



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2277

Introduced 10/28/2019, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

70 ILCS 3615/3B.09c new

70 ILCS 3615/4.01

70 ILCS 3615/4.09

from Ch. 111 2/3, par. 704.01

from Ch. 111 2/3, par. 704.09

Amends Regional Transportation Authority Act. Provides that Metra Electric District Line and Rock Island District Line fares for transportation wholly within the City of Chicago shall be equal to the fares set by the Chicago Transit Board for rail transportation. Provides that fares for Electric District Line and Rock Island District Line transportation that originates or concludes outside of the City of Chicago shall be set by the Commuter Rail Board and be based on the zone in which the transportation originates and concludes. Provides that the Commuter Rail Board shall accept the Ventra card for use on the Electric District and Rock Island District Lines and riders using the Ventra card shall pay through the Ventra application or at a station. Provides that the Commuter Rail Board shall adopt a policy to periodically check riders' tickets, including Ventra tickets, on the Electric District and Rock Island District Lines to determine whether a rider has paid for transportation at the station or on the Ventra application. Provides that lost revenue experienced by the Commuter Rail Board due to the implementation of any requirement relating to specified Electric District Line and Rock Island District Line fare provisions are not "costs" in the calculation of whether fares and charges received in each fiscal year equal at least 50% of the aggregate costs of providing public transportation. Effective immediately.

LRB101 14271 AWJ 63148 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Regional Transportation Authority Act is  
5 amended by changing Sections 4.01 and 4.09 and by adding  
6 Section 3B.09c as follows:

7 (70 ILCS 3615/3B.09c new)

8 Sec. 3B.09c. Electric District Line and Rock Island  
9 District Line Ventra fares.

10 (a) Electric District Line and Rock Island District Line  
11 fares for transportation wholly within the City of Chicago  
12 shall be equal to the fares set by the Chicago Transit Board  
13 for rail transportation.

14 (b) Fares for Electric District Line and Rock Island  
15 District Line transportation that originates or concludes  
16 outside of the City of Chicago shall be set by the Commuter  
17 Rail Board and be based on the zone in which the transportation  
18 originates and concludes.

19 (c) The Commuter Rail Board shall accept the Ventra card  
20 for use on the Electric District and Rock Island District  
21 Lines. Riders using the Ventra card shall pay through the  
22 Ventra application or at a station. The Commuter Rail Board  
23 shall adopt a policy to periodically check riders' tickets,

1 including Ventra tickets, on the Electric District and Rock  
2 Island District Lines to determine whether a rider has paid for  
3 transportation at the station or on the Ventra application.

4 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

5 Sec. 4.01. Budget and Program.

6 (a) The Board shall control the finances of the Authority.  
7 It shall by ordinance adopted by the affirmative vote of at  
8 least 12 of its then Directors (i) appropriate money to perform  
9 the Authority's purposes and provide for payment of debts and  
10 expenses of the Authority, (ii) take action with respect to the  
11 budget and two-year financial plan of each Service Board, as  
12 provided in Section 4.11, and (iii) adopt an Annual Budget and  
13 Two-Year Financial Plan for the Authority that includes the  
14 annual budget and two-year financial plan of each Service Board  
15 that has been approved by the Authority. The Annual Budget and  
16 Two-Year Financial Plan shall contain a statement of the funds  
17 estimated to be on hand for the Authority and each Service  
18 Board at the beginning of the fiscal year, the funds estimated  
19 to be received from all sources for such year, the estimated  
20 expenses and obligations of the Authority and each Service  
21 Board for all purposes, including expenses for contributions to  
22 be made with respect to pension and other employee benefits,  
23 and the funds estimated to be on hand at the end of such year.  
24 The fiscal year of the Authority and each Service Board shall  
25 begin on January 1st and end on the succeeding December 31st.

1 By July 1st of each year the Director of the Illinois  
2 Governor's Office of Management and Budget (formerly Bureau of  
3 the Budget) shall submit to the Authority an estimate of  
4 revenues for the next fiscal year of the Authority to be  
5 collected from the taxes imposed by the Authority and the  
6 amounts to be available in the Public Transportation Fund and  
7 the Regional Transportation Authority Occupation and Use Tax  
8 Replacement Fund and the amounts otherwise to be appropriated  
9 by the State to the Authority for its purposes. The Authority  
10 shall file a copy of its Annual Budget and Two-Year Financial  
11 Plan with the General Assembly and the Governor after its  
12 adoption. Before the proposed Annual Budget and Two-Year  
13 Financial Plan is adopted, the Authority shall hold at least  
14 one public hearing thereon in the metropolitan region, and  
15 shall meet with the county board or its designee of each of the  
16 several counties in the metropolitan region. After conducting  
17 such hearings and holding such meetings and after making such  
18 changes in the proposed Annual Budget and Two-Year Financial  
19 Plan as the Board deems appropriate, the Board shall adopt its  
20 annual appropriation and Annual Budget and Two-Year Financial  
21 Plan ordinance. The ordinance may be adopted only upon the  
22 affirmative votes of 12 of its then Directors. The ordinance  
23 shall appropriate such sums of money as are deemed necessary to  
24 defray all necessary expenses and obligations of the Authority,  
25 specifying purposes and the objects or programs for which  
26 appropriations are made and the amount appropriated for each

1 object or program. Additional appropriations, transfers  
2 between items and other changes in such ordinance may be made  
3 from time to time by the Board upon the affirmative votes of 12  
4 of its then Directors.

5 (b) The Annual Budget and Two-Year Financial Plan shall  
6 show a balance between anticipated revenues from all sources  
7 and anticipated expenses including funding of operating  
8 deficits or the discharge of encumbrances incurred in prior  
9 periods and payment of principal and interest when due, and  
10 shall show cash balances sufficient to pay with reasonable  
11 promptness all obligations and expenses as incurred.

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

13 (i) that the level of fares and charges for mass  
14 transportation provided by, or under grant or purchase of  
15 service contracts of, the Service Boards is sufficient to  
16 cause the aggregate of all projected fare revenues from  
17 such fares and charges received in each fiscal year to  
18 equal at least 50% of the aggregate costs of providing such  
19 public transportation in such fiscal year. "Fare revenues"  
20 include the proceeds of all fares and charges for services  
21 provided, contributions received in connection with public  
22 transportation from units of local government other than  
23 the Authority, except for contributions received by the  
24 Chicago Transit Authority from a real estate transfer tax  
25 imposed under subsection (i) of Section 8-3-19 of the  
26 Illinois Municipal Code, and from the State pursuant to

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

1 protection against crime as required by Section 27a of the  
2 Metropolitan Transit Authority Act; the payment by the  
3 Chicago Transit Authority of Debt Service, as defined in  
4 Section 12c of the Metropolitan Transit Authority Act, on  
5 bonds or notes issued pursuant to that Section; the payment  
6 by the Commuter Rail Division of debt service on bonds  
7 issued pursuant to Section 3B.09; expenses incurred by the  
8 Suburban Bus Division for the cost of new public  
9 transportation services funded from grants pursuant to  
10 Section 2.01e of this amendatory Act of the 95th General  
11 Assembly for a period of 2 years from the date of  
12 initiation of each such service; costs as exempted by the  
13 Board for projects pursuant to Section 2.09 of this Act;  
14 ~~or~~ beginning with the 2007 fiscal year, expenses related  
15 to providing ADA paratransit service pursuant to Section  
16 2.30 of the Regional Transportation Authority Act; ~~and~~ in  
17 fiscal years 2008 through 2012 inclusive, costs in the  
18 amount of \$200,000,000 in fiscal year 2008, reducing by  
19 \$40,000,000 in each fiscal year thereafter until this  
20 exemption is eliminated; and any lost revenue experienced  
21 by the Commuter Rail Board due to the implementation of any  
22 requirement of Section 3B.09c; and

23 (ii) that the level of fares charged for ADA  
24 paratransit services is sufficient to cause the aggregate  
25 of all projected revenues from such fares charged and  
26 received in each fiscal year to equal at least 10% of the

1 aggregate costs of providing such ADA paratransit  
2 services. For purposes of this Act, the percentages in this  
3 subsection (b)(ii) shall be referred to as the "system  
4 generated ADA paratransit services revenue recovery  
5 ratio". For purposes of the system generated ADA  
6 paratransit services revenue recovery ratio, "costs" shall  
7 include all items properly included as operating costs  
8 consistent with generally accepted accounting principles.  
9 However, the Board may exclude from costs an amount that  
10 does not exceed the allowable "capital costs of  
11 contracting" for ADA paratransit services pursuant to the  
12 Federal Transit Administration guidelines for the  
13 Urbanized Area Formula Program.

14 (c) The actual administrative expenses of the Authority for  
15 the fiscal year commencing January 1, 1985 may not exceed  
16 \$5,000,000. The actual administrative expenses of the  
17 Authority for the fiscal year commencing January 1, 1986, and  
18 for each fiscal year thereafter shall not exceed the maximum  
19 administrative expenses for the previous fiscal year plus 5%.  
20 "Administrative expenses" are defined for purposes of this  
21 Section as all expenses except: (1) capital expenses and  
22 purchases of the Authority on behalf of the Service Boards; (2)  
23 payments to Service Boards; and (3) payment of principal and  
24 interest on bonds, notes or other evidence of obligation for  
25 borrowed money issued by the Authority; (4) costs for passenger  
26 security including grants, contracts, personnel, equipment and



1 administrative expenses; (5) payments with respect to public  
2 transportation facilities made pursuant to subsection (b) of  
3 Section 2.20 of this Act; and (6) any payments with respect to  
4 rate protection contracts, credit enhancements or liquidity  
5 agreements made pursuant to Section 4.14.

6 (d) This subsection applies only until the Department  
7 begins administering and enforcing an increased tax under  
8 Section 4.03(m) as authorized by this amendatory Act of the  
9 95th General Assembly. After withholding 15% of the proceeds of  
10 any tax imposed by the Authority and 15% of money received by  
11 the Authority from the Regional Transportation Authority  
12 Occupation and Use Tax Replacement Fund, the Board shall  
13 allocate the proceeds and money remaining to the Service Boards  
14 as follows: (1) an amount equal to 85% of the proceeds of those  
15 taxes collected within the City of Chicago and 85% of the money  
16 received by the Authority on account of transfers to the  
17 Regional Transportation Authority Occupation and Use Tax  
18 Replacement Fund from the County and Mass Transit District Fund  
19 attributable to retail sales within the City of Chicago shall  
20 be allocated to the Chicago Transit Authority; (2) an amount  
21 equal to 85% of the proceeds of those taxes collected within  
22 Cook County outside the City of Chicago and 85% of the money  
23 received by the Authority on account of transfers to the  
24 Regional Transportation Authority Occupation and Use Tax  
25 Replacement Fund from the County and Mass Transit District Fund  
26 attributable to retail sales within Cook County outside of the

1 city of Chicago shall be allocated 30% to the Chicago Transit  
2 Authority, 55% to the Commuter Rail Board and 15% to the  
3 Suburban Bus Board; and (3) an amount equal to 85% of the  
4 proceeds of the taxes collected within the Counties of DuPage,  
5 Kane, Lake, McHenry and Will shall be allocated 70% to the  
6 Commuter Rail Board and 30% to the Suburban Bus Board.

7 (e) This subsection applies only until the Department  
8 begins administering and enforcing an increased tax under  
9 Section 4.03(m) as authorized by this amendatory Act of the  
10 95th General Assembly. Moneys received by the Authority on  
11 account of transfers to the Regional Transportation Authority  
12 Occupation and Use Tax Replacement Fund from the State and  
13 Local Sales Tax Reform Fund shall be allocated among the  
14 Authority and the Service Boards as follows: 15% of such moneys  
15 shall be retained by the Authority and the remaining 85% shall  
16 be transferred to the Service Boards as soon as may be  
17 practicable after the Authority receives payment. Moneys which  
18 are distributable to the Service Boards pursuant to the  
19 preceding sentence shall be allocated among the Service Boards  
20 on the basis of each Service Board's distribution ratio. The  
21 term "distribution ratio" means, for purposes of this  
22 subsection (e) of this Section 4.01, the ratio of the total  
23 amount distributed to a Service Board pursuant to subsection  
24 (d) of Section 4.01 for the immediately preceding calendar year  
25 to the total amount distributed to all of the Service Boards  
26 pursuant to subsection (d) of Section 4.01 for the immediately

1 preceding calendar year.

2 (f) To carry out its duties and responsibilities under this  
3 Act, the Board shall employ staff which shall: (1) propose for  
4 adoption by the Board of the Authority rules for the Service  
5 Boards that establish (i) forms and schedules to be used and  
6 information required to be provided with respect to a five-year  
7 capital program, annual budgets, and two-year financial plans  
8 and regular reporting of actual results against adopted budgets  
9 and financial plans, (ii) financial practices to be followed in  
10 the budgeting and expenditure of public funds, (iii)  
11 assumptions and projections that must be followed in preparing  
12 and submitting its annual budget and two-year financial plan or  
13 a five-year capital program; (2) evaluate for the Board public  
14 transportation programs operated or proposed by the Service  
15 Boards and transportation agencies in terms of the goals and  
16 objectives set out in the Strategic Plan; (3) keep the Board  
17 and the public informed of the extent to which the Service  
18 Boards and transportation agencies are meeting the goals and  
19 objectives adopted by the Authority in the Strategic Plan; and  
20 (4) assess the efficiency or adequacy of public transportation  
21 services provided by a Service Board and make recommendations  
22 for change in that service to the end that the moneys available  
23 to the Authority may be expended in the most economical manner  
24 possible with the least possible duplication.

25 (g) All Service Boards, transportation agencies,  
26 comprehensive planning agencies, including the Chicago

1 Metropolitan Agency for Planning, or transportation planning  
2 agencies in the metropolitan region shall furnish to the  
3 Authority such information pertaining to public transportation  
4 or relevant for plans therefor as it may from time to time  
5 require. The Executive Director, or his or her designee, shall,  
6 for the purpose of securing any such information necessary or  
7 appropriate to carry out any of the powers and responsibilities  
8 of the Authority under this Act, have access to, and the right  
9 to examine, all books, documents, papers or records of a  
10 Service Board or any transportation agency receiving funds from  
11 the Authority or Service Board, and such Service Board or  
12 transportation agency shall comply with any request by the  
13 Executive Director, or his or her designee, within 30 days or  
14 an extended time provided by the Executive Director.

15 (h) No Service Board shall undertake any capital  
16 improvement which is not identified in the Five-Year Capital  
17 Program.

18 (i) Each Service Board shall furnish to the Board access to  
19 its financial information including, but not limited to, audits  
20 and reports. The Board shall have real-time access to the  
21 financial information of the Service Boards; however, the Board  
22 shall be granted read-only access to the Service Board's  
23 financial information.

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

25 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

1           Sec. 4.09. Public Transportation Fund and the Regional  
2           Transportation Authority Occupation and Use Tax Replacement  
3           Fund.

4           (a)(1) Except as otherwise provided in paragraph (4), as  
5           soon as possible after the first day of each month, beginning  
6           July 1, 1984, upon certification of the Department of Revenue,  
7           the Comptroller shall order transferred and the Treasurer shall  
8           transfer from the General Revenue Fund to a special fund in the  
9           State Treasury to be known as the Public Transportation Fund an  
10          amount equal to 25% of the net revenue, before the deduction of  
11          the serviceman and retailer discounts pursuant to Section 9 of  
12          the Service Occupation Tax Act and Section 3 of the Retailers'  
13          Occupation Tax Act, realized from any tax imposed by the  
14          Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the  
15          amounts deposited into the Regional Transportation Authority  
16          tax fund created by Section 4.03 of this Act, from the County  
17          and Mass Transit District Fund as provided in Section 6z-20 of  
18          the State Finance Act and 25% of the amounts deposited into the  
19          Regional Transportation Authority Occupation and Use Tax  
20          Replacement Fund from the State and Local Sales Tax Reform Fund  
21          as provided in Section 6z-17 of the State Finance Act. On the  
22          first day of the month following the date that the Department  
23          receives revenues from increased taxes under Section 4.03(m) as  
24          authorized by Public Act 95-708, in lieu of the transfers  
25          authorized in the preceding sentence, upon certification of the  
26          Department of Revenue, the Comptroller shall order transferred

1 and the Treasurer shall transfer from the General Revenue Fund  
2 to the Public Transportation Fund an amount equal to 25% of the  
3 net revenue, before the deduction of the serviceman and  
4 retailer discounts pursuant to Section 9 of the Service  
5 Occupation Tax Act and Section 3 of the Retailers' Occupation  
6 Tax Act, realized from (i) 80% of the proceeds of any tax  
7 imposed by the Authority at a rate of 1.25% in Cook County,  
8 (ii) 75% of the proceeds of any tax imposed by the Authority at  
9 the rate of 1% in Cook County, and (iii) one-third of the  
10 proceeds of any tax imposed by the Authority at the rate of  
11 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will,  
12 all pursuant to Section 4.03, and 25% of the net revenue  
13 realized from any tax imposed by the Authority pursuant to  
14 Section 4.03.1, and 25% of the amounts deposited into the  
15 Regional Transportation Authority tax fund created by Section  
16 4.03 of this Act from the County and Mass Transit District Fund  
17 as provided in Section 6z-20 of the State Finance Act, and 25%  
18 of the amounts deposited into the Regional Transportation  
19 Authority Occupation and Use Tax Replacement Fund from the  
20 State and Local Sales Tax Reform Fund as provided in Section  
21 6z-17 of the State Finance Act. As used in this Section, net  
22 revenue realized for a month shall be the revenue collected by  
23 the State pursuant to Sections 4.03 and 4.03.1 during the  
24 previous month from within the metropolitan region, less the  
25 amount paid out during that same month as refunds to taxpayers  
26 for overpayment of liability in the metropolitan region under

1 Sections 4.03 and 4.03.1.

2 Notwithstanding any provision of law to the contrary,  
3 beginning on July 6, 2017 (the effective date of Public Act  
4 100-23), those amounts required under this paragraph (1) of  
5 subsection (a) to be transferred by the Treasurer into the  
6 Public Transportation Fund from the General Revenue Fund shall  
7 be directly deposited into the Public Transportation Fund as  
8 the revenues are realized from the taxes indicated.

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

1 Replacement Fund from the State and Local Sales Tax Reform Fund  
2 as provided in Section 6z-17 of the State Finance Act, and 5%  
3 of the revenue realized by the Chicago Transit Authority as  
4 financial assistance from the City of Chicago from the proceeds  
5 of any tax imposed by the City of Chicago under Section 8-3-19  
6 of the Illinois Municipal Code.

7 Notwithstanding any provision of law to the contrary,  
8 beginning on July 6, 2017 (the effective date of Public Act  
9 100-23), those amounts required under this paragraph (2) of  
10 subsection (a) to be transferred by the Treasurer into the  
11 Public Transportation Fund from the General Revenue Fund shall  
12 be directly deposited into the Public Transportation Fund as  
13 the revenues are realized from the taxes indicated.

14 (3) Except as otherwise provided in paragraph (4), as soon  
15 as possible after the first day of January, 2009 and each month  
16 thereafter, upon certification of the Department of Revenue  
17 with respect to the taxes collected under Section 4.03, the  
18 Comptroller shall order transferred and the Treasurer shall  
19 transfer from the General Revenue Fund to the Public  
20 Transportation Fund an amount equal to 25% of the net revenue,  
21 before the deduction of the serviceman and retailer discounts  
22 pursuant to Section 9 of the Service Occupation Tax Act and  
23 Section 3 of the Retailers' Occupation Tax Act, realized from  
24 (i) 20% of the proceeds of any tax imposed by the Authority at  
25 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any  
26 tax imposed by the Authority at the rate of 1% in Cook County,



1 and (iii) one-third of the proceeds of any tax imposed by the  
2 Authority at the rate of 0.75% in the Counties of DuPage, Kane,  
3 Lake, McHenry, and Will, all pursuant to Section 4.03, and the  
4 Comptroller shall order transferred and the Treasurer shall  
5 transfer from the General Revenue Fund to the Public  
6 Transportation Fund (iv) an amount equal to 25% of the revenue  
7 realized by the Chicago Transit Authority as financial  
8 assistance from the City of Chicago from the proceeds of any  
9 tax imposed by the City of Chicago under Section 8-3-19 of the  
10 Illinois Municipal Code.

11 Notwithstanding any provision of law to the contrary,  
12 beginning on July 6, 2017 (the effective date of Public Act  
13 100-23), those amounts required under this paragraph (3) of  
14 subsection (a) to be transferred by the Treasurer into the  
15 Public Transportation Fund from the General Revenue Fund shall  
16 be directly deposited into the Public Transportation Fund as  
17 the revenues are realized from the taxes indicated.

18 (4) Notwithstanding any provision of law to the contrary,  
19 of the transfers to be made under paragraphs (1), (2), and (3)  
20 of this subsection (a) from the General Revenue Fund to the  
21 Public Transportation Fund, the first \$150,000,000 that would  
22 have otherwise been transferred from the General Revenue Fund  
23 shall be transferred from the Road Fund. The remaining balance  
24 of such transfers shall be made from the General Revenue Fund.

25 (5) (Blank).

26 (6) (Blank).

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

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

1 Authority out of the Regional Transportation Authority  
2 Occupation and Use Tax Replacement Fund the amount so  
3 deposited. Such amounts paid to the Authority may be expended  
4 by it for its purposes as provided in this Act. The provisions  
5 directing the distributions from the Public Transportation  
6 Fund and the Regional Transportation Authority Occupation and  
7 Use Tax Replacement Fund provided for in this Section shall  
8 constitute an irrevocable and continuing appropriation of all  
9 amounts as provided herein. The State Treasurer and State  
10 Comptroller are hereby authorized and directed to make  
11 distributions as provided in this Section. (2) Provided,  
12 however, no moneys deposited under subsection (a) of this  
13 Section shall be paid from the Public Transportation Fund to  
14 the Authority or its assignee for any fiscal year until the  
15 Authority has certified to the Governor, the Comptroller, and  
16 the Mayor of the City of Chicago that it has adopted for that  
17 fiscal year an Annual Budget and Two-Year Financial Plan  
18 meeting the requirements in Section 4.01(b).

19 (c) In recognition of the efforts of the Authority to  
20 enhance the mass transportation facilities under its control,  
21 the State shall provide financial assistance ("Additional  
22 State Assistance") in excess of the amounts transferred to the  
23 Authority from the General Revenue Fund under subsection (a) of  
24 this Section. Additional State Assistance shall be calculated  
25 as provided in subsection (d), but shall in no event exceed the  
26 following specified amounts with respect to the following State

1 fiscal years:

2	1990	\$5,000,000;
3	1991	\$5,000,000;
4	1992	\$10,000,000;
5	1993	\$10,000,000;
6	1994	\$20,000,000;
7	1995	\$30,000,000;
8	1996	\$40,000,000;
9	1997	\$50,000,000;
10	1998	\$55,000,000; and
11	each year thereafter	\$55,000,000.

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

21	2000	\$0;
22	2001	\$16,000,000;
23	2002	\$35,000,000;
24	2003	\$54,000,000;
25	2004	\$73,000,000;
26	2005	\$93,000,000; and

1           each year thereafter     \$100,000,000.

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

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

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

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

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

26           The certification shall include a specific schedule of debt

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

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

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

1 months, until an amount equal to the sum of the amounts  
2 certified under items (1) and (3) above, plus the actual debt  
3 service certified under item (2) above, less the amount  
4 certified under item (4) above, has been transferred; except  
5 that these transfers are subject to the following limits:

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

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

24 The term "outstanding" does not include bonds or notes for  
25 which refunding or advance refunding bonds or notes have been  
26 issued.

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

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

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

18           (i) whether the aggregate of all system generated  
19 revenues for public transportation in the metropolitan  
20 region which is provided by, or under grant or purchase of  
21 service contracts with, the Service Boards equals 50% of  
22 the aggregate of all costs of providing such public  
23 transportation. "System generated revenues" include all  
24 the proceeds of fares and charges for services provided,  
25 contributions received in connection with public  
26 transportation from units of local government other than



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

1 personnel, equipment and administrative expenses, except  
2 in the case of the Chicago Transit Authority, in which case  
3 the term does not include costs spent annually by that  
4 entity for protection against crime as required by Section  
5 27a of the Metropolitan Transit Authority Act; the costs of  
6 Debt Service paid by the Chicago Transit Authority, as  
7 defined in Section 12c of the Metropolitan Transit  
8 Authority Act, or bonds or notes issued pursuant to that  
9 Section; the payment by the Commuter Rail Division of debt  
10 service on bonds issued pursuant to Section 3B.09; expenses  
11 incurred by the Suburban Bus Division for the cost of new  
12 public transportation services funded from grants pursuant  
13 to Section 2.01e of this Act for a period of 2 years from  
14 the date of initiation of each such service; costs as  
15 exempted by the Board for projects pursuant to Section 2.09  
16 of this Act; ~~or~~ beginning with the 2007 fiscal year,  
17 expenses related to providing ADA paratransit service  
18 pursuant to Section 2.30 of the Regional Transportation  
19 Authority Act; ~~or~~ in fiscal years 2008 through 2012  
20 inclusive, costs in the amount of \$200,000,000 in fiscal  
21 year 2008, reducing by \$40,000,000 in each fiscal year  
22 thereafter until this exemption is eliminated; and any lost  
23 revenue experienced by the Commuter Rail Board due to the  
24 implementation of any requirement of Section 3B.09c. If  
25 said system generated revenues are less than 50% of said  
26 costs, the Board shall remit an amount equal to the amount

1 of the deficit to the State. The Treasurer shall deposit  
2 any such payment in the Road Fund; and

3 (ii) whether, beginning with the 2007 fiscal year, the  
4 aggregate of all fares charged and received for ADA  
5 paratransit services equals the system generated ADA  
6 paratransit services revenue recovery ratio percentage of  
7 the aggregate of all costs of providing such ADA  
8 paratransit services.

9 (h) If the Authority makes any payment to the State under  
10 paragraph (g), the Authority shall reduce the amount provided  
11 to a Service Board from funds transferred under paragraph (a)  
12 in proportion to the amount by which that Service Board failed  
13 to meet its required system generated revenues recovery ratio.  
14 A Service Board which is affected by a reduction in funds under  
15 this paragraph shall submit to the Authority concurrently with  
16 its next due quarterly report a revised budget incorporating  
17 the reduction in funds. The revised budget must meet the  
18 criteria specified in clauses (i) through (vi) of Section  
19 4.11(b)(2). The Board shall review and act on the revised  
20 budget as provided in Section 4.11(b)(3).

21 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;  
22 101-10, eff. 6-5-19.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.