

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 Metropolitan Transit Authority Act is
5 amended by changing Sections 31 and 51 as follows:

6 (70 ILCS 3605/31) (from Ch. 111 2/3, par. 331)

7 Sec. 31. The Board shall have power to pass all ordinances
8 and make all rules and regulations proper or necessary to
9 regulate the use, operation and maintenance of its property
10 and facilities, and to carry into effect the powers granted to
11 the Authority, with such fines or penalties, including
12 ordinances, rules, and regulations concerning the suspension
13 of riding privileges or confiscation of fare media under
14 Section 2.40 of the Regional Transportation Authority Act, as
15 may be deemed proper. No fine or penalty shall exceed \$300.00,
16 and no imprisonment shall exceed six (6) months for one
17 offense. All fines and penalties shall be imposed by
18 ordinances, which shall be published in a newspaper of general
19 circulation published in the metropolitan area. No such
20 ordinance shall take effect until ten days after its
21 publication.

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

1 (70 ILCS 3605/51)

2 Sec. 51. Free and reduced fare services; eligibility.

3 (a) Notwithstanding any law to the contrary, no later than
4 60 days following the effective date of this amendatory Act of
5 the 95th General Assembly and until subsection (b) is
6 implemented, any fixed route public transportation services
7 provided by, or under grant or purchase of service contracts
8 of, the Board shall be provided without charge to all senior
9 citizens of the Metropolitan Region (as such term is defined
10 in 70 ILCS 3615/1.03) aged 65 and older, under such conditions
11 as shall be prescribed by the Board.

12 (b) Notwithstanding any law to the contrary, no later than
13 180 days following the effective date of this amendatory Act
14 of the 96th General Assembly, any fixed route public
15 transportation services provided by, or under grant or
16 purchase of service contracts of, the Board shall be provided
17 without charge to senior citizens aged 65 and older who meet
18 the income eligibility limitation set forth in subsection
19 (a-5) of Section 4 of the Senior Citizens and Persons with
20 Disabilities Property Tax Relief Act, under such conditions as
21 shall be prescribed by the Board. The Department on Aging
22 shall furnish all information reasonably necessary to
23 determine eligibility, including updated lists of individuals
24 who are eligible for services without charge under this
25 Section. Nothing in this Section shall relieve the Board from
26 providing reduced fares as may be required by federal law.

1 (c) The Board shall partner with the City of Chicago to
2 provide transportation at reduced fares for participants in
3 programs that offer employment and internship opportunities to
4 youth and young adults ages 14 through 24.

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

6 Section 10. The Local Mass Transit District Act is amended
7 by changing Section 5 and adding Section 5.6 as follows:

8 (70 ILCS 3610/5) (from Ch. 111 2/3, par. 355)

9 Sec. 5. (a) The Board of Trustees of every District may
10 establish or acquire any or all manner of mass transit
11 facility. The Board may engage in the business of
12 transportation of passengers on scheduled routes and by
13 contract on nonscheduled routes within the territorial limits
14 of the counties or municipalities creating the District, by
15 whatever means it may decide. Its routes may be extended
16 beyond such territorial limits with the consent of the
17 governing bodies of the municipalities or counties into which
18 such operation is extended.

19 (b) The Board of Trustees of every District may for the
20 purposes of the District, acquire by gift, purchase, lease,
21 legacy, condemnation, or otherwise and hold, use, improve,
22 maintain, operate, own, manage or lease, as lessor or lessee,
23 such cars, buses, equipment, buildings, structures, real and
24 personal property, and interests therein, and services, lands

1 for terminal and other related facilities, improvements and
2 services, or any interest therein, including all or any part
3 of the plant, land, buildings, equipment, vehicles, licenses,
4 franchises, patents, property, service contracts and
5 agreements of every kind and nature. Real property may be so
6 acquired if it is situated within or partially within the area
7 served by the District or if it is outside the area if it is
8 desirable or necessary for the purposes of the District.

9 (c) The Board of Trustees of every District which
10 establishes, provides, or acquires mass transit facilities or
11 services may contract with any person or corporation or public
12 or private entity for the operation or provision thereof upon
13 such terms and conditions as the District shall determine.

14 (d) The Board of Trustees of every District shall have the
15 authority to contract for any and all purposes of the
16 District, including with an interstate transportation
17 authority, or with another local Mass Transit District or any
18 other municipal, public, or private corporation entity in the
19 transportation business including the authority to contract to
20 lease its or otherwise provide land, buildings, and equipment,
21 and other related facilities, improvements, and services, for
22 the carriage of passengers beyond the territorial limits of
23 the District or to subsidize transit operations by a public or
24 private or municipal corporation operating entity providing
25 mass transit facilities.

26 (e) The Board of Trustees of every District shall have the

1 authority to establish, alter and discontinue transportation
2 routes and services and any or all ancillary or supporting
3 facilities and services, and to establish and amend rate
4 schedules for the transportation of persons thereon or for the
5 public or private use thereof which rate schedules shall,
6 together with any grants, receipts or income from other
7 sources, be sufficient to pay the expenses of the District,
8 the repair, maintenance and the safe and adequate operation of
9 its mass transit facilities and public mass transportation
10 system and to fulfill the terms of its debts, undertakings,
11 and obligations.

12 (f) The Board of Trustees of every District shall have
13 perpetual succession and shall have the following powers in
14 addition to any others in this Act granted:

15 (1) to sue and be sued;

16 (2) to adopt and use a seal;

17 (3) to make and execute contracts loans, leases,
18 subleases, installment purchase agreements, contracts,
19 notes and other instruments evidencing financial
20 obligations, and other instruments necessary or convenient
21 in the exercise of its powers;

22 (4) to make, amend and repeal bylaws, rules and
23 regulations not inconsistent with this Act, including
24 rules and regulations proper or necessary to regulate the
25 use, operation, and maintenance of its properties and
26 facilities and to carry into effect the powers granted to

1 the Board of Trustees, with any necessary fines or
2 penalties, such as the suspension of riding privileges or
3 confiscation of fare media under Section 5.6, as the Board
4 deems proper;

5 (5) to sell, lease, sublease, license, transfer,
6 convey or otherwise dispose of any of its real or personal
7 property, or interests therein, in whole or in part, at
8 any time upon such terms and conditions as it may
9 determine, with public bidding if the value exceeds \$1,000
10 at negotiated, competitive, public, or private sale;

11 (6) to invest funds, not required for immediate
12 disbursement, in property, agreements, or securities legal
13 for investment of public funds controlled by savings banks
14 under applicable law;

15 (7) to mortgage, pledge, hypothecate or otherwise
16 encumber all or any part of its real or personal property
17 or other assets, or interests therein;

18 (8) to apply for, accept and use grants, loans or
19 other financial assistance from any private entity or
20 municipal, county, State or Federal governmental agency or
21 other public entity;

22 (9) to borrow money from the United States Government
23 or any agency thereof, or from any other public or private
24 source, for the purposes of the District and, as evidence
25 thereof, to issue its revenue bonds, payable solely from
26 the revenue derived from the operation of the District.

1 These bonds may be issued with maturities not exceeding 40
2 years from the date of the bonds, and in such amounts as
3 may be necessary to provide sufficient funds, together
4 with interest, for the purposes of the District. These
5 bonds shall bear interest at a rate of not more than the
6 maximum rate authorized by the Bond Authorization Act, as
7 amended at the time of the making of the contract of sale,
8 payable semi-annually, may be made registerable as to
9 principal, and may be made payable and callable as
10 provided on any interest payment date at a price of par and
11 accrued interest under such terms and conditions as may be
12 fixed by the ordinance authorizing the issuance of the
13 bonds. Bonds issued under this Section are negotiable
14 instruments. They shall be executed by the chairman and
15 members of the Board of Trustees, attested by the
16 secretary, and shall be sealed with the corporate seal of
17 the District. In case any Trustee or officer whose
18 signature appears on the bonds or coupons ceases to hold
19 that office before the bonds are delivered, such officer's
20 signature, shall nevertheless be valid and sufficient for
21 all purposes, the same as though such officer had remained
22 in office until the bonds were delivered. The bonds shall
23 be sold in such manner and upon such terms as the Board of
24 Trustees shall determine, except that the selling price
25 shall be such that the interest cost to the District of the
26 proceeds of the bonds shall not exceed the maximum rate

1 authorized by the Bond Authorization Act, as amended at
2 the time of the making of the contract of sale, payable
3 semi-annually, computed to maturity according to the
4 standard table of bond values.

5 The ordinance shall fix the amount of revenue bonds
6 proposed to be issued, the maturity or maturities, the
7 interest rate, which shall not exceed the maximum rate
8 authorized by the Bond Authorization Act, as amended at
9 the time of the making of the contract of sale, and all the
10 details in connection with the bonds. The ordinance may
11 contain such covenants and restrictions upon the issuance
12 of additional revenue bonds thereafter, which will share
13 equally in the revenue of the District, as may be deemed
14 necessary or advisable for the assurance of the payment of
15 the bonds first issued. Any District may also provide in
16 the ordinance authorizing the issuance of bonds under this
17 Section that the bonds, or such ones thereof as may be
18 specified, shall, to the extent and in the manner
19 prescribed, be subordinated and be junior in standing,
20 with respect to the payment of principal and interest and
21 the security thereof, to such other bonds as are
22 designated in the ordinance.

23 The ordinance shall pledge the revenue derived from
24 the operations of the District for the purpose of paying
25 the cost of operation and maintenance of the District,
26 and, as applicable, providing adequate depreciation funds,

1 and paying the principal of and interest on the bonds of
2 the District issued under this Section;

3 (10) subject to Section 5.1, to levy a tax on property
4 within the District at the rate of not to exceed .25% on
5 the assessed value of such property in the manner provided
6 in the Illinois Municipal Budget Law;

7 (11) to issue tax anticipation warrants;

8 (12) to contract with any school district in this
9 State to provide for the transportation of pupils to and
10 from school within such district pursuant to the
11 provisions of Section 29-15 of the School Code;

12 (13) to provide for the insurance of any property,
13 directors, officers, employees or operations of the
14 District against any risk or hazard, and to self-insure or
15 participate in joint self-insurance pools or entities to
16 insure against such risk or hazard;

17 (14) to use its established funds, personnel, and
18 other resources to acquire, construct, operate, and
19 maintain bikeways and trails. Districts may cooperate with
20 other governmental and private agencies in bikeway and
21 trail programs; and

22 (15) to acquire, own, maintain, construct,
23 reconstruct, improve, repair, operate or lease any
24 light-rail public transportation system, terminal,
25 terminal facility, public airport, or bridge or toll
26 bridge across waters with any city, state, or both.

1 With respect to instruments for the payment of money
2 issued under this Section either before, on, or after June 6,
3 1989 (the effective date of Public Act 86-4), it is and always
4 has been the intention of the General Assembly (i) that the
5 Omnibus Bond Acts are and always have been supplementary
6 grants of power to issue instruments in accordance with the
7 Omnibus Bond Acts, regardless of any provision of this Act
8 that may appear to be or to have been more restrictive than
9 those Acts, (ii) that the provisions of this Section are not a
10 limitation on the supplementary authority granted by the
11 Omnibus Bond Acts, and (iii) that instruments issued under
12 this Section within the supplementary authority granted by the
13 Omnibus Bond Acts are not invalid because of any provision of
14 this Act that may appear to be or to have been more restrictive
15 than those Acts.

16 This Section shall be liberally construed to give effect
17 to its purposes.

18 (Source: P.A. 99-642, eff. 7-28-16.)

19 (70 ILCS 3610/5.6 new)

20 Sec. 5.6. Suspension of riding privileges and confiscation
21 of fare media.

22 (a) As used in this Section, "demographic information"
23 includes, but is not limited to, age, race, ethnicity, gender,
24 and housing status, as that term is defined under Section 10 of
25 the Bill of Rights for the Homeless Act.

1 (b) Suspension of riding privileges and confiscation of
2 fare media are limited to:

3 (1) violations where the person's conduct places
4 transit employees or transit passengers in reasonable
5 apprehension of a threat to their safety or the safety of
6 others, including assault and battery, as those terms are
7 defined under Sections 12-1 and 12-3 of the Criminal Code
8 of 2012;

9 (2) violations where the person's conduct places
10 transit employees or transit passengers in reasonable
11 apprehension of a threat of a criminal sexual assault, as
12 that term is defined under Section 11-1.20 of the Criminal
13 Code of 2012; and

14 (3) violations involving an act of public indecency,
15 as that term is defined in Section 11-30 of the Criminal
16 Code of 2012.

17 (c) Written notice shall be provided to an individual
18 regarding the suspension of the individual's riding privileges
19 or confiscation of fare media. The notice shall be provided in
20 person at the time of the alleged violation, except that, if
21 providing notice in person at the time of the alleged
22 violation is not practicable, then the Authority shall make a
23 reasonable effort to provide notice to the individual by
24 either personal service, by mailing a copy of the notice by
25 certified mail, return receipt requested, and first-class mail
26 to the person's current address, or by emailing a copy of the

1 notice to an email address on file, if available. If the person
2 is known to be detained in jail, service shall be made as
3 provided under Section 2-203.2 of the Code of Civil Procedure.
4 The written notice shall be sufficient to inform the
5 individual about the following:

6 (1) the nature of the suspension of riding privileges
7 or confiscation of fare media;

8 (2) the person's rights and available remedies to
9 contest or appeal the suspension of riding privileges or
10 confiscation of fare media and to apply for reinstatement
11 of riding privileges; and

12 (3) the procedures for adjudicating whether a
13 suspension or confiscation is warranted and for applying
14 for reinstatement of riding privileges, including the time
15 and location of any hearing.

16 The process to determine whether a suspension or riding
17 privileges or confiscation of fare media is warranted and the
18 length of the suspension shall be concluded within 30 business
19 days after the individual receives notice of the suspension or
20 confiscation.

21 Notwithstanding any other provision of this Section, no
22 person shall be denied the ability to contest or appeal a
23 suspension of riding privileges or confiscation of fare media,
24 or to attend a hearing to determine whether a suspension or
25 confiscation was warranted, because the person was detained in
26 a jail.

1 (d) Each Board shall create an administrative suspension
2 hearing process as follows:

3 (1) A Board shall designate an official to oversee the
4 administrative process to decide whether a suspension is
5 warranted and the length of the suspension.

6 (2) The accused and related parties, including legal
7 counsel, may attend this hearing in person, by telephone,
8 or virtually.

9 (3) The Board shall present the suspension-related
10 evidence and outline the evidence that supports the need
11 for the suspension.

12 (4) The accused or the accused's legal counsel can
13 present and may make an oral or written presentation and
14 offer documents, including affidavits, in response to the
15 Board's evidence.

16 (5) The Board's designated official shall make a
17 finding on the suspension.

18 (6) The value of unexpended credit or unexpired passes
19 shall be reimbursed upon suspension of riding privileges
20 or confiscation of fare media.

21 (7) The alleged victims of the violation and related
22 parties, including witnesses who were present, may attend
23 this hearing in person, by telephone, or virtually.

24 (8) The alleged victims of the violation and related
25 parties, including witnesses who were present, can present
26 and may make an oral or written presentation and offer

1 documents, including affidavits, in response to the
2 Board's evidence.

3 (e) Each Board shall create a process to appeal and
4 reinstate ridership privileges. This information shall be
5 provided to the suspended rider at the time of the Board's
6 findings. A suspended rider is entitled to 2 appeals after the
7 Board's finding to suspend the person's ridership. A suspended
8 rider may petition the Board to reinstate the person's
9 ridership privileges one calendar year after the Board's
10 suspension finding if the length of the suspension is more
11 than one year.

12 (f) Each Board shall collect, report, and make publicly
13 available in a quarterly timeframe the number and demographic
14 information of people subject to suspension of riding
15 privileges or confiscation of fare media, the conduct leading
16 to the suspension or confiscation, as well as the location and
17 description of the location where the conduct occurred, such
18 as identifying the transit station or transit line, date, and
19 time of day, a citation to the statutory authority for which
20 the accused person was arrested or charged, the amount, if
21 any, on the fare media, and the length of the suspension.

22 Section 15. The Regional Transportation Authority Act is
23 amended by changing Sections 3A.09, 4.01, and 4.09 and by
24 adding Sections 2.10a, 2.40, 2.41, 2.42, 3.12, and 3B.09c as
25 follows:

1 (70 ILCS 3615/2.10a new)

2 Sec. 2.10a. Zero-emission buses.

3 (a) As used in this Section:

4 "Zero-emission bus" means a bus that is:

5 (1) designed to carry more than 10 passengers and is
6 used to carry passengers for compensation.

7 (2) a zero-emission vehicle; and

8 (3) not a taxi.

9 "Zero-emission vehicle" means a fuel cell or electric
10 vehicle that:

11 (1) is a motor vehicle;

12 (2) is made by a commercial manufacturer;

13 (3) is manufactured primarily for use on public
14 streets, roads, and highways;

15 (4) has a maximum speed capability of at least 55
16 miles per hour;

17 (5) is powered entirely by electricity or powered by
18 combining hydrogen and oxygen, which runs the motor;

19 (6) has an operating range of at least 100 miles; and

20 (7) produces only water vapor and heat as byproducts.

21 (b) On or after July 1, 2026, a Service Board may not enter
22 into a new contract to purchase a bus that is not a
23 zero-emission bus for the purpose of the Service Board's
24 transit bus fleet.

25 (c) For the purposes of determining compliance with this

1 Section, a Service Board shall not be deemed to be in violation
2 of this Section when failure to comply is due to:

3 (1) the unavailability of zero-emission buses from a
4 manufacturer or funding to purchase zero-emission buses;

5 (2) the lack of necessary charging, fueling, or
6 storage facilities or funding to procure charging,
7 fueling, or storage facilities; or

8 (3) the inability of a third party to enter into a
9 contractual or commercial relationship with a Service
10 Board that is necessary to carry out the purposes of this
11 Section.

12 (70 ILCS 3615/2.40 new)

13 Sec. 2.40. Suspension of riding privileges and
14 confiscation of fare media.

15 (a) As used in this Section, "demographic information"
16 includes, but is not limited to, age, race, ethnicity, gender,
17 and housing status, as that term is defined under Section 10 of
18 the Bill of Rights for the Homeless Act.

19 (b) Suspension of riding privileges and confiscation of
20 fare media are limited to:

21 (1) violations where the person's conduct places
22 transit employees or transit passengers in reasonable
23 apprehension of a threat to their safety or the safety of
24 others, including assault and battery, as those terms are
25 defined under Sections 12-1 and 12-3 of the Criminal Code

1 of 2012;

2 (2) violations where the person's conduct places
3 transit employees or transit passengers in reasonable
4 apprehension of a threat of a criminal sexual assault, as
5 that term is defined under Section 11-1.20 of the Criminal
6 Code of 2012; and

7 (3) violations involving an act of public indecency,
8 as that term is defined in Section 11-30 of the Criminal
9 Code of 2012.

10 (c) Written notice shall be provided to an individual
11 regarding the suspension of the individual's riding privileges
12 or confiscation of fare media. The notice shall be provided in
13 person at the time of the alleged violation, except that, if
14 providing notice in person at the time of the alleged
15 violation is not practicable, then the Authority shall make a
16 reasonable effort to provide notice to the individual by
17 personal service, by mailing a copy of the notice by certified
18 mail, return receipt requested, and first-class mail to the
19 person's current address, or by emailing a copy of the notice
20 to an email address on file, if available. If the person is
21 known to be detained in jail, service shall be made as provided
22 under Section 2-203.2 of the Code of Civil Procedure. The
23 written notice shall be sufficient to inform the individual
24 about the following:

25 (1) the nature of the suspension of riding privileges
26 or confiscation of fare media;

1 (2) the person's rights and available remedies to
2 contest or appeal the suspension of riding privileges or
3 confiscation of fare media and to apply for reinstatement
4 of riding privileges; and

5 (3) the procedures for adjudicating whether a
6 suspension or confiscation is warranted and for applying
7 for reinstatement of riding privileges, including the time
8 and location of any hearing.

9 The process to determine whether a suspension or riding
10 privileges or confiscation of fare media is warranted and the
11 length of the suspension shall be concluded within 30 business
12 days after the individual receives notice of the suspension or
13 confiscation.

14 Notwithstanding any other provision of this Section, no
15 person shall be denied the ability to contest or appeal a
16 suspension of riding privileges or confiscation of fare media,
17 or to attend a hearing to determine whether a suspension or
18 confiscation was warranted, because the person was detained in
19 a jail.

20 (d) Each Service Board shall create an administrative
21 suspension hearing process as follows:

22 (1) A Service Board shall designate an official to
23 oversee the administrative process to decide whether a
24 suspension is warranted and the length of the suspension.

25 (2) The accused and related parties, including legal
26 counsel, may attend this hearing in person, by telephone,

1 or virtually.

2 (3) The Service Board shall present the
3 suspension-related evidence and outline the evidence that
4 supports the need for the suspension.

5 (4) The accused or the accused's legal counsel can
6 present and may make an oral or written presentation and
7 offer documents, including affidavits, in response to the
8 Service Board's evidence.

9 (5) The Service Board's designated official shall make
10 a finding on the suspension.

11 (6) The value of unexpended credit or unexpired passes
12 shall be reimbursed upon suspension of riding privileges
13 or confiscation of fare media.

14 (7) The alleged victims of the violation and related
15 parties, including witnesses who were present, may attend
16 this hearing in person, by telephone, or virtually.

17 (8) The alleged victims of the violation and related
18 parties, including witnesses who were present, can present
19 and may make an oral or written presentation and offer
20 documents, including affidavits, in response to the
21 Service Board's evidence.

22 (e) Each Service Board shall create a process to appeal
23 and reinstate ridership privileges. This information shall be
24 provided to the suspended rider at the time of the Service
25 Board's findings. A suspended rider is entitled to 2 appeals
26 after the Service Board's finding to suspend the person's

1 ridership. A suspended rider may petition the Service Board to
2 reinstate the person's ridership privileges one calendar year
3 after the Service Board's suspension finding if the length of
4 the suspension is more than one year.

5 (f) Each Service Board shall collect, report, and make
6 publicly available in a quarterly timeframe the number and
7 demographic information of people subject to suspension of
8 riding privileges or confiscation of fare media, the conduct
9 leading to the suspension or confiscation, as well as the
10 location and description of the location where the conduct
11 occurred, such as identifying the transit station or transit
12 line, date, and time of day, a citation to the statutory
13 authority for which the accused person was arrested or
14 charged, the amount, if any, on the fare media, and the length
15 of the suspension.

16 (70 ILCS 3615/2.41 new)

17 Sec. 2.41. Domestic Violence and Sexual Assault Regional
18 Transit Authority Public Transportation Assistance Program.

19 (a) No later than 90 days after the effective date of this
20 amendatory Act of the 103rd General Assembly, the Authority
21 shall create the Domestic Violence and Sexual Assault Regional
22 Transit Authority Public Transportation Assistance Program to
23 serve residents of the Authority.

24 Through this Program, the Authority shall issue monetarily
25 preloaded mass transit cards to The Network: Advocating

1 Against Domestic Violence for survivor and victim use of
2 public transportation through Chicago Transit Authority, the
3 Suburban Bus Division, and the Commuter Rail Division.

4 The Authority shall coordinate with The Network:
5 Advocating Against Domestic Violence to issue no less than
6 25,000 monetarily preloaded mass transit cards with a value of
7 \$20 per card for distribution to domestic violence and sexual
8 assault service providers throughout the Authority's
9 jurisdiction, including the counties of Cook, Kane, DuPage,
10 Will, Lake, and McHenry.

11 The mass transit card shall be plastic or laminated and
12 wallet-sized, contain no information that would reference
13 domestic violence or sexual assault services, and have no
14 expiration date. The cards shall also be available
15 electronically and shall be distributed to domestic violence
16 and sexual assault direct service providers to distribute to
17 survivors.

18 The total number of mass transit cards shall be
19 distributed to domestic violence and sexual assault service
20 providers throughout the Authority's region based on the
21 average number of clients served in 2021 and 2022 in
22 comparison to the total number of mass transit cards granted
23 by the Authority.

24 (b) The creation of the Program shall include an
25 appointment of a domestic violence or sexual assault program
26 service provider or a representative of the service provider's

1 choosing to the Authority's Citizen Advisory Board.

2 The Network: Advocating Against Domestic Violence shall
3 provide an annual report of the program, including a list of
4 service providers receiving the mass transit cards, the total
5 number of cards received by each service provider, and an
6 estimated number of survivors and victims of domestic violence
7 and sexual assault participating in the program. The report
8 shall also include survivor testimonies of the program and
9 shall include program provided recommendations on improving
10 implementation of the Program. The report shall be provided to
11 the Regional Transit Authority one calendar year after the
12 creation of the Program.

13 In partnership with The Network: Advocating Against
14 Domestic Violence, the Authority shall report this information
15 to the Board and the Citizen Advisory Board and compile an
16 annual report of the Program to the General Assembly and to
17 domestic violence and sexual assault service providers in the
18 service providers' jurisdiction and include recommendations
19 for improving implementation of the Program.

20 (70 ILCS 3615/2.42 new)

21 Sec. 2.42. Youth and young adults internships and
22 employment. By January 1, 2024, the Suburban Bus Board and the
23 Commuter Rail Board shall create or partner with a youth jobs
24 program to provide internship or employment opportunities to
25 youth and young adults.

1 (70 ILCS 3615/3.12 new)

2 Sec. 3.12. Reduced or free transit fare study.

3 (a) By July 1, 2024, the Authority shall conduct a study
4 and submit a report to the Governor and General Assembly
5 regarding free and reduced fares and the development of a more
6 equitable fare structure for the regional transit system. The
7 study shall include:

8 (1) The impact and feasibility of providing year-round
9 reduced or free transit fares, including, but not limited
10 to, veterans, returning residents, students and youths,
11 people experiencing low-incomes, and other riders who are
12 not currently receiving free or reduced fares.

13 (2) A review of all reduced fare programs administered
14 by the Authority and the service boards, which includes
15 information on accounting of the total cost of the
16 program, costs to increase the program, current sources of
17 funding for the program, and recommendations to increase
18 enrollment in current reduced fare and free-ride programs
19 and any other recommendations for improvements to the
20 programs.

21 (3) Analysis of how reduced and free ride programs and
22 changes in eligibility and funding for these programs
23 would affect the regional transit operating budget.

24 (b) In this Section, "returning resident" means any United
25 States resident who is 17 years of age or older and has been in

1 and left the physical custody of the Department of Corrections
2 within the last 36 months.
3

4 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

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

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

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

17 (c) to receive financial grants from the Regional
18 Transportation Authority or a Service Board, as defined in
19 the Regional Transportation Authority Act, upon such terms
20 and conditions as shall be set forth in a grant contract
21 between either the Division and the Regional
22 Transportation Authority or the Division and another
23 Service Board, which contract or agreement may be for such
24 number of years or duration as the parties agree, all as
25 provided in the Regional Transportation Authority Act;

1 (d) to perform all functions necessary for the
2 provision of paratransit services under Section 2.30 of
3 this Act; ~~and~~

4 (e) to borrow money for the purposes of: (i)
5 constructing a new garage in the northwestern Cook County
6 suburbs, (ii) converting the South Cook garage in Markham
7 to a Compressed Natural Gas facility, (iii) constructing a
8 new paratransit garage in DuPage County, (iv) expanding
9 the North Shore garage in Evanston to accommodate
10 additional indoor bus parking, and (v) purchasing new
11 transit buses. For the purpose of evidencing the
12 obligation of the Suburban Bus Board to repay any money
13 borrowed as provided in this subsection, the Suburban Bus
14 Board may issue revenue bonds from time to time pursuant
15 to ordinance adopted by the Suburban Bus Board, subject to
16 the approval of the Regional Transportation Authority of
17 each such issuance by the affirmative vote of 12 of its
18 then Directors; provided that the Suburban Bus Board may
19 not issue bonds for the purpose of financing the
20 acquisition, construction, or improvement of any facility
21 other than those listed in this subsection (e). All such
22 bonds shall be payable solely from the revenues or income
23 or any other funds that the Suburban Bus Board may
24 receive, provided that the Suburban Bus Board may not
25 pledge as security for such bonds the moneys, if any, that
26 the Suburban Bus Board receives from the Regional

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

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

23 (f) to adopt ordinances and make all rules and
24 regulations proper or necessary to regulate the use,
25 operation, and maintenance of its property and facilities
26 and to carry into effect the powers granted to the

1 Suburban Bus Board, with any necessary fines or penalties,
2 such as the suspension of riding privileges or
3 confiscation of fare media under Section 2.40, as the
4 Board deems proper.

5 (Source: P.A. 99-665, eff. 7-29-16.)

6 (70 ILCS 3615/3B.09c new)

7 Sec. 3B.09c. Regulation of the use, operation, and
8 maintenance of property. The Chief of Police of the Metra
9 Police Department may make rules and regulations proper or
10 necessary to regulate the use, operation, and maintenance of
11 the property and facilities of the Commuter Rail Board and to
12 carry into effect the powers granted to the Chief by the
13 Commuter Rail Board, with any necessary fines or penalties,
14 such as the suspension of riding privileges or confiscation of
15 fare media under Section 2.40, that the Chief deems proper.

16 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

17 Sec. 4.01. Budget and Program.

18 (a) The Board shall control the finances of the Authority.
19 It shall by ordinance adopted by the affirmative vote of at
20 least 12 of its then Directors (i) appropriate money to
21 perform the Authority's purposes and provide for payment of
22 debts and expenses of the Authority, (ii) take action with
23 respect to the budget and two-year financial plan of each
24 Service Board, as provided in Section 4.11, and (iii) adopt an

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

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

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

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

1 (i) that the level of fares and charges for mass
2 transportation provided by, or under grant or purchase of
3 service contracts of, the Service Boards is sufficient to
4 cause the aggregate of all projected fare revenues from
5 such fares and charges received in each fiscal year to
6 equal at least 50% of the aggregate costs of providing
7 such public transportation in such fiscal year. However,
8 due to the fiscal impacts of the COVID-19 pandemic, the
9 aggregate of all projected fare revenues from such fares
10 and charges received in fiscal years 2021, 2022, ~~and 2023,~~
11 2024, and 2025 may be less than 50% of the aggregate costs
12 of providing such public transportation in those fiscal
13 years. "Fare revenues" include the proceeds of all fares
14 and charges for services provided, contributions received
15 in connection with public transportation from units of
16 local government other than the Authority, except for
17 contributions received by the Chicago Transit Authority
18 from a real estate transfer tax imposed under subsection
19 (i) of Section 8-3-19 of the Illinois Municipal Code, and
20 from the State pursuant to subsection (i) of Section
21 2705-305 of the Department of Transportation Law (20 ILCS
22 2705/2705-305), and all other operating revenues properly
23 included consistent with generally accepted accounting
24 principles but do not include: the proceeds of any
25 borrowings, and, beginning with the 2007 fiscal year, all
26 revenues and receipts, including but not limited to fares

1 and grants received from the federal, State or any unit of
2 local government or other entity, derived from providing
3 ADA paratransit service pursuant to Section 2.30 of the
4 Regional Transportation Authority Act. "Costs" include all
5 items properly included as operating costs consistent with
6 generally accepted accounting principles, including
7 administrative costs, but do not include: depreciation;
8 payment of principal and interest on bonds, notes or other
9 evidences of obligation for borrowed money issued by the
10 Authority; payments with respect to public transportation
11 facilities made pursuant to subsection (b) of Section 2.20
12 of this Act; any payments with respect to rate protection
13 contracts, credit enhancements or liquidity agreements
14 made under Section 4.14; any other cost to which it is
15 reasonably expected that a cash expenditure will not be
16 made; costs for passenger security including grants,
17 contracts, personnel, equipment and administrative
18 expenses, except in the case of the Chicago Transit
19 Authority, in which case the term does not include costs
20 spent annually by that entity for protection against crime
21 as required by Section 27a of the Metropolitan Transit
22 Authority Act; the payment by the Chicago Transit
23 Authority of Debt Service, as defined in Section 12c of
24 the Metropolitan Transit Authority Act, on bonds or notes
25 issued pursuant to that Section; the payment by the
26 Commuter Rail Division of debt service on bonds issued

1 pursuant to Section 3B.09; expenses incurred by the
2 Suburban Bus Division for the cost of new public
3 transportation services funded from grants pursuant to
4 Section 2.01e of this amendatory Act of the 95th General
5 Assembly for a period of 2 years from the date of
6 initiation of each such service; costs as exempted by the
7 Board for projects pursuant to Section 2.09 of this Act;
8 or, beginning with the 2007 fiscal year, expenses related
9 to providing ADA paratransit service pursuant to Section
10 2.30 of the Regional Transportation Authority Act; and in
11 fiscal years 2008 through 2012 inclusive, costs in the
12 amount of \$200,000,000 in fiscal year 2008, reducing by
13 \$40,000,000 in each fiscal year thereafter until this
14 exemption is eliminated; and

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

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

12 The Authority shall file a statement certifying that the
13 Service Boards published the data described in subsection
14 (b-5) with the General Assembly and the Governor after
15 adoption of the Annual Budget and Two-Year Financial Plan
16 required by subsection (a). If the Authority fails to file a
17 statement certifying publication of the data, then the
18 appropriations to the Department of Transportation for grants
19 to the Authority intended to reimburse the Service Boards for
20 providing free and reduced fares shall be withheld.

21 (b-5) For fiscal years 2024 and 2025, the Service Boards
22 must publish a monthly comprehensive set of data regarding
23 transit service and safety. The data included shall include
24 information to track operations including:

25 (1) staffing levels, including numbers of budgeted
26 positions, current positions employed, hired staff,

1 attrition, staff in training, and absenteeism rates;

2 (2) scheduled service and delivered service, including
3 percentage of scheduled service delivered by day, service
4 by mode of transportation, service by route and rail line,
5 total number of revenue miles driven, excess wait times by
6 day, by mode of transportation, by bus route, and by stop;
7 and

8 (3) safety on the system, including the number of
9 incidents of crime and code of conduct violations on
10 system, any performance measures used to evaluate the
11 effectiveness of investments in private security, safety
12 equipment, and other security investments in the system.
13 If no performance measures exist to evaluate the
14 effectiveness of these safety investments, the Service
15 Boards and Authority shall develop and publish these
16 performance measures.

17 The Authority and Service Boards shall solicit input and
18 ideas on publishing data on the service reliability,
19 operations, and safety of the system from the public and
20 groups representing transit riders, workers, and businesses.

21 (c) The actual administrative expenses of the Authority
22 for the fiscal year commencing January 1, 1985 may not exceed
23 \$5,000,000. The actual administrative expenses of the
24 Authority for the fiscal year commencing January 1, 1986, and
25 for each fiscal year thereafter shall not exceed the maximum
26 administrative expenses for the previous fiscal year plus 5%.

1 "Administrative expenses" are defined for purposes of this
2 Section as all expenses except: (1) capital expenses and
3 purchases of the Authority on behalf of the Service Boards;
4 (2) payments to Service Boards; and (3) payment of principal
5 and interest on bonds, notes or other evidence of obligation
6 for borrowed money issued by the Authority; (4) costs for
7 passenger security including grants, contracts, personnel,
8 equipment and administrative expenses; (5) payments with
9 respect to public transportation facilities made pursuant to
10 subsection (b) of Section 2.20 of this Act; and (6) any
11 payments with respect to rate protection contracts, credit
12 enhancements or liquidity agreements made pursuant to Section
13 4.14.

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

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

15 (e) This subsection applies only until the Department
16 begins administering and enforcing an increased tax under
17 Section 4.03(m) as authorized by this amendatory Act of the
18 95th General Assembly. Moneys received by the Authority on
19 account of transfers to the Regional Transportation Authority
20 Occupation and Use Tax Replacement Fund from the State and
21 Local Sales Tax Reform Fund shall be allocated among the
22 Authority and the Service Boards as follows: 15% of such
23 moneys shall be retained by the Authority and the remaining
24 85% shall be transferred to the Service Boards as soon as may
25 be practicable after the Authority receives payment. Moneys
26 which are distributable to the Service Boards pursuant to the

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

10 (f) To carry out its duties and responsibilities under
11 this Act, the Board shall employ staff which shall: (1)
12 propose for adoption by the Board of the Authority rules for
13 the Service Boards that establish (i) forms and schedules to
14 be used and information required to be provided with respect
15 to a five-year capital program, annual budgets, and two-year
16 financial plans and regular reporting of actual results
17 against adopted budgets and financial plans, (ii) financial
18 practices to be followed in the budgeting and expenditure of
19 public funds, (iii) assumptions and projections that must be
20 followed in preparing and submitting its annual budget and
21 two-year financial plan or a five-year capital program; (2)
22 evaluate for the Board public transportation programs operated
23 or proposed by the Service Boards and transportation agencies
24 in terms of the goals and objectives set out in the Strategic
25 Plan; (3) keep the Board and the public informed of the extent
26 to which the Service Boards and transportation agencies are

1 meeting the goals and objectives adopted by the Authority in
2 the Strategic Plan; and (4) assess the efficiency or adequacy
3 of public transportation services provided by a Service Board
4 and make recommendations for change in that service to the end
5 that the moneys available to the Authority may be expended in
6 the most economical manner possible with the least possible
7 duplication.

8 (g) All Service Boards, transportation agencies,
9 comprehensive planning agencies, including the Chicago
10 Metropolitan Agency for Planning, or transportation planning
11 agencies in the metropolitan region shall furnish to the
12 Authority such information pertaining to public transportation
13 or relevant for plans therefor as it may from time to time
14 require. The Executive Director, or his or her designee,
15 shall, for the purpose of securing any such information
16 necessary or appropriate to carry out any of the powers and
17 responsibilities of the Authority under this Act, have access
18 to, and the right to examine, all books, documents, papers or
19 records of a Service Board or any transportation agency
20 receiving funds from the Authority or Service Board, and such
21 Service Board or transportation agency shall comply with any
22 request by the Executive Director, or his or her designee,
23 within 30 days or an extended time provided by the Executive
24 Director.

25 (h) No Service Board shall undertake any capital
26 improvement which is not identified in the Five-Year Capital

1 Program.

2 (i) Each Service Board shall furnish to the Board access
3 to its financial information including, but not limited to,
4 audits and reports. The Board shall have real-time access to
5 the financial information of the Service Boards; however, the
6 Board shall be granted read-only access to the Service Board's
7 financial information.

8 (Source: P.A. 102-678, eff. 12-10-21.)

9 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

10 Sec. 4.09. Public Transportation Fund and the Regional
11 Transportation Authority Occupation and Use Tax Replacement
12 Fund.

13 (a) (1) Except as otherwise provided in paragraph (4), as
14 soon as possible after the first day of each month, beginning
15 July 1, 1984, upon certification of the Department of Revenue,
16 the Comptroller shall order transferred and the Treasurer
17 shall transfer from the General Revenue Fund to a special fund
18 in the State Treasury to be known as the Public Transportation
19 Fund an amount equal to 25% of the net revenue, before the
20 deduction of the serviceman and retailer discounts pursuant to
21 Section 9 of the Service Occupation Tax Act and Section 3 of
22 the Retailers' Occupation Tax Act, realized from any tax
23 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
24 and 25% of the amounts deposited into the Regional
25 Transportation Authority tax fund created by Section 4.03 of

1 this Act, from the County and Mass Transit District Fund as
2 provided in Section 6z-20 of the State Finance Act and 25% of
3 the amounts deposited into the Regional Transportation
4 Authority Occupation and Use Tax Replacement Fund from the
5 State and Local Sales Tax Reform Fund as provided in Section
6 6z-17 of the State Finance Act. On the first day of the month
7 following the date that the Department receives revenues from
8 increased taxes under Section 4.03(m) as authorized by Public
9 Act 95-708, in lieu of the transfers authorized in the
10 preceding sentence, upon certification of the Department of
11 Revenue, the Comptroller shall order transferred and the
12 Treasurer shall transfer from the General Revenue Fund to the
13 Public Transportation Fund an amount equal to 25% of the net
14 revenue, before the deduction of the serviceman and retailer
15 discounts pursuant to Section 9 of the Service Occupation Tax
16 Act and Section 3 of the Retailers' Occupation Tax Act,
17 realized from (i) 80% of the proceeds of any tax imposed by the
18 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
19 proceeds of any tax imposed by the Authority at the rate of 1%
20 in Cook County, and (iii) one-third of the proceeds of any tax
21 imposed by the Authority at the rate of 0.75% in the Counties
22 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
23 Section 4.03, and 25% of the net revenue realized from any tax
24 imposed by the Authority pursuant to Section 4.03.1, and 25%
25 of the amounts deposited into the Regional Transportation
26 Authority tax fund created by Section 4.03 of this Act from the

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

13 Notwithstanding any provision of law to the contrary,
14 beginning on July 6, 2017 (the effective date of Public Act
15 100-23), those amounts required under this paragraph (1) of
16 subsection (a) to be transferred by the Treasurer into the
17 Public Transportation Fund from the General Revenue Fund shall
18 be directly deposited into the Public Transportation Fund as
19 the revenues are realized from the taxes indicated.

20 (2) Except as otherwise provided in paragraph (4), on
21 February 1, 2009 (the first day of the month following the
22 effective date of Public Act 95-708) and each month
23 thereafter, upon certification by the Department of Revenue,
24 the Comptroller shall order transferred and the Treasurer
25 shall transfer from the General Revenue Fund to the Public
26 Transportation Fund an amount equal to 5% of the net revenue,

1 before the deduction of the serviceman and retailer discounts
2 pursuant to Section 9 of the Service Occupation Tax Act and
3 Section 3 of the Retailers' Occupation Tax Act, realized from
4 any tax imposed by the Authority pursuant to Sections 4.03 and
5 4.03.1 and certified by the Department of Revenue under
6 Section 4.03(n) of this Act to be paid to the Authority and 5%
7 of the amounts deposited into the Regional Transportation
8 Authority tax fund created by Section 4.03 of this Act from the
9 County and Mass Transit District Fund as provided in Section
10 6z-20 of the State Finance Act, and 5% of the amounts deposited
11 into the Regional Transportation Authority Occupation and Use
12 Tax Replacement Fund from the State and Local Sales Tax Reform
13 Fund as provided in Section 6z-17 of the State Finance Act, and
14 5% of the revenue realized by the Chicago Transit Authority as
15 financial assistance from the City of Chicago from the
16 proceeds of any tax imposed by the City of Chicago under
17 Section 8-3-19 of the Illinois Municipal Code.

18 Notwithstanding any provision of law to the contrary,
19 beginning on July 6, 2017 (the effective date of Public Act
20 100-23), those amounts required under this paragraph (2) of
21 subsection (a) to be transferred by the Treasurer into the
22 Public Transportation Fund from the General Revenue Fund shall
23 be directly deposited into the Public Transportation Fund as
24 the revenues are realized from the taxes indicated.

25 (3) Except as otherwise provided in paragraph (4), as soon
26 as possible after the first day of January, 2009 and each month

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

22 Notwithstanding any provision of law to the contrary,
23 beginning on July 6, 2017 (the effective date of Public Act
24 100-23), those amounts required under this paragraph (3) of
25 subsection (a) to be transferred by the Treasurer into the
26 Public Transportation Fund from the General Revenue Fund shall

1 be directly deposited into the Public Transportation Fund as
2 the revenues are realized from the taxes indicated.

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

10 (5) (Blank).

11 (6) (Blank).

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

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

20 (b)(1) All moneys deposited in the Public Transportation
21 Fund and the Regional Transportation Authority Occupation and
22 Use Tax Replacement Fund, whether deposited pursuant to this
23 Section or otherwise, are allocated to the Authority, except
24 for amounts appropriated to the Office of the Executive
25 Inspector General as authorized by subsection (h) of Section
26 4.03.3 and amounts transferred to the Audit Expense Fund

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

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

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

17	1990	\$5,000,000;
18	1991	\$5,000,000;
19	1992	\$10,000,000;
20	1993	\$10,000,000;
21	1994	\$20,000,000;
22	1995	\$30,000,000;
23	1996	\$40,000,000;
24	1997	\$50,000,000;
25	1998	\$55,000,000; and
26	each year thereafter	\$55,000,000.

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

10	2000	\$0;
11	2001	\$16,000,000;
12	2002	\$35,000,000;
13	2003	\$54,000,000;
14	2004	\$73,000,000;
15	2005	\$93,000,000; and
16	each year thereafter	\$100,000,000.

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

22 (1) The amount necessary and required, during the
23 State fiscal year with respect to which the certification
24 is made, to pay its obligations for debt service on all
25 outstanding bonds or notes issued by the Authority under
26 subdivisions (g)(2) and (g)(3) of Section 4.04 of this

1 Act.

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

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

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

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

23 Immediately upon the issuance of bonds for which an
24 estimated schedule of debt service payments was prepared, the
25 Authority shall file an amended certification with respect to
26 item (2) above, to specify the actual schedule of debt service

1 payments, including the date and amount of each payment, for
2 the remainder of the State fiscal year.

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

23 (A) In no event shall the total transfers in any State
24 fiscal year relating to outstanding bonds and notes issued
25 by the Authority under subdivision (g)(2) of Section 4.04
26 exceed the lesser of the annual maximum amount specified

1 in subsection (c) or the sum of the amounts certified
2 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, with respect to those
5 bonds and notes.

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

15 The term "outstanding" does not include bonds or notes for
16 which refunding or advance refunding bonds or notes have been
17 issued.

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

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

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

9 (i) whether the aggregate of all system generated
10 revenues for public transportation in the metropolitan
11 region which is provided by, or under grant or purchase of
12 service contracts with, the Service Boards equals 50% of
13 the aggregate of all costs of providing such public
14 transportation. "System generated revenues" include all
15 the proceeds of fares and charges for services provided,
16 contributions received in connection with public
17 transportation from units of local government other than
18 the Authority, except for contributions received by the
19 Chicago Transit Authority from a real estate transfer tax
20 imposed under subsection (i) of Section 8-3-19 of the
21 Illinois Municipal Code, and from the State pursuant to
22 subsection (i) of Section 2705-305 of the Department of
23 Transportation Law, and all other revenues properly
24 included consistent with generally accepted accounting
25 principles but may not include: the proceeds from any
26 borrowing, and, beginning with the 2007 fiscal year, all

1 revenues and receipts, including but not limited to fares
2 and grants received from the federal, State or any unit of
3 local government or other entity, derived from providing
4 ADA paratransit service pursuant to Section 2.30 of the
5 Regional Transportation Authority Act. "Costs" include all
6 items properly included as operating costs consistent with
7 generally accepted accounting principles, including
8 administrative costs, but do not include: depreciation;
9 payment of principal and interest on bonds, notes or other
10 evidences of obligations for borrowed money of the
11 Authority; payments with respect to public transportation
12 facilities made pursuant to subsection (b) of Section
13 2.20; any payments with respect to rate protection
14 contracts, credit enhancements or liquidity agreements
15 made under Section 4.14; any other cost as to which it is
16 reasonably expected that a cash expenditure will not be
17 made; costs for passenger security including grants,
18 contracts, personnel, equipment and administrative
19 expenses, except in the case of the Chicago Transit
20 Authority, in which case the term does not include costs
21 spent annually by that entity for protection against crime
22 as required by Section 27a of the Metropolitan Transit
23 Authority Act; the costs of Debt Service paid by the
24 Chicago Transit Authority, as defined in Section 12c of
25 the Metropolitan Transit Authority Act, or bonds or notes
26 issued pursuant to that Section; the payment by the

1 Commuter Rail Division of debt service on bonds issued
2 pursuant to Section 3B.09; expenses incurred by the
3 Suburban Bus Division for the cost of new public
4 transportation services funded from grants pursuant to
5 Section 2.01e of this Act for a period of 2 years from the
6 date of initiation of each such service; costs as exempted
7 by the Board for projects pursuant to Section 2.09 of this
8 Act; or, beginning with the 2007 fiscal year, expenses
9 related to providing ADA paratransit service pursuant to
10 Section 2.30 of the Regional Transportation Authority Act;
11 or in fiscal years 2008 through 2012 inclusive, costs in
12 the amount of \$200,000,000 in fiscal year 2008, reducing
13 by \$40,000,000 in each fiscal year thereafter until this
14 exemption is eliminated. If said system generated revenues
15 are less than 50% of said costs, the Board shall remit an
16 amount equal to the amount of the deficit to the State;
17 however, due to the fiscal impacts from the COVID-19
18 pandemic, for fiscal years 2021, 2022, ~~and 2023,~~ 2024, and
19 2025, no such payment shall be required. The Treasurer
20 shall deposit any such payment in the Road Fund; and

21 (ii) whether, beginning with the 2007 fiscal year, the
22 aggregate of all fares charged and received for ADA
23 paratransit services equals the system generated ADA
24 paratransit services revenue recovery ratio percentage of
25 the aggregate of all costs of providing such ADA
26 paratransit services.

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

13 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
14 102-678, eff. 12-10-21.)

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.47 as follows:

17 (30 ILCS 805/8.47 new)

18 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
19 8 of this Act, no reimbursement by the State is required for
20 the implementation of the mandate created by Section 2.10a of
21 the Regional Transportation Authority Act in this amendatory
22 Act of the 103rd General Assembly.

23 Section 99. Effective date. This Section and Sections 2.41
24 and 2.42 of the Regional Transportation Authority Act take

1 effect upon becoming law.