133), 10, 11, 12 (except the reference therein to Section 2b
17 of the Retailers' Occupation Tax Act), 13 (except that any
18 reference to the State shall mean the Authority), the first
19 paragraph of Section 15, 16, 17, 18, 19, and 20 of the Service
20 Occupation Tax Act and Section 3-7 of the Uniform Penalty and
21 Interest Act, as fully as if those provisions were set forth
22 herein.

23 Persons subject to any tax imposed under the authority
24 granted in this paragraph may reimburse themselves for their
25 serviceman's tax liability hereunder by separately stating the
26 tax as an additional charge, that charge may be stated in

1 combination in a single amount with State tax that servicemen
2 are authorized to collect under the Service Use Tax Act, under
3 any bracket schedules the Department may prescribe.

4 Whenever the Department determines that a refund should be
5 made under this paragraph to a claimant instead of issuing a
6 credit memorandum, the Department shall notify the State
7 Comptroller, who shall cause the warrant to be drawn for the
8 amount specified, and to the person named in the notification
9 from the Department. The refund shall be paid by the State
10 Treasurer out of the Regional Transportation Authority tax
11 fund established under paragraph (n) of this Section or the
12 Local Government Aviation Trust Fund, as appropriate.

13 Nothing in this paragraph shall be construed to authorize
14 the Authority to impose a tax upon the privilege of engaging in
15 any business that under the Constitution of the United States
16 may not be made the subject of taxation by the State.

17 (g) If a tax has been imposed under paragraph (e), a tax
18 shall also be imposed upon the privilege of using in the
19 metropolitan region, any item of tangible personal property
20 that is purchased outside the metropolitan region at retail
21 from a retailer, and that is titled or registered with an
22 agency of this State's government. In Cook County, the tax
23 rate shall be 1% of the selling price of the tangible personal
24 property, as "selling price" is defined in the Use Tax Act. In
25 DuPage, Kane, Lake, McHenry, and Will counties, the tax rate
26 shall be 0.75% of the selling price of the tangible personal

1 property, as "selling price" is defined in the Use Tax Act. The
2 tax shall be collected from persons whose Illinois address for
3 titling or registration purposes is given as being in the
4 metropolitan region. The tax shall be collected by the
5 Department of Revenue for the Regional Transportation
6 Authority. The tax must be paid to the State, or an exemption
7 determination must be obtained from the Department of Revenue,
8 before the title or certificate of registration for the
9 property may be issued. The tax or proof of exemption may be
10 transmitted to the Department by way of the State agency with
11 which, or the State officer with whom, the tangible personal
12 property must be titled or registered if the Department and
13 the State agency or State officer determine that this
14 procedure will expedite the processing of applications for
15 title or registration.

16 The Department shall have full power to administer and
17 enforce this paragraph; to collect all taxes, penalties, and
18 interest due hereunder; to dispose of taxes, penalties, and
19 interest collected in the manner hereinafter provided; and to
20 determine all rights to credit memoranda or refunds arising on
21 account of the erroneous payment of tax, penalty, or interest
22 hereunder. In the administration of and compliance with this
23 paragraph, the Department and persons who are subject to this
24 paragraph shall have the same rights, remedies, privileges,
25 immunities, powers, and duties, and be subject to the same
26 conditions, restrictions, limitations, penalties, exclusions,

1 exemptions, and definitions of terms and employ the same modes
2 of procedure, as are prescribed in Sections 2 (except the
3 definition of "retailer maintaining a place of business in
4 this State"), 3 through 3-80 (except provisions pertaining to
5 the State rate of tax, and except provisions concerning
6 collection or refunding of the tax by retailers), 4, 11, 12,
7 12a, 14, 15, 19 (except the portions pertaining to claims by
8 retailers and except the last paragraph concerning refunds),
9 20, 21, and 22 of the Use Tax Act, and are not inconsistent
10 with this paragraph, as fully as if those provisions were set
11 forth herein.

12 Whenever the Department determines that a refund should be
13 made under this paragraph to a claimant instead of issuing a
14 credit memorandum, the Department shall notify the State
15 Comptroller, who shall cause the order to be drawn for the
16 amount specified, and to the person named in the notification
17 from the Department. The refund shall be paid by the State
18 Treasurer out of the Regional Transportation Authority tax
19 fund established under paragraph (n) of this Section.

20 (g-5) If, on January 1, 2025, a unit of local government
21 has in effect a tax under subsections (e), (f), and (g), or if,
22 after January 1, 2025, a unit of local government imposes a tax
23 under subsections (e), (f), and (g), then that tax applies to
24 leases of tangible personal property in effect, entered into,
25 or renewed on or after that date in the same manner as the tax
26 under this Section and in accordance with the changes made by

1 Public Act 103-592 ~~this amendatory Act of the 103rd General~~
2 ~~Assembly.~~

3 (h) The Authority may impose a replacement vehicle tax of
4 \$50 on any passenger car as defined in Section 1-157 of the
5 Illinois Vehicle Code purchased within the metropolitan region
6 by or on behalf of an insurance company to replace a passenger
7 car of an insured person in settlement of a total loss claim.
8 The tax imposed may not become effective before the first day
9 of the month following the passage of the ordinance imposing
10 the tax and receipt of a certified copy of the ordinance by the
11 Department of Revenue. The Department of Revenue shall collect
12 the tax for the Authority in accordance with Sections 3-2002
13 and 3-2003 of the Illinois Vehicle Code.

14 The Department shall immediately pay over to the State
15 Treasurer, ex officio, as trustee, all taxes collected
16 hereunder.

17 As soon as possible after the first day of each month,
18 beginning January 1, 2011, upon certification of the
19 Department of Revenue, the Comptroller shall order
20 transferred, and the Treasurer shall transfer, to the STAR
21 Bonds Revenue Fund the local sales tax increment, as defined
22 in the Innovation Development and Economy Act, collected under
23 this Section during the second preceding calendar month for
24 sales within a STAR bond district.

25 After the monthly transfer to the STAR Bonds Revenue Fund,
26 on or before the 25th day of each calendar month, the

1 Department shall prepare and certify to the Comptroller the
2 disbursement of stated sums of money to the Authority. The
3 amount to be paid to the Authority shall be the amount
4 collected hereunder during the second preceding calendar month
5 by the Department, less any amount determined by the
6 Department to be necessary for the payment of refunds, and
7 less any amounts that are transferred to the STAR Bonds
8 Revenue Fund. Within 10 days after receipt by the Comptroller
9 of the disbursement certification to the Authority provided
10 for in this Section to be given to the Comptroller by the
11 Department, the Comptroller shall cause the orders to be drawn
12 for that amount in accordance with the directions contained in
13 the certification.

14 (i) The Board may not impose any other taxes except as it
15 may from time to time be authorized by law to impose.

16 (j) A certificate of registration issued by the State
17 Department of Revenue to a retailer under the Retailers'
18 Occupation Tax Act or under the Service Occupation Tax Act
19 shall permit the registrant to engage in a business that is
20 taxed under the tax imposed under paragraphs (b), (e), (f) or
21 (g) of this Section and no additional registration shall be
22 required under the tax. A certificate issued under the Use Tax
23 Act or the Service Use Tax Act shall be applicable with regard
24 to any tax imposed under paragraph (c) of this Section.

25 (k) The provisions of any tax imposed under paragraph (c)
26 of this Section shall conform as closely as may be practicable

1 to the provisions of the Use Tax Act, including, without
2 limitation, conformity as to penalties with respect to the tax
3 imposed and as to the powers of the State Department of Revenue
4 to promulgate and enforce rules and regulations relating to
5 the administration and enforcement of the provisions of the
6 tax imposed. The taxes shall be imposed only on use within the
7 metropolitan region and at rates as provided in the paragraph.

8 (l) The Board in imposing any tax as provided in
9 paragraphs (b) and (c) of this Section, shall, after seeking
10 the advice of the State Department of Revenue, provide means
11 for retailers, users or purchasers of motor fuel for purposes
12 other than those with regard to which the taxes may be imposed
13 as provided in those paragraphs to receive refunds of taxes
14 improperly paid, which provisions may be at variance with the
15 refund provisions as applicable under the Municipal Retailers
16 Occupation Tax Act. The State Department of Revenue may
17 provide for certificates of registration for users or
18 purchasers of motor fuel for purposes other than those with
19 regard to which taxes may be imposed as provided in paragraphs
20 (b) and (c) of this Section to facilitate the reporting and
21 nontaxability of the exempt sales or uses.

22 (m) Any ordinance imposing or discontinuing any tax under
23 this Section shall be adopted and a certified copy thereof
24 filed with the Department on or before June 1, whereupon the
25 Department of Revenue shall proceed to administer and enforce
26 this Section on behalf of the Regional Transportation

1 Authority as of September 1 next following such adoption and
2 filing. Beginning January 1, 1992, an ordinance or resolution
3 imposing or discontinuing the tax hereunder shall be adopted
4 and a certified copy thereof filed with the Department on or
5 before the first day of July, whereupon the Department shall
6 proceed to administer and enforce this Section as of the first
7 day of October next following such adoption and filing.
8 Beginning January 1, 1993, an ordinance or resolution
9 imposing, increasing, decreasing, or discontinuing the tax
10 hereunder shall be adopted and a certified copy thereof filed
11 with the Department, whereupon the Department shall proceed to
12 administer and enforce this Section as of the first day of the
13 first month to occur not less than 60 days following such
14 adoption and filing. Any ordinance or resolution of the
15 Authority imposing a tax under this Section and in effect on
16 August 1, 2007 shall remain in full force and effect and shall
17 be administered by the Department of Revenue under the terms
18 and conditions and rates of tax established by such ordinance
19 or resolution until the Department begins administering and
20 enforcing an increased tax under this Section as authorized by
21 Public Act 95-708. The tax rates authorized by Public Act
22 95-708 are effective only if imposed by ordinance of the
23 Authority.

24 (n) Except as otherwise provided in this subsection (n),
25 the State Department of Revenue shall, upon collecting any
26 taxes as provided in this Section, pay the taxes over to the

1 State Treasurer as trustee for the Authority. The taxes shall
2 be held in a trust fund outside the State Treasury. If an
3 airport-related purpose has been certified, taxes and
4 penalties collected in DuPage, Kane, Lake, McHenry and Will
5 counties on aviation fuel sold on or after December 1, 2019
6 from the 0.50% of the 0.75% rate shall be immediately paid over
7 by the Department to the State Treasurer, ex officio, as
8 trustee, for deposit into the Local Government Aviation Trust
9 Fund. The Department shall only pay moneys into the Local
10 Government Aviation Trust Fund under this Act for so long as
11 the revenue use requirements of 49 U.S.C. 47107(b) and 49
12 U.S.C. 47133 are binding on the Authority. On or before the
13 25th day of each calendar month, the State Department of
14 Revenue shall prepare and certify to the Comptroller of the
15 State of Illinois and to the Authority (i) the amount of taxes
16 collected in each county other than Cook County in the
17 metropolitan region, (not including, if an airport-related
18 purpose has been certified, the taxes and penalties collected
19 from the 0.50% of the 0.75% rate on aviation fuel sold on or
20 after December 1, 2019 that are deposited into the Local
21 Government Aviation Trust Fund) (ii) the amount of taxes
22 collected within the City of Chicago, and (iii) the amount
23 collected in that portion of Cook County outside of Chicago,
24 each amount less the amount necessary for the payment of
25 refunds to taxpayers located in those areas described in items
26 (i), (ii), and (iii), and less 1.5% of the remainder, which

1 shall be transferred from the trust fund into the Tax
2 Compliance and Administration Fund. The Department, at the
3 time of each monthly disbursement to the Authority, shall
4 prepare and certify to the State Comptroller the amount to be
5 transferred into the Tax Compliance and Administration Fund
6 under this subsection. Within 10 days after receipt by the
7 Comptroller of the certification of the amounts, the
8 Comptroller shall cause an order to be drawn for the transfer
9 of the amount certified into the Tax Compliance and
10 Administration Fund and the payment of two-thirds of the
11 amounts certified in item (i) of this subsection to the
12 Authority and one-third of the amounts certified in item (i)
13 of this subsection to the respective counties other than Cook
14 County and the amount certified in items (ii) and (iii) of this
15 subsection to the Authority.

16 In addition to the disbursement required by the preceding
17 paragraph, an allocation shall be made in July 1991 and each
18 year thereafter to the Regional Transportation Authority. The
19 allocation shall be made in an amount equal to the average
20 monthly distribution during the preceding calendar year
21 (excluding the 2 months of lowest receipts) and the allocation
22 shall include the amount of average monthly distribution from
23 the Regional Transportation Authority Occupation and Use Tax
24 Replacement Fund. The distribution made in July 1992 and each
25 year thereafter under this paragraph and the preceding
26 paragraph shall be reduced by the amount allocated and

1 disbursed under this paragraph in the preceding calendar year.
2 The Department of Revenue shall prepare and certify to the
3 Comptroller for disbursement the allocations made in
4 accordance with this paragraph.

5 (o) Failure to adopt a budget ordinance or otherwise to
6 comply with Section 4.01 of this Act or to adopt a Five-year
7 Capital Program or otherwise to comply with paragraph (b) of
8 Section 2.01 of this Act shall not affect the validity of any
9 tax imposed by the Authority otherwise in conformity with law.

10 (p) At no time shall a public transportation tax or motor
11 vehicle parking tax authorized under paragraphs (b), (c), and
12 (d) of this Section be in effect at the same time as any
13 retailers' occupation, use or service occupation tax
14 authorized under paragraphs (e), (f), and (g) of this Section
15 is in effect.

16 Any taxes imposed under the authority provided in
17 paragraphs (b), (c), and (d) shall remain in effect only until
18 the time as any tax authorized by paragraph (e), (f), or (g) of
19 this Section is ~~are~~ imposed and becomes effective. Once any
20 tax authorized by paragraph (e), (f), or (g) is imposed the
21 Board may not reimpose taxes as authorized in paragraphs (b),
22 (c), and (d) of the Section unless any tax authorized by
23 paragraph (e), (f), or (g) of this Section becomes ineffective
24 by means other than an ordinance of the Board.

25 (q) Any existing rights, remedies and obligations
26 (including enforcement by the Regional Transportation

1 Authority) arising under any tax imposed under paragraph (b),
2 (c), or (d) of this Section shall not be affected by the
3 imposition of a tax under paragraph (e), (f), or (g) of this
4 Section.

5 (Source: P.A. 102-700, eff. 4-19-22; 103-592, eff. 1-1-25;
6 103-781, eff. 8-5-24; revised 11-26-24.)

7 (70 ILCS 3615/4.03.3)

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (f) The Authority by ordinance adopted by 12 of its then
12 Directors, prior to February 1, 2026, and by the affirmative
13 vote of at least 14 of its then Directors, beginning February
14 1, 2026 shall apportion to the Service Boards funds provided
15 by the State of Illinois under Section 4.09(a)(1) as it shall
16 determine and shall make payment of the amounts to each
17 Service Board as soon as may be practicable upon their receipt
18 provided the Authority has adopted a balanced budget as
19 required by Section 4.01 and further provided the Service
20 Board is in compliance with the requirements in Section 4.11.

21 (g) Beginning January 1, 2009, before making any payments,
22 transfers, or expenditures under this Section to a Service
23 Board, the Authority must first comply with Section 4.02a or
24 4.02b of this Act, whichever may be applicable.

25 (h) Moneys may be appropriated from the Public
26 Transportation Fund to the Office of the Executive Inspector

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

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

10 (70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

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

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

1 construction or acquisition; to provide funds for any
2 transportation agency to pay principal of or interest or
3 redemption premium on any bonds or notes, whether as such
4 amounts become due or by earlier redemption, issued prior to
5 the date of this amendatory Act by such transportation agency
6 to construct or acquire public transportation facilities or to
7 provide funds to purchase such bonds or notes; and to provide
8 funds for any transportation agency to construct or acquire
9 any public transportation facilities, to repay advances made
10 for such purposes, and to pay other expenses incident to or
11 incurred in connection with such construction or acquisition;
12 and to provide funds for payment of obligations, including the
13 funding of reserves, under any self-insurance plan or joint
14 self-insurance pool or entity.

15 In addition to any other borrowing as may be authorized by
16 this Section, the Authority may issue its notes, from time to
17 time, in anticipation of tax receipts of the Authority or of
18 other revenues or receipts of the Authority, in order to
19 provide money for the Authority or the Service Boards to cover
20 any cash flow deficit which the Authority or a Service Board
21 anticipates incurring. Any such notes are referred to in this
22 Section as "Working Cash Notes". No Working Cash Notes shall
23 be issued for a term of longer than 24 months. Proceeds of
24 Working Cash Notes may be used to pay day to day operating
25 expenses of the Authority or the Service Boards, consisting of
26 wages, salaries, and fringe benefits, professional and

1 technical services (including legal, audit, engineering, and
2 other consulting services), office rental, furniture, fixtures
3 and equipment, insurance premiums, claims for self-insured
4 amounts under insurance policies, public utility obligations
5 for telephone, light, heat and similar items, travel expenses,
6 office supplies, postage, dues, subscriptions, public hearings
7 and information expenses, fuel purchases, and payments of
8 grants and payments under purchase of service agreements for
9 operations of transportation agencies, prior to the receipt by
10 the Authority or a Service Board from time to time of funds for
11 paying such expenses. In addition to any Working Cash Notes
12 that the Board of the Authority may determine to issue, the
13 Suburban Bus Board, the Commuter Rail Board or the Board of the
14 Chicago Transit Authority may demand and direct that the
15 Authority issue its Working Cash Notes in such amounts and
16 having such maturities as the Service Board may determine.

17 Notwithstanding any other provision of this Act, any
18 amounts necessary to pay principal of and interest on any
19 Working Cash Notes issued at the demand and direction of a
20 Service Board or any Working Cash Notes the proceeds of which
21 were used for the direct benefit of a Service Board or any
22 other Bonds or Notes of the Authority the proceeds of which
23 were used for the direct benefit of a Service Board shall
24 constitute a reduction of the amount of any other funds
25 provided by the Authority to that Service Board. The Authority
26 shall, after deducting any costs of issuance, tender the net

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

21 (b) The ordinance providing for the issuance of any such
22 bonds or notes shall fix the date or dates of maturity, the
23 dates on which interest is payable, any sinking fund account
24 or reserve fund account provisions and all other details of
25 such bonds or notes and may provide for such covenants or
26 agreements necessary or desirable with regard to the issue,

1 sale and security of such bonds or notes. The rate or rates of
2 interest on its bonds or notes may be fixed or variable and the
3 Authority shall determine or provide for the determination of
4 the rate or rates of interest of its bonds or notes issued
5 under this Act in an ordinance adopted by the Authority prior
6 to the issuance thereof, none of which rates of interest shall
7 exceed that permitted in the Bond Authorization Act. Interest
8 may be payable at such times as are provided for by the Board.
9 Bonds and notes issued under this Section may be issued as
10 serial or term obligations, shall be of such denomination or
11 denominations and form, including interest coupons to be
12 attached thereto, be executed in such manner, shall be payable
13 at such place or places and bear such date as the Authority
14 shall fix by the ordinance authorizing such bond or note and
15 shall mature at such time or times, within a period not to
16 exceed 40 ~~forty~~ years from the date of issue, and may be
17 redeemable prior to maturity with or without premium, at the
18 option of the Authority, upon such terms and conditions as the
19 Authority shall fix by the ordinance authorizing the issuance
20 of such bonds or notes. No bond anticipation note or any
21 renewal thereof shall mature at any time or times exceeding 5
22 years from the date of the first issuance of such note. The
23 Authority may provide for the registration of bonds or notes
24 in the name of the owner as to the principal alone or as to
25 both principal and interest, upon such terms and conditions as
26 the Authority may determine. The ordinance authorizing bonds

1 or notes may provide for the exchange of such bonds or notes
2 which are fully registered, as to both principal and interest,
3 with bonds or notes which are registerable as to principal
4 only. All bonds or notes issued under this Section by the
5 Authority other than those issued in exchange for property or
6 for bonds or notes of the Authority shall be sold at a price
7 which may be at a premium or discount but such that the
8 interest cost (excluding any redemption premium) to the
9 Authority of the proceeds of an issue of such bonds or notes,
10 computed to stated maturity according to standard tables of
11 bond values, shall not exceed that permitted in the Bond
12 Authorization Act. The Authority shall notify the Governor's
13 Office of Management and Budget and the State Comptroller at
14 least 30 days before any bond sale and shall file with the
15 Governor's Office of Management and Budget and the State
16 Comptroller a certified copy of any ordinance authorizing the
17 issuance of bonds at or before the issuance of the bonds. After
18 December 31, 1994, any such bonds or notes shall be sold to the
19 highest and best bidder on sealed bids as the Authority shall
20 deem. As such bonds or notes are to be sold the Authority shall
21 advertise for proposals to purchase the bonds or notes which
22 advertisement shall be published at least once in a daily
23 newspaper of general circulation published in the metropolitan
24 region at least 10 days before the time set for the submission
25 of bids. The Authority shall have the right to reject any or
26 all bids. Notwithstanding any other provisions of this

1 Section, Working Cash Notes or bonds or notes to provide funds
2 for self-insurance or a joint self-insurance pool or entity
3 may be sold either upon competitive bidding or by negotiated
4 sale (without any requirement of publication of intention to
5 negotiate the sale of such Notes), as the Board shall
6 determine by ordinance adopted with the affirmative votes of
7 at least 9 Directors, prior to February 1, 2026, and by the
8 affirmative vote of a simple majority of Directors, beginning
9 February 1, 2026. In case any officer whose signature appears
10 on any bonds, notes or coupons authorized pursuant to this
11 Section shall cease to be such officer before delivery of such
12 bonds or notes, such signature shall nevertheless be valid and
13 sufficient for all purposes, the same as if such officer had
14 remained in office until such delivery. Neither the Directors
15 of the Authority nor any person executing any bonds or notes
16 thereof shall be liable personally on any such bonds or notes
17 or coupons by reason of the issuance thereof.

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

1 or moneys of the Authority from whatever source, which may by
2 law be utilized for debt service purposes and a specific
3 pledge or assignment of and lien on or security interest in any
4 funds or accounts established or provided for by the ordinance
5 of the Authority authorizing the issuance of such bonds or
6 notes. Any such pledge, assignment, lien, or security interest
7 for the benefit of holders of bonds or notes of the Authority
8 shall be valid and binding from the time the bonds or notes are
9 issued without any physical delivery or further act and shall
10 be valid and binding as against and prior to the claims of all
11 other parties having claims of any kind against the Authority
12 or any other person irrespective of whether such other parties
13 have notice of such pledge, assignment, lien, or security
14 interest. The obligations of the Authority incurred pursuant
15 to this Section shall be superior to and have priority over any
16 other obligations of the Authority.

17 The Authority may provide in the ordinance authorizing the
18 issuance of any bonds or notes issued pursuant to this Section
19 for the creation of, deposits in, and regulation and
20 disposition of sinking fund or reserve accounts relating to
21 such bonds or notes. The ordinance authorizing the issuance of
22 any bonds or notes pursuant to this Section may contain
23 provisions as part of the contract with the holders of the
24 bonds or notes, for the creation of a separate fund to provide
25 for the payment of principal and interest on such bonds or
26 notes and for the deposit in such fund from any or all the tax

1 receipts of the Authority and from any or all such other moneys
2 or revenues of the Authority from whatever source which may by
3 law be utilized for debt service purposes, all as provided in
4 such ordinance, of amounts to meet the debt service
5 requirements on such bonds or notes, including principal and
6 interest, and any sinking fund or reserve fund account
7 requirements as may be provided by such ordinance, and all
8 expenses incident to or in connection with such fund and
9 accounts or the payment of such bonds or notes. Such ordinance
10 may also provide limitations on the issuance of additional
11 bonds or notes of the Authority. No such bonds or notes of the
12 Authority shall constitute a debt of the State of Illinois.
13 Nothing in this Act shall be construed to enable the Authority
14 to impose any ad valorem tax on property.

15 (d) The ordinance of the Authority authorizing the
16 issuance of any bonds or notes may provide additional security
17 for such bonds or notes by providing for appointment of a
18 corporate trustee (which may be any trust company or bank
19 having the powers of a trust company within the state) with
20 respect to such bonds or notes. The ordinance shall prescribe
21 the rights, duties, and powers of the trustee to be exercised
22 for the benefit of the Authority and the protection of the
23 holders of such bonds or notes. The ordinance may provide for
24 the trustee to hold in trust, invest, and use amounts in funds
25 and accounts created as provided by the ordinance with respect
26 to the bonds or notes. The ordinance may provide for the

1 assignment and direct payment to the trustee of any or all
2 amounts produced from the sources provided in Section 4.03 and
3 Section 4.09 of this Act and provided in Section 6z-17 of the
4 State Finance Act. Upon receipt of notice of any such
5 assignment, the Department of Revenue and the Comptroller of
6 the State of Illinois shall thereafter, notwithstanding the
7 provisions of Section 4.03 and Section 4.09 of this Act and
8 Section 6z-17 of the State Finance Act, provide for such
9 assigned amounts to be paid directly to the trustee instead of
10 the Authority, all in accordance with the terms of the
11 ordinance making the assignment. The ordinance shall provide
12 that amounts so paid to the trustee which are not required to
13 be deposited, held or invested in funds and accounts created
14 by the ordinance with respect to bonds or notes or used for
15 paying bonds or notes to be paid by the trustee to the
16 Authority.

17 (e) Any bonds or notes of the Authority issued pursuant to
18 this Section shall constitute a contract between the Authority
19 and the holders from time to time of such bonds or notes. In
20 issuing any bond or note, the Authority may include in the
21 ordinance authorizing such issue a covenant as part of the
22 contract with the holders of the bonds or notes, that as long
23 as such obligations are outstanding, it shall make such
24 deposits, as provided in paragraph (c) of this Section. It may
25 also so covenant that it shall impose and continue to impose
26 taxes, as provided in Section 4.03 of this Act and in addition

1 thereto as subsequently authorized by law, sufficient to make
2 such deposits and pay the principal and interest and to meet
3 other debt service requirements of such bonds or notes as they
4 become due. A certified copy of the ordinance authorizing the
5 issuance of any such obligations shall be filed at or prior to
6 the issuance of such obligations with the Comptroller of the
7 State of Illinois and the Illinois Department of Revenue.

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

1 (g) (1) Except as provided in subdivisions (g) (2) and
2 (g) (3) of Section 4.04 of this Act, the Authority shall not at
3 any time issue, sell or deliver any bonds or notes (other than
4 Working Cash Notes and lines of credit) pursuant to this
5 Section 4.04 which will cause it to have issued and
6 outstanding at any time in excess of \$800,000,000 of such
7 bonds and notes (other than Working Cash Notes and lines of
8 credit). The Authority shall not issue, sell, or deliver any
9 Working Cash Notes or establish a line of credit pursuant to
10 this Section that will cause it to have issued and outstanding
11 at any time in excess of \$100,000,000. However, the Authority
12 may issue, sell, and deliver additional Working Cash Notes or
13 establish a line of credit before July 1, 2022 that are over
14 and above and in addition to the \$100,000,000 authorization
15 such that the outstanding amount of these additional Working
16 Cash Notes and lines of credit does not exceed at any time
17 \$300,000,000. Bonds or notes which are being paid or retired
18 by such issuance, sale or delivery of bonds or notes, and bonds
19 or notes for which sufficient funds have been deposited with
20 the paying agency of such bonds or notes to provide for payment
21 of principal and interest thereon or to provide for the
22 redemption thereof, all pursuant to the ordinance authorizing
23 the issuance of such bonds or notes, shall not be considered to
24 be outstanding for the purposes of this subsection.

25 (2) In addition to the authority provided by paragraphs
26 (1) and (3), the Authority is authorized to issue, sell, and

1 deliver bonds or notes for Strategic Capital Improvement
2 Projects approved pursuant to Section 4.13 as follows:

3 \$100,000,000 is authorized to be issued on or after
4 January 1, 1990;

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

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

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

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

13 the aggregate total authorization of bonds and notes
14 for Strategic Capital Improvement Projects as of January
15 1, 1994, shall be \$500,000,000.

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

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

5 \$260,000,000 is authorized to be issued on or after
6 January 1, 2000;

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

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

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

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

15 the aggregate total authorization of bonds and notes
16 for Strategic Capital Improvement Projects pursuant to
17 this paragraph (3) as of January 1, 2004 shall be
18 \$1,300,000,000.

19 The Authority is also authorized to issue, sell, and
20 deliver bonds or notes in such amounts as are necessary to
21 provide for the refunding or advance refunding of bonds or
22 notes issued for Strategic Capital Improvement projects under
23 this subdivision (g) (3), provided that no such refunding bond
24 or note shall mature later than the final maturity date of the
25 series of bonds or notes being refunded, and provided further
26 that the debt service requirements for such refunding bonds or

1 notes in the current or any future fiscal year shall not exceed
2 the debt service requirements for that year on the refunded
3 bonds or notes.

4 (h) The Authority, subject to the terms of any agreements
5 with noteholders or bond holders as may then exist, shall have
6 power, out of any funds available therefor, to purchase notes
7 or bonds of the Authority, which shall thereupon be cancelled.

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

22 (1) in the first year after default, one-third of the
23 total amount of any payments of State funds to the
24 Authority;

25 (2) in the second year after default, two-thirds of
26 the total amount of any payments of State funds to the

1 Authority; and

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

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

16 Before establishing a line of credit under this subsection
17 (j), the Authority shall authorize the line of credit by
18 ordinance. The ordinance shall set forth facts demonstrating
19 the need for the line of credit, state the amount to be
20 borrowed, establish a maximum interest rate limit not to
21 exceed the maximum rate authorized by the Bond Authorization
22 Act, and provide a date by which the borrowed funds shall be
23 repaid. The ordinance shall authorize and direct the relevant
24 officials to make arrangements to set apart and hold, as
25 applicable, the moneys that will be used to repay the
26 borrowing. In addition, the ordinance may authorize the

1 relevant officials to make partial repayments on the line of
2 credit as the moneys become available and may contain any
3 other terms, restrictions, or limitations desirable or
4 necessary to give effect to this subsection (j).

5 The Authority shall notify the Governor's Office of
6 Management and Budget and the State Comptroller at least 30
7 days before establishing a line of credit and shall file with
8 the Governor's Office of Management and Budget and the State
9 Comptroller a certified copy of any ordinance authorizing the
10 establishment of a line of credit upon or before establishing
11 the line of credit.

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

15 (Source: P.A. 101-485, eff. 8-23-19; 102-558, eff. 8-20-21.)

16 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

17 Sec. 4.09. Public Transportation Fund and the Regional
18 Transportation Authority Occupation and Use Tax Replacement
19 Fund.

20 (a)(1) Except as otherwise provided in paragraph (4), as
21 soon as possible after the first day of each month, beginning
22 July 1, 1984, upon certification of the Department of Revenue,
23 the Comptroller shall order transferred and the Treasurer
24 shall transfer from the General Revenue Fund to a special fund
25 in the State Treasury to be known as the Public Transportation

1 Fund an amount equal to 25% of the net revenue, before the
2 deduction of the serviceman and retailer discounts pursuant to
3 Section 9 of the Service Occupation Tax Act and Section 3 of
4 the Retailers' Occupation Tax Act, realized from any tax
5 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
6 and 25% of the amounts deposited into the Regional
7 Transportation Authority tax fund created by Section 4.03 of
8 this Act, from the County and Mass Transit District Fund as
9 provided in Section 6z-20 of the State Finance Act and 25% of
10 the amounts deposited into the Regional Transportation
11 Authority Occupation and Use Tax Replacement Fund from the
12 State and Local Sales Tax Reform Fund as provided in Section
13 6z-17 of the State Finance Act. On the first day of the month
14 following the date that the Department receives revenues from
15 increased taxes under Section 4.03(m) as authorized by Public
16 Act 95-708, in lieu of the transfers authorized in the
17 preceding sentence, upon certification of the Department of
18 Revenue, the Comptroller shall order transferred and the
19 Treasurer shall transfer from the General Revenue Fund to the
20 Public Transportation Fund an amount equal to 25% of the net
21 revenue, before the deduction of the serviceman and retailer
22 discounts pursuant to Section 9 of the Service Occupation Tax
23 Act and Section 3 of the Retailers' Occupation Tax Act,
24 realized from (i) 80% of the proceeds of any tax imposed by the
25 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
26 proceeds of any tax imposed by the Authority at the rate of 1%

1 in Cook County, and (iii) one-third of the proceeds of any tax
2 imposed by the Authority at the rate of 0.75% in the Counties
3 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
4 Section 4.03, and 25% of the net revenue realized from any tax
5 imposed by the Authority pursuant to Section 4.03.1, and 25%
6 of the amounts deposited into the Regional Transportation
7 Authority tax fund created by Section 4.03 of this Act from the
8 County and Mass Transit District Fund as provided in Section
9 6z-20 of the State Finance Act, and 25% of the amounts
10 deposited into the Regional Transportation Authority
11 Occupation and Use Tax Replacement Fund from the State and
12 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
13 State Finance Act. As used in this Section, net revenue
14 realized for a month shall be the revenue collected by the
15 State pursuant to Sections 4.03 and 4.03.1 during the previous
16 month from within the metropolitan region, less the amount
17 paid out during that same month as refunds to taxpayers for
18 overpayment of liability in the metropolitan region under
19 Sections 4.03 and 4.03.1.

20 Notwithstanding any provision of law to the contrary,
21 beginning on July 6, 2017 (the effective date of Public Act
22 100-23), those amounts required under this paragraph (1) of
23 subsection (a) to be transferred by the Treasurer into the
24 Public Transportation Fund from the General Revenue Fund shall
25 be directly deposited into the Public Transportation Fund as
26 the revenues are realized from the taxes indicated.

1 (2) Except as otherwise provided in paragraph (4), on
2 February 1, 2009 (the first day of the month following the
3 effective date of Public Act 95-708) and each month
4 thereafter, upon certification by the Department of Revenue,
5 the Comptroller shall order transferred and the Treasurer
6 shall transfer from the General Revenue Fund to the Public
7 Transportation Fund an amount equal to 5% of the net revenue,
8 before the deduction of the serviceman and retailer discounts
9 pursuant to Section 9 of the Service Occupation Tax Act and
10 Section 3 of the Retailers' Occupation Tax Act, realized from
11 any tax imposed by the Authority pursuant to Sections 4.03 and
12 4.03.1 and certified by the Department of Revenue under
13 Section 4.03(n) of this Act to be paid to the Authority and 5%
14 of the amounts deposited into the Regional Transportation
15 Authority tax fund created by Section 4.03 of this Act from the
16 County and Mass Transit District Fund as provided in Section
17 6z-20 of the State Finance Act, and 5% of the amounts deposited
18 into the Regional Transportation Authority Occupation and Use
19 Tax Replacement Fund from the State and Local Sales Tax Reform
20 Fund as provided in Section 6z-17 of the State Finance Act, and
21 5% of the revenue realized by the Chicago Transit Authority as
22 financial assistance from the City of Chicago from the
23 proceeds of any tax imposed by the City of Chicago under
24 Section 8-3-19 of the Illinois Municipal Code.

25 Notwithstanding any provision of law to the contrary,
26 beginning on July 6, 2017 (the effective date of Public Act

1 100-23), those amounts required under this paragraph (2) of
2 subsection (a) to be transferred by the Treasurer into the
3 Public Transportation Fund from the General Revenue Fund shall
4 be directly deposited into the Public Transportation Fund as
5 the revenues are realized from the taxes indicated.

6 (3) Except as otherwise provided in paragraph (4), as soon
7 as possible after the first day of January, 2009 and each month
8 thereafter, upon certification of the Department of Revenue
9 with respect to the taxes collected under Section 4.03, the
10 Comptroller shall order transferred and the Treasurer shall
11 transfer from the General Revenue Fund to the Public
12 Transportation Fund an amount equal to 25% of the net revenue,
13 before the deduction of the serviceman and retailer discounts
14 pursuant to Section 9 of the Service Occupation Tax Act and
15 Section 3 of the Retailers' Occupation Tax Act, realized from
16 (i) 20% of the proceeds of any tax imposed by the Authority at
17 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
18 tax imposed by the Authority at the rate of 1% in Cook County,
19 and (iii) one-third of the proceeds of any tax imposed by the
20 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
21 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
22 Comptroller shall order transferred and the Treasurer shall
23 transfer from the General Revenue Fund to the Public
24 Transportation Fund (iv) an amount equal to 25% of the revenue
25 realized by the Chicago Transit Authority as financial
26 assistance from the City of Chicago from the proceeds of any

1 tax imposed by the City of Chicago under Section 8-3-19 of the
2 Illinois Municipal Code.

3 Notwithstanding any provision of law to the contrary,
4 beginning on July 6, 2017 (the effective date of Public Act
5 100-23), those amounts required under this paragraph (3) of
6 subsection (a) to be transferred by the Treasurer into the
7 Public Transportation Fund from the General Revenue Fund shall
8 be directly deposited into the Public Transportation Fund as
9 the revenues are realized from the taxes indicated.

10 (4) Notwithstanding any provision of law to the contrary,
11 for the State fiscal year beginning July 1, 2024 and each State
12 fiscal year thereafter, the first \$150,000,000 that would have
13 otherwise been transferred from the General Revenue Fund and
14 deposited into the Public Transportation Fund as provided in
15 paragraphs (1), (2), and (3) of this subsection (a) shall
16 instead be transferred from the Road Fund by the Treasurer
17 upon certification by the Department of Revenue and order of
18 the Comptroller. For the State fiscal year beginning July 1,
19 2024, only, the next \$75,000,000 that would have otherwise
20 been transferred from the General Revenue Fund and deposited
21 into the Public Transportation Fund as provided in paragraphs
22 (1), (2), and (3) of this subsection (a) shall instead be
23 transferred from the Road Fund and deposited into the Public
24 Transportation Fund by the Treasurer upon certification by the
25 Department of Revenue and order of the Comptroller. The funds
26 authorized and transferred pursuant to this amendatory Act of

1 the 103rd General Assembly are not intended or planned for
2 road construction projects. For the State fiscal year
3 beginning July 1, 2024, only, the next \$50,000,000 that would
4 have otherwise been transferred from the General Revenue Fund
5 and deposited into the Public Transportation Fund as provided
6 in paragraphs (1), (2), and (3) of this subsection (a) shall
7 instead be transferred from the Underground Storage Tank Fund
8 and deposited into the Public Transportation Fund by the
9 Treasurer upon certification by the Department of Revenue and
10 order of the Comptroller. The remaining balance shall be
11 deposited each State fiscal year as otherwise provided in
12 paragraphs (1), (2), and (3) of this subsection (a).

13 (5) (Blank).

14 (6) (Blank).

15 (7) For State fiscal year 2020 only, notwithstanding any
16 provision of law to the contrary, the total amount of revenue
17 and deposits under this Section attributable to revenues
18 realized during State fiscal year 2020 shall be reduced by 5%.

19 (8) For State fiscal year 2021 only, notwithstanding any
20 provision of law to the contrary, the total amount of revenue
21 and deposits under this Section attributable to revenues
22 realized during State fiscal year 2021 shall be reduced by 5%.

23 (b)(1) All moneys deposited in the Public Transportation
24 Fund and the Regional Transportation Authority Occupation and
25 Use Tax Replacement Fund, whether deposited pursuant to this
26 Section or otherwise, are allocated to the Authority, except

1 for amounts appropriated to the Office of the Executive
2 Inspector General as authorized by subsection (h) of Section
3 4.03.3 and amounts transferred to the Audit Expense Fund
4 pursuant to Section 6z-27 of the State Finance Act. The
5 Comptroller, as soon as possible after each monthly transfer
6 provided in this Section and after each deposit into the
7 Public Transportation Fund, shall order the Treasurer to pay
8 to the Authority out of the Public Transportation Fund the
9 amount so transferred or deposited. Any Additional State
10 Assistance and Additional Financial Assistance paid to the
11 Authority under this Section shall be expended by the
12 Authority for its purposes as provided in this Act. The
13 balance of the amounts paid to the Authority from the Public
14 Transportation Fund shall be expended by the Authority as
15 provided in Section 4.03.3. The Comptroller, as soon as
16 possible after each deposit into the Regional Transportation
17 Authority Occupation and Use Tax Replacement Fund provided in
18 this Section and Section 6z-17 of the State Finance Act, shall
19 order the Treasurer to pay to the Authority out of the Regional
20 Transportation Authority Occupation and Use Tax Replacement
21 Fund the amount so deposited. Such amounts paid to the
22 Authority may be expended by it for its purposes as provided in
23 this Act. The provisions directing the distributions from the
24 Public Transportation Fund and the Regional Transportation
25 Authority Occupation and Use Tax Replacement Fund provided for
26 in this Section shall constitute an irrevocable and continuing

1 appropriation of all amounts as provided herein. The State
2 Treasurer and State Comptroller are hereby authorized and
3 directed to make distributions as provided in this Section.

4 (2) Provided, however, no moneys deposited under subsection
5 (a) of this Section shall be paid from the Public
6 Transportation Fund to the Authority or its assignee for any
7 fiscal year until the Authority has certified to the Governor,
8 the Comptroller, and the Mayor of the City of Chicago that it
9 has adopted for that fiscal year an Annual Budget and Two-Year
10 Financial Plan meeting the requirements in Section 4.01(b).

11 (c) In recognition of the efforts of the Authority to
12 enhance the mass transportation facilities under its control,
13 the State shall provide financial assistance ("Additional
14 State Assistance") in excess of the amounts transferred to the
15 Authority from the General Revenue Fund under subsection (a)
16 of this Section. Additional State Assistance shall be
17 calculated as provided in subsection (d), but shall in no
18 event exceed the following specified amounts with respect to
19 the following State fiscal years:

20	1990	\$5,000,000;
21	1991	\$5,000,000;
22	1992	\$10,000,000;
23	1993	\$10,000,000;
24	1994	\$20,000,000;
25	1995	\$30,000,000;
26	1996	\$40,000,000;

1 1997 \$50,000,000;
2 1998 \$55,000,000; and
3 each year thereafter \$55,000,000.

4 (c-5) The State shall provide financial assistance
5 ("Additional Financial Assistance") in addition to the
6 Additional State Assistance provided by subsection (c) and the
7 amounts transferred to the Authority from the General Revenue
8 Fund under subsection (a) of this Section. Additional
9 Financial Assistance provided by this subsection shall be
10 calculated as provided in subsection (d), but shall in no
11 event exceed the following specified amounts with respect to
12 the following State fiscal years:

13 2000 \$0;
14 2001 \$16,000,000;
15 2002 \$35,000,000;
16 2003 \$54,000,000;
17 2004 \$73,000,000;
18 2005 \$93,000,000; and
19 each year thereafter \$100,000,000.

20 (d) Beginning with State fiscal year 1990 and continuing
21 for each State fiscal year thereafter, the Authority shall
22 annually certify to the State Comptroller and State Treasurer,
23 separately with respect to each of subdivisions (g)(2) and
24 (g)(3) of Section 4.04 of this Act, the following amounts:

25 (1) The amount necessary and required, during the
26 State fiscal year with respect to which the certification

1 is made, to pay its obligations for debt service on all
2 outstanding bonds or notes issued by the Authority under
3 subdivisions (g) (2) and (g) (3) of Section 4.04 of this
4 Act.

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

10 (3) Its debt service savings during the preceding
11 State fiscal year from refunding or advance refunding of
12 bonds or notes issued under subdivisions (g) (2) and (g) (3)
13 of Section 4.04.

14 (4) The amount of interest, if any, earned by the
15 Authority during the previous State fiscal year on the
16 proceeds of bonds or notes issued pursuant to subdivisions
17 (g) (2) and (g) (3) of Section 4.04, other than refunding or
18 advance refunding bonds or notes.

19 The certification shall include a specific schedule of
20 debt service payments, including the date and amount of each
21 payment for all outstanding bonds or notes and an estimated
22 schedule of anticipated debt service for all bonds and notes
23 it intends to issue, if any, during that State fiscal year,
24 including the estimated date and estimated amount of each
25 payment.

26 Immediately upon the issuance of bonds for which an

1 estimated schedule of debt service payments was prepared, the
2 Authority shall file an amended certification with respect to
3 item (2) above, to specify the actual schedule of debt service
4 payments, including the date and amount of each payment, for
5 the remainder of the State fiscal year.

6 On the first day of each month of the State fiscal year in
7 which there are bonds outstanding with respect to which the
8 certification is made, the State Comptroller shall order
9 transferred and the State Treasurer shall transfer from the
10 Road Fund to the Public Transportation Fund the Additional
11 State Assistance and Additional Financial Assistance in an
12 amount equal to the aggregate of (i) one-twelfth of the sum of
13 the amounts certified under items (1) and (3) above less the
14 amount certified under item (4) above, plus (ii) the amount
15 required to pay debt service on bonds and notes issued during
16 the fiscal year, if any, divided by the number of months
17 remaining in the fiscal year after the date of issuance, or
18 some smaller portion as may be necessary under subsection (c)
19 or (c-5) of this Section for the relevant State fiscal year,
20 plus (iii) any cumulative deficiencies in transfers for prior
21 months, until an amount equal to the sum of the amounts
22 certified under items (1) and (3) above, plus the actual debt
23 service certified under item (2) above, less the amount
24 certified under item (4) above, has been transferred; except
25 that these transfers are subject to the following limits:

26 (A) In no event shall the total transfers in any State

1 fiscal year relating to outstanding bonds and notes issued
2 by the Authority under subdivision (g)(2) of Section 4.04
3 exceed the lesser of the annual maximum amount specified
4 in subsection (c) or the sum of the amounts certified
5 under items (1) and (3) above, plus the actual debt
6 service certified under item (2) above, less the amount
7 certified under item (4) above, with respect to those
8 bonds and notes.

9 (B) 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)(3) of Section 4.04
12 exceed the lesser of the annual maximum amount specified
13 in subsection (c-5) or the sum of the amounts certified
14 under items (1) and (3) above, plus the actual debt
15 service certified under item (2) above, less the amount
16 certified under item (4) above, with respect to those
17 bonds and notes.

18 The term "outstanding" does not include bonds or notes for
19 which refunding or advance refunding bonds or notes have been
20 issued.

21 (e) Neither Additional State Assistance nor Additional
22 Financial Assistance may be pledged, either directly or
23 indirectly as general revenues of the Authority, as security
24 for any bonds issued by the Authority. The Authority may not
25 assign its right to receive Additional State Assistance or
26 Additional Financial Assistance, or direct payment of

1 Additional State Assistance or Additional Financial
2 Assistance, to a trustee or any other entity for the payment of
3 debt service on its bonds.

4 (f) The certification required under subsection (d) with
5 respect to outstanding bonds and notes of the Authority shall
6 be filed as early as practicable before the beginning of the
7 State fiscal year to which it relates. The certification shall
8 be revised as may be necessary to accurately state the debt
9 service requirements of the Authority.

10 (g) Within 6 months of the end of each fiscal year, the
11 Authority shall determine:

12 (i) whether the aggregate of all system generated
13 revenues for public transportation in the metropolitan
14 region which is provided by, or under grant or purchase of
15 service contracts with, the Service Boards equals 50% of
16 the aggregate of all costs of providing such public
17 transportation. For fiscal years 2026 and 2027, the
18 Authority shall determine if all system generated revenues
19 for public transportation in the metropolitan region which
20 is provided by, or under grant or purchase of service
21 contracts with, the Service Boards equals 25% of the
22 aggregate of all costs of providing such public
23 transportation. For fiscal years 2028 and 2029 and every
24 year thereafter, the Authority shall determine if all
25 system generated revenues for public transportation in the
26 metropolitan region that is provided by, or under grant or

1 purchase of service contracts with, the Service Boards
2 equals 15% of the aggregate of all costs of providing such
3 public transportation. Prior to the beginning of fiscal
4 year 2030, the General Assembly shall reevaluate and
5 determine the appropriate system generated revenues
6 recovery ratio for future years. "System generated
7 revenues" include all the proceeds of fares and charges
8 for services provided, contributions received in
9 connection with public transportation from units of local
10 government other than the Authority, except for
11 contributions received by the Chicago Transit Authority
12 from a real estate transfer tax imposed under subsection
13 (i) of Section 8-3-19 of the Illinois Municipal Code, and
14 from the State pursuant to subsection (i) of Section
15 2705-305 of the Department of Transportation Law, and all
16 other revenues properly included consistent with generally
17 accepted accounting principles but may not include: the
18 proceeds from any borrowing, and, beginning with the 2007
19 fiscal year, all revenues and receipts, including but not
20 limited to fares and grants received from the federal,
21 State or any unit of local government or other entity,
22 derived from providing ADA paratransit service pursuant to
23 Section 2.30 of the Regional Transportation Authority Act.
24 "Costs" include all items properly included as operating
25 costs consistent with generally accepted accounting
26 principles, including administrative costs, but do not

1 include: depreciation; payment of principal and interest
2 on bonds, notes or other evidences of obligations for
3 borrowed money of the Authority; payments with respect to
4 public transportation facilities made pursuant to
5 subsection (b) of Section 2.20; any payments with respect
6 to rate protection contracts, credit enhancements or
7 liquidity agreements made under Section 4.14; any other
8 cost as to which it is reasonably expected that a cash
9 expenditure will not be made; costs for passenger security
10 including grants, contracts, personnel, equipment and
11 administrative expenses, except in the case of the Chicago
12 Transit Authority, in which case the term does not include
13 costs spent annually by that entity for protection against
14 crime as required by Section 27a of the Metropolitan
15 Transit Authority Act; the costs of Debt Service paid by
16 the Chicago Transit Authority, as defined in Section 12c
17 of the Metropolitan Transit Authority Act, or bonds or
18 notes issued pursuant to that Section; the payment by the
19 Commuter Rail Division of debt service on bonds issued
20 pursuant to Section 3B.09; expenses incurred by the
21 Suburban Bus Division for the cost of new public
22 transportation services funded from grants pursuant to
23 Section 2.01e of this Act for a period of 2 years from the
24 date of initiation of each such service; costs as exempted
25 by the Board for projects pursuant to Section 2.09 of this
26 Act; or, beginning with the 2007 fiscal year, expenses

1 related to providing ADA paratransit service pursuant to
2 Section 2.30 of the Regional Transportation Authority Act;
3 or in fiscal years 2008 through 2012 inclusive, costs in
4 the amount of \$200,000,000 in fiscal year 2008, reducing
5 by \$40,000,000 in each fiscal year thereafter until this
6 exemption is eliminated; and expenses incurred by any and
7 all Service Boards for the cost of new public
8 transportation services for a period of 2 years from the
9 date of initiation of each such service. If said system
10 generated revenues are less than 50% of said costs, the
11 Board shall remit an amount equal to the amount of the
12 deficit to the State; however, due to the fiscal impacts
13 from the COVID-19 pandemic, for fiscal years 2021, 2022,
14 2023, 2024, and 2025, no such payment shall be required.
15 The Treasurer shall deposit any such payment in the Road
16 Fund; and

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

24 (h) If the Authority makes any payment to the State under
25 paragraph (g), the Authority shall reduce the amount provided
26 to a Service Board from funds transferred under paragraph (a)

1 in proportion to the amount by which that Service Board failed
2 to meet its required system generated revenues recovery ratio.
3 A Service Board which is affected by a reduction in funds under
4 this paragraph shall submit to the Authority concurrently with
5 its next due quarterly report a revised budget incorporating
6 the reduction in funds. The revised budget must meet the
7 criteria specified in clauses (i) through (vi) of Section
8 4.11(b)(2). The Board shall review and act on the revised
9 budget as provided in Section 4.11(b)(3).

10 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24;
11 103-588, eff. 6-5-24.)

12 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

13 Sec. 4.11. Budget Review Powers.

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

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

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

24 (b) (1) Not later than the next preceding November 15 prior
25 to the commencement of such fiscal year, each Service Board
26 shall submit to the Authority its proposed budget for such

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

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

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

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

24 (iii) such budget and plan provide for a level of
25 fares or charges and operating or administrative costs for
26 the public transportation provided by or subject to the

1 jurisdiction of such Service Board sufficient to allow the
2 Service Board to meet its required system generated
3 revenue recovery ratio and, beginning with the 2007 fiscal
4 year, system generated ADA paratransit services revenue
5 recovery ratio;

6 (iv) such budget and plan are based upon and employ
7 assumptions and projections which are reasonable and
8 prudent;

9 (v) such budget and plan have been prepared in
10 accordance with sound financial practices as determined by
11 the Board;

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

15 (vii) such budget and plan are consistent with the
16 goals and objectives adopted by the Authority in the
17 Strategic Plan.

18 (3) (Blank).

19 (4) Unless the Board by an affirmative vote of 12 of the
20 then Directors, prior to February 1, 2026, and by the
21 affirmative vote of at least 14 of the then Directors,
22 beginning February 1, 2026, determines that the budget and
23 financial plan of a Service Board meets the criteria specified
24 in clauses (i) through (vii) of subparagraph (2) of this
25 paragraph (b), the Board shall withhold from that Service
26 Board 25% of the cash proceeds of taxes imposed by the

1 Authority under Section 4.03 and Section 4.03.1 and received
2 after February 1 and 25% of the amounts transferred to the
3 Authority from the Public Transportation Fund under Section
4 4.09(a) (but not including Section 4.09(a)(3)(iv)) after
5 February 1 that the Board has estimated to be available to that
6 Service Board under Section 4.11(a). Such funding shall be
7 released to the Service Board only upon approval of a budget
8 and financial plan under this Section or adoption of a budget
9 and financial plan on behalf of the Service Board by the
10 Authority.

11 (5) If the Board has not found that the budget and
12 financial plan of a Service Board meets the criteria specified
13 in clauses (i) through (vii) of subparagraph (2) of this
14 paragraph (b), the Board, by the affirmative vote of at least
15 12 of its then Directors, prior to February 1, 2026, and by the
16 affirmative vote of at least 14 of the then Directors,
17 beginning February 1, 2026, shall adopt a budget and financial
18 plan meeting such criteria for that Service Board.

19 (c)(1) If the Board shall at any time have received a
20 revised estimate, or revises any estimate the Board has made,
21 pursuant to this Section of the receipts to be collected by the
22 Authority which, in the judgment of the Board, requires a
23 change in the estimates on which the budget of any Service
24 Board is based, the Board shall advise the affected Service
25 Board of such revised estimates, and such Service Board shall
26 within 30 days after receipt of such advice submit a revised

1 budget incorporating such revised estimates. If the revised
2 estimates require, in the judgment of the Board, that the
3 system generated revenues recovery ratio of one or more
4 Service Boards be revised in order to allow the Authority to
5 meet its required ratio, the Board shall advise any such
6 Service Board of its revised ratio and such Service Board
7 shall within 30 days after receipt of such advice submit a
8 revised budget incorporating such revised estimates or ratio.

9 (2) Each Service Board shall, within such period after the
10 end of each fiscal quarter as shall be specified by the Board,
11 report to the Authority its financial condition and results of
12 operations and the financial condition and results of
13 operations of the public transportation services subject to
14 its jurisdiction, as at the end of and for such quarter. If in
15 the judgment of the Board such condition and results are not
16 substantially in accordance with such Service Board's budget
17 for such period, the Board shall so advise such Service Board
18 and such Service Board shall within the period specified by
19 the Board submit a revised budget incorporating such results.

20 (3) If the Board shall determine that a revised budget
21 submitted by a Service Board pursuant to subparagraph (1) or
22 (2) of this paragraph (c) does not meet the criteria specified
23 in clauses (i) through (vii) of subparagraph (2) of paragraph
24 (b) of this Section, the Board shall withhold from that
25 Service Board 25% of the cash proceeds of taxes imposed by the
26 Authority under Section 4.03 or 4.03.1 and received by the

1 Authority after February 1 and 25% of the amounts transferred
2 to the Authority from the Public Transportation Fund under
3 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))
4 after February 1 that the Board has estimated to be available
5 to that Service Board under Section 4.11(a). If the Service
6 Board submits a revised financial plan and budget which plan
7 and budget shows that the criteria will be met within a four
8 quarter period, the Board shall release any such withheld
9 funds to the Service Board. The Board by the affirmative vote
10 of at least 12 of its then Directors, prior to February 1,
11 2026, and by the affirmative vote of at least 14 of its then
12 Directors, beginning February 1, 2026, may require a Service
13 Board to submit a revised financial plan and budget which
14 shows that the criteria will be met in a time period less than
15 4 ~~four~~ quarters.

16 (d) All budgets and financial plans, financial statements,
17 audits and other information presented to the Authority
18 pursuant to this Section or which may be required by the Board
19 to permit it to monitor compliance with the provisions of this
20 Section shall be prepared and presented in such manner and
21 frequency and in such detail as shall have been prescribed by
22 the Board, shall be prepared on both an accrual and cash flow
23 basis as specified by the Board, shall present such
24 information as the Authority shall prescribe that fairly
25 presents the condition of any pension plan or trust for health
26 care benefits with respect to retirees established by the

1 Service Board and describes the plans of the Service Board to
2 meet the requirements of Sections 4.02a and 4.02b, and shall
3 identify and describe the assumptions and projections employed
4 in the preparation thereof to the extent required by the
5 Board. If the Executive Director certifies that a Service
6 Board has not presented its budget and two-year financial plan
7 in conformity with the rules adopted by the Authority under
8 the provisions of Section 4.01(f) and this subsection (d), and
9 such certification is accepted by the affirmative vote of at
10 least 12 of the then Directors of the Authority, prior to
11 February 1, 2026, and by the affirmative vote of at least 14 of
12 the then Directors of the Authority, beginning February 1,
13 2026, the Authority shall not distribute to that Service Board
14 any funds for operating purposes in excess of the amounts
15 distributed for such purposes to the Service Board in the
16 previous fiscal year. Except when the Board adopts a budget
17 and a financial plan for a Service Board under paragraph
18 (b)(5), a Service Board shall provide for such levels of
19 transportation services and fares or charges therefor as it
20 deems appropriate and necessary in the preparation of a budget
21 and financial plan meeting the criteria set forth in clauses
22 (i) through (vii) of subparagraph (2) of paragraph (b) of this
23 Section. The Authority shall have access to and the right to
24 examine and copy all books, documents, papers, records, or
25 other source data of a Service Board relevant to any
26 information submitted pursuant to this Section.

1 (e) Whenever this Section requires the Board to make
2 determinations with respect to estimates, budgets or financial
3 plans, or rules or regulations with respect thereto such
4 determinations shall be made upon the affirmative vote of at
5 least 12 of the then Directors, prior to February 1, 2026, and
6 by the affirmative vote of at least 14 of the then Directors,
7 beginning February 1, 2026 and shall be incorporated in a
8 written report of the Board and such report shall be submitted
9 within 10 days after such determinations are made to the
10 Governor, the Mayor of Chicago (if such determinations relate
11 to the Chicago Transit Authority), and the Auditor General of
12 Illinois.

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

14 (70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

15 Sec. 4.13. Annual Capital Improvement Plan.

16 (a) With respect to each calendar year, the Authority
17 shall prepare as part of its Five Year Program an Annual
18 Capital Improvement Plan (the "Plan") which shall describe its
19 intended development and implementation of the Strategic
20 Capital Improvement Program. The Plan shall include the
21 following information:

22 (i) a list of projects for which approval is sought
23 from the Governor, with a description of each project
24 stating at a minimum the project cost, its category, its
25 location and the entity responsible for its

1 implementation;

2 (ii) a certification by the Authority that the
3 Authority and the Service Boards have applied for all
4 grants, loans and other moneys made available by the
5 federal government or the State of Illinois during the
6 preceding federal and State fiscal years for financing its
7 capital development activities;

8 (iii) a certification that, as of September 30 of the
9 preceding calendar year or any later date, the balance of
10 all federal capital grant funds and all other funds to be
11 used as matching funds therefor which were committed to or
12 possessed by the Authority or a Service Board but which
13 had not been obligated was less than \$350,000,000, or a
14 greater amount as authorized in writing by the Governor
15 (for purposes of this subsection (a), "obligated" means
16 committed to be paid by the Authority or a Service Board
17 under a contract with a nongovernmental entity in
18 connection with the performance of a project or committed
19 under a force account plan approved by the federal
20 government);

21 (iv) a certification that the Authority has adopted a
22 balanced budget with respect to such calendar year under
23 Section 4.01 of this Act;

24 (v) a schedule of all bonds or notes previously issued
25 for Strategic Capital Improvement Projects and all debt
26 service payments to be made with respect to all such bonds

1 and the estimated additional debt service payments through
2 June 30 of the following calendar year expected to result
3 from bonds to be sold prior thereto;

4 (vi) a long-range summary of the Strategic Capital
5 Improvement Program describing the projects to be funded
6 through the Program with respect to project cost,
7 category, location, and implementing entity, and
8 presenting a financial plan including an estimated time
9 schedule for obligating funds for the performance of
10 approved projects, issuing bonds, expending bond proceeds
11 and paying debt service throughout the duration of the
12 Program; and

13 (vii) the source of funding for each project in the
14 Plan. For any project for which full funding has not yet
15 been secured and which is not subject to a federal full
16 funding contract, the Authority must identify alternative,
17 dedicated funding sources available to complete the
18 project. The Governor may waive this requirement on a
19 project by project basis.

20 (b) The Authority shall submit the Plan with respect to
21 any calendar year to the Governor on or before January 15 of
22 that year, or as soon as possible thereafter; provided,
23 however, that the Plan shall be adopted on the affirmative
24 votes of 12 of the then Directors, prior to February 1, 2026,
25 and by the affirmative vote of at least 14 of the then
26 Directors, beginning February 1, 2026. The Plan may be revised

1 or amended at any time, but any revision in the projects
2 approved shall require the Governor's approval.

3 (c) The Authority shall seek approval from the Governor
4 only through the Plan or an amendment thereto. The Authority
5 shall not request approval of the Plan from the Governor in any
6 calendar year in which it is unable to make the certifications
7 required under items (ii), (iii) and (iv) of subsection (a).
8 In no event shall the Authority seek approval of the Plan from
9 the Governor for projects in an aggregate amount exceeding the
10 proceeds of bonds or notes for Strategic Capital Improvement
11 Projects issued under Section 4.04 of this Act.

12 (d) The Governor may approve the Plan for which approval
13 is requested. The Governor's approval is limited to the amount
14 of the project cost stated in the Plan. The Governor shall not
15 approve the Plan in a calendar year if the Authority is unable
16 to make the certifications required under items (ii), (iii)
17 and (iv) of subsection (a). In no event shall the Governor
18 approve the Plan for projects in an aggregate amount exceeding
19 the proceeds of bonds or notes for Strategic Capital
20 Improvement Projects issued under Section 4.04 of this Act.

21 (e) With respect to capital improvements, only those
22 capital improvements which are in a Plan approved by the
23 Governor shall be financed with the proceeds of bonds or notes
24 issued for Strategic Capital Improvement Projects.

25 (f) Before the Authority or a Service Board obligates any
26 funds for a project for which the Authority or Service Board

1 intends to use the proceeds of bonds or notes for Strategic
2 Capital Improvement Projects, but which project is not
3 included in an approved Plan, the Authority must notify the
4 Governor of the intended obligation. No project costs incurred
5 prior to approval of the Plan including that project may be
6 paid from the proceeds of bonds or notes for Strategic Capital
7 Improvement Projects issued under Section 4.04 of this Act.

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

9 (70 ILCS 3615/4.14) (from Ch. 111 2/3, par. 704.14)

10 Sec. 4.14. Rate Protection Contract. "Rate Protection
11 Contract" means interest rate price exchange agreements;
12 currency exchange agreements; forward payment conversion
13 agreements; contracts providing for payment or receipt of
14 funds based on levels of, or changes in, interest rates,
15 currency exchange rates, stock or other indices; contracts to
16 exchange cash flows or a series of payments; contracts,
17 including without limitation, interest rate caps; interest
18 rate floor; interest rate locks; interest rate collars; rate
19 of return guarantees or assurances, to manage payment,
20 currency, rate, spread or similar exposure; the obligation,
21 right, or option to issue, put, lend, sell, grant a security
22 interest in, buy, borrow or otherwise acquire, a bond, note or
23 other security or interest therein as an investment, as
24 collateral, as a hedge, or otherwise as a source or assurance
25 of payment to or by the Authority or as a reduction of the

1 Authority's or an obligor's risk exposure; repurchase
2 agreements; securities lending agreements; and other
3 agreements or arrangements similar to the foregoing.

4 Notwithstanding any provision in Section 2.20 (a) (ii) of
5 this Act to the contrary, in connection with or incidental to
6 the issuance by the Authority of its bonds or notes under the
7 provisions of Section 4.04 or the exercise of its powers under
8 subsection (b) of Section 2.20, the Authority, for its own
9 benefit or for the benefit of the holders of its obligations or
10 their trustee, may enter into rate protection contracts. The
11 Authority may enter into rate protection contracts only
12 pursuant to a determination by a vote of 12 of the then
13 Directors, prior to February 1, 2026, and by the affirmative
14 vote of at least 14 of the then Directors, beginning February
15 1, 2026 that the terms of the contracts and any related
16 agreements reduce the risk of loss to the Authority, or
17 protect, preserve or enhance the value of its assets, or
18 provide compensation to the Authority for losses resulting
19 from changes in interest rates. The Authority's obligations
20 under any rate protection contract or credit enhancement or
21 liquidity agreement shall not be considered bonds or notes for
22 purposes of this Act. For purposes of this Section a rate
23 protection contract is a contract determined by the Authority
24 as necessary or appropriate to permit it to manage payment,
25 currency or interest rate risks or levels.

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

1 Section 997. Severability. The provisions of this Act are
2 severable, and if the application of any clause, sentence,
3 paragraph, subdivision, Section, or part of this Act to any
4 person or circumstance is adjudged by any court of competent
5 jurisdiction to be invalid, such judgment shall not
6 necessarily affect, impair, or invalidate the application of
7 any such clause, sentence, paragraph, subdivision, Section, or
8 part of this Act or remainder thereof, as the case may be, to
9 any other person or circumstance, but shall be confined in its
10 operation to the clause, sentence, paragraph, subdivision,
11 Section, or part thereof directly involved in the controversy
12 in which such judgment was rendered.

13 Section 999. Effective date. This Act takes effect January
14 1, 2026."