



Sen. Ram Villivalam

Filed: 5/9/2023

10300HB1342sam001

LRB103 24929 AWJ 61619 a

1 AMENDMENT TO HOUSE BILL 1342

2 AMENDMENT NO. _____. Amend House Bill 1342 by replacing
3 everything after the enacting clause with the following:

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

1 offense. All fines and penalties shall be imposed by
2 ordinances, which shall be published in a newspaper of general
3 circulation published in the metropolitan area. No such
4 ordinance shall take effect until ten days after its
5 publication.

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

7 (70 ILCS 3605/51)

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

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

18 (b) Notwithstanding any law to the contrary, no later than
19 180 days following the effective date of this amendatory Act
20 of the 96th General Assembly, any fixed route public
21 transportation services provided by, or under grant or
22 purchase of service contracts of, the Board shall be provided
23 without charge to senior citizens aged 65 and older who meet
24 the income eligibility limitation set forth in subsection
25 (a-5) of Section 4 of the Senior Citizens and Persons with

1 Disabilities Property Tax Relief Act, under such conditions as
2 shall be prescribed by the Board. The Department on Aging
3 shall furnish all information reasonably necessary to
4 determine eligibility, including updated lists of individuals
5 who are eligible for services without charge under this
6 Section. Nothing in this Section shall relieve the Board from
7 providing reduced fares as may be required by federal law.

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

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

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

15 (70 ILCS 3610/5) (from Ch. 111 2/3, par. 355)

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

1 such operation is extended.

2 (b) The Board of Trustees of every District may for the
3 purposes of the District, acquire by gift, purchase, lease,
4 legacy, condemnation, or otherwise and hold, use, improve,
5 maintain, operate, own, manage or lease, as lessor or lessee,
6 such cars, buses, equipment, buildings, structures, real and
7 personal property, and interests therein, and services, lands
8 for terminal and other related facilities, improvements and
9 services, or any interest therein, including all or any part
10 of the plant, land, buildings, equipment, vehicles, licenses,
11 franchises, patents, property, service contracts and
12 agreements of every kind and nature. Real property may be so
13 acquired if it is situated within or partially within the area
14 served by the District or if it is outside the area if it is
15 desirable or necessary for the purposes of the District.

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

21 (d) The Board of Trustees of every District shall have the
22 authority to contract for any and all purposes of the
23 District, including with an interstate transportation
24 authority, or with another local Mass Transit District or any
25 other municipal, public, or private corporation entity in the
26 transportation business including the authority to contract to

1 lease its or otherwise provide land, buildings, and equipment,
2 and other related facilities, improvements, and services, for
3 the carriage of passengers beyond the territorial limits of
4 the District or to subsidize transit operations by a public or
5 private or municipal corporation operating entity providing
6 mass transit facilities.

7 (e) The Board of Trustees of every District shall have the
8 authority to establish, alter and discontinue transportation
9 routes and services and any or all ancillary or supporting
10 facilities and services, and to establish and amend rate
11 schedules for the transportation of persons thereon or for the
12 public or private use thereof which rate schedules shall,
13 together with any grants, receipts or income from other
14 sources, be sufficient to pay the expenses of the District,
15 the repair, maintenance and the safe and adequate operation of
16 its mass transit facilities and public mass transportation
17 system and to fulfill the terms of its debts, undertakings,
18 and obligations.

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

22 (1) to sue and be sued;

23 (2) to adopt and use a seal;

24 (3) to make and execute contracts loans, leases,
25 subleases, installment purchase agreements, contracts,
26 notes and other instruments evidencing financial

1 obligations, and other instruments necessary or convenient
2 in the exercise of its powers;

3 (4) to make, amend and repeal bylaws, rules and
4 regulations not inconsistent with this Act, including
5 rules and regulations proper or necessary to regulate the
6 use, operation, and maintenance of its properties and
7 facilities and to carry into effect the powers granted to
8 the Board of Trustees, with any necessary fines or
9 penalties, such as the suspension of riding privileges or
10 confiscation of fare media under Section 5.6, as the Board
11 deems proper;

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

18 (6) to invest funds, not required for immediate
19 disbursement, in property, agreements, or securities legal
20 for investment of public funds controlled by savings banks
21 under applicable law;

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

25 (8) to apply for, accept and use grants, loans or
26 other financial assistance from any private entity or

1 municipal, county, State or Federal governmental agency or
2 other public entity;

3 (9) to borrow money from the United States Government
4 or any agency thereof, or from any other public or private
5 source, for the purposes of the District and, as evidence
6 thereof, to issue its revenue bonds, payable solely from
7 the revenue derived from the operation of the District.
8 These bonds may be issued with maturities not exceeding 40
9 years from the date of the bonds, and in such amounts as
10 may be necessary to provide sufficient funds, together
11 with interest, for the purposes of the District. These
12 bonds shall bear interest at a rate of not more than the
13 maximum rate authorized by the Bond Authorization Act, as
14 amended at the time of the making of the contract of sale,
15 payable semi-annually, may be made registerable as to
16 principal, and may be made payable and callable as
17 provided on any interest payment date at a price of par and
18 accrued interest under such terms and conditions as may be
19 fixed by the ordinance authorizing the issuance of the
20 bonds. Bonds issued under this Section are negotiable
21 instruments. They shall be executed by the chairman and
22 members of the Board of Trustees, attested by the
23 secretary, and shall be sealed with the corporate seal of
24 the District. In case any Trustee or officer whose
25 signature appears on the bonds or coupons ceases to hold
26 that office before the bonds are delivered, such officer's

1 signature, shall nevertheless be valid and sufficient for
2 all purposes, the same as though such officer had remained
3 in office until the bonds were delivered. The bonds shall
4 be sold in such manner and upon such terms as the Board of
5 Trustees shall determine, except that the selling price
6 shall be such that the interest cost to the District of the
7 proceeds of the bonds 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, payable
10 semi-annually, computed to maturity according to the
11 standard table of bond values.

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

1 with respect to the payment of principal and interest and
2 the security thereof, to such other bonds as are
3 designated in the ordinance.

4 The ordinance shall pledge the revenue derived from
5 the operations of the District for the purpose of paying
6 the cost of operation and maintenance of the District,
7 and, as applicable, providing adequate depreciation funds,
8 and paying the principal of and interest on the bonds of
9 the District issued under this Section;

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

14 (11) to issue tax anticipation warrants;

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

19 (13) to provide for the insurance of any property,
20 directors, officers, employees or operations of the
21 District against any risk or hazard, and to self-insure or
22 participate in joint self-insurance pools or entities to
23 insure against such risk or hazard;

24 (14) to use its established funds, personnel, and
25 other resources to acquire, construct, operate, and
26 maintain bikeways and trails. Districts may cooperate with

1 other governmental and private agencies in bikeway and
2 trail programs; and

3 (15) to acquire, own, maintain, construct,
4 reconstruct, improve, repair, operate or lease any
5 light-rail public transportation system, terminal,
6 terminal facility, public airport, or bridge or toll
7 bridge across waters with any city, state, or both.

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

23 This Section shall be liberally construed to give effect
24 to its purposes.

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

1 (70 ILCS 3610/5.6 new)

2 Sec. 5.6. Suspension of riding privileges and confiscation
3 of fare media.

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

8 (b) Suspension of riding privileges and confiscation of
9 fare media are limited to:

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

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

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

24 (c) Written notice shall be provided to an individual
25 regarding the suspension of the individual's riding privileges
26 or confiscation of fare media. The notice shall be provided in

1 person at the time of the alleged violation, except that, if
2 providing notice in person at the time of the alleged
3 violation is not practicable, then notice shall be provided to
4 the individual by either personal service or by mailing a copy
5 of the notice by certified mail, return receipt requested, and
6 first-class mail to the person's current address. If the
7 person is known to be detained in jail, service shall be made
8 as provided under Section 2-203.2 of the Code of Civil
9 Procedure. The written notice shall be sufficient to inform
10 the individual about the following:

11 (1) the nature of the suspension of riding privileges
12 or confiscation of fare media;

13 (2) the person's rights and available remedies to
14 contest or appeal the suspension of riding privileges or
15 confiscation of fare media and to apply for reinstatement
16 of riding privileges; and

17 (3) the procedures for adjudicating whether a
18 suspension or confiscation is warranted and for applying
19 for reinstatement of riding privileges, including the time
20 and location of any hearing.

21 The process to determine whether a suspension or riding
22 privileges or confiscation of fare media is warranted and the
23 length of the suspension shall be concluded within 30 days
24 after the individual receives notice of the suspension or
25 confiscation.

26 Notwithstanding any other provision of this Section, no

1 person shall be denied the ability to contest or appeal a
2 suspension of riding privileges or confiscation of fare media,
3 or to attend a hearing to determine whether a suspension or
4 confiscation was warranted, because the person was detained in
5 a jail.

6 (d) Each Board shall create an administrative suspension
7 hearing process as follows:

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

11 (2) The accused and related parties may attend this
12 hearing in person, by telephone, or virtually.

13 (3) The Board shall present the suspension-related
14 evidence and outline the evidence that supports the need
15 for the suspension.

16 (4) The accused can present and may make an oral or
17 written presentation and offer documents, including
18 affidavits, in response to the Board's evidence.

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

21 (6) The value of unexpended credit or unexpired passes
22 shall be reimbursed upon suspension of riding privileges
23 or confiscation of fare media.

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

1 (8) The alleged victims of the violation and related
2 parties, including witnesses who were present, can present
3 and may make an oral or written presentation and offer
4 documents, including affidavits, in response to the
5 Board's evidence.

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

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

25 Section 15. The Regional Transportation Authority Act is

1 amended by changing Sections 3A.09 and 4.01 and by adding
2 Sections 2.10a, 2.40, 2.41, 2.42, 3.12, and 3B.09c as follows:

3 (70 ILCS 3615/2.10a new)

4 Sec. 2.10a. Zero-emission buses.

5 (a) As used in this Section:

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

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

9 (2) a zero-emission vehicle; and

10 (3) not a taxi.

11 "Zero-emission vehicle" means a fuel cell or electric
12 vehicle that:

13 (1) is a motor vehicle;

14 (2) is made by a commercial manufacturer;

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

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

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

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

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

23 (b) On or after January 1, 2026, a Service Board may not
24 enter into a contract or contract amendment to purchase a bus
25 that is not a zero-emission bus for the purpose of the Service

1 Board's transit bus fleet.

2 (70 ILCS 3615/2.40 new)

3 Sec. 2.40. Suspension of riding privileges and
4 confiscation of fare media.

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

9 (b) Suspension of riding privileges and confiscation of
10 fare media are limited to:

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

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

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

25 (c) Written notice shall be provided to an individual

1 regarding the suspension of the individual's riding privileges
2 or confiscation of fare media. The notice shall be provided in
3 person at the time of the alleged violation, except that, if
4 providing notice in person at the time of the alleged
5 violation is not practicable, then notice shall be provided to
6 the individual by either personal service or by mailing a copy
7 of the notice by certified mail, return receipt requested, and
8 first-class mail to the person's current address. If the
9 person is known to be detained in jail, service shall be made
10 as provided under Section 2-203.2 of the Code of Civil
11 Procedure. The written notice shall be sufficient to inform
12 the individual about the following:

13 (1) the nature of the suspension of riding privileges
14 or confiscation of fare media;

15 (2) the person's rights and available remedies to
16 contest or appeal the suspension of riding privileges or
17 confiscation of fare media and to apply for reinstatement
18 of riding privileges; and

19 (3) the procedures for adjudicating whether a
20 suspension or confiscation is warranted and for applying
21 for reinstatement of riding privileges, including the time
22 and location of any hearing.

23 The process to determine whether a suspension or riding
24 privileges or confiscation of fare media is warranted and the
25 length of the suspension shall be concluded within 30 days
26 after the individual receives notice of the suspension or

1 confiscation.

2 Notwithstanding any other provision of this Section, no
3 person shall be denied the ability to contest or appeal a
4 suspension of riding privileges or confiscation of fare media,
5 or to attend a hearing to determine whether a suspension or
6 confiscation was warranted, because the person was detained in
7 a jail.

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

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

13 (2) The accused and related parties may attend this
14 hearing in person, by telephone, or virtually.

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

18 (4) The accused can present and may make an oral or
19 written presentation and offer documents, including
20 affidavits, in response to the Service Board's evidence.

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

23 (6) The value of unexpended credit or unexpired passes
24 shall be reimbursed upon suspension of riding privileges
25 or confiscation of fare media.

26 (7) The alleged victims of the violation and related

1 parties, including witnesses who were present, may attend
2 this hearing in person, by telephone, or virtually.

3 (8) The alleged victims of the violation and related
4 parties, including witnesses who were present, can present
5 and may make an oral or written presentation and offer
6 documents, including affidavits, in response to the
7 Service Board's evidence.

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

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

1 of the suspension.

2 (70 ILCS 3615/2.41 new)

3 Sec. 2.41. Domestic Violence and Sexual Assault Regional
4 Transit Authority Public Transportation Assistance Program.

5 (a) No later than 90 days after the effective date of this
6 amendatory Act of the 103rd General Assembly, the Authority
7 shall create the Domestic Violence and Sexual Assault Regional
8 Transit Authority Public Transportation Assistance Program to
9 serve residents of the Authority.

10 Through this Program, the Authority shall issue monetarily
11 preloaded mass transit cards to The Network: Advocating
12 Against Domestic Violence for survivor and victim use of
13 public transportation through Chicago Transit Authority, the
14 Suburban Bus Division, and the Commuter Rail Division.

15 The Authority shall coordinate with The Network:
16 Advocating Against Domestic Violence to issue no less than
17 25,000 monetarily preloaded mass transit cards for
18 distribution to domestic violence and sexual assault service
19 providers throughout the Authority's jurisdiction, including
20 the counties of Cook, Kane, DuPage, Will, Lake, and McHenry.

21 The mass transit card shall be plastic or laminated and
22 wallet-sized, contain no information that would reference
23 domestic violence or sexual assault services, and have no
24 expiration date. The cards shall also be available
25 electronically and shall be distributed to domestic violence

1 and sexual assault direct service providers to distribute to
2 survivors.

3 The total number of mass transit cards shall be
4 distributed to domestic violence and sexual assault service
5 providers throughout the Authority's region based on the
6 average number of clients served in 2021 and 2022 in
7 comparison to the total number of mass transit cards granted
8 by the Authority.

9 (b) The creation of the Program shall include an
10 appointment of a domestic violence or sexual assault program
11 service provider or a representative of the service provider's
12 choosing to the Authority's Citizen Advisory Board.

13 The Network: Advocating Against Domestic Violence shall
14 provide an annual report of the program, including a list of
15 service providers receiving the mass transit cards, the total
16 number of cards received by each service provider, and an
17 estimated number of survivors and victims of domestic violence
18 and sexual assault participating in the program. The report
19 shall also include survivor testimonies of the program and
20 shall include program provided recommendations on improving
21 implementation of the Program. The report shall be provided to
22 the Regional Transit Authority one calendar year after the
23 creation of the Program.

24 In partnership with The Network: Advocating Against
25 Domestic Violence, the Authority shall report this information
26 to the Board and the Citizen Advisory Board and compile an

1 annual report of the Program to the General Assembly and to
2 domestic violence and sexual assault service providers in the
3 service providers' jurisdiction and include recommendations
4 for improving implementation of the Program.

5 (70 ILCS 3615/2.42 new)

6 Sec. 2.42. Youth and young adults internships and
7 employment. By January 1, 2024, the Suburban Bus Board and the
8 Commuter Rail Board shall create or partner with a youth jobs
9 program to provide internship or employment opportunities to
10 youth and young adults.

11 (70 ILCS 3615/3.12 new)

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

13 (a) As used in this Section, "returning resident" means
14 any United States resident who is 17 years of age or older and
15 has been in and left the physical custody of the Department of
16 Corrections within the last 36 months.

17 (a) By July 1, 2024, the Authority shall study and submit a
18 report to the Governor and General Assembly regarding the
19 feasibility and cost of providing year-round reduced or free
20 transit fares for veterans, returning residents, and students
21 who are not currently receiving a free or reduced fare.

22
23 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

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

6 (a) to cooperate with the Regional Transportation
7 Authority in the exercise by the Regional Transportation
8 Authority of all the powers granted it by such Act;

9 (b) to receive funds from the Regional Transportation
10 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and
11 4.10 of the Regional Transportation Authority Act, all as
12 provided in the Regional Transportation Authority Act;

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

22 (d) to perform all functions necessary for the
23 provision of paratransit services under Section 2.30 of
24 this Act; ~~and~~

25 (e) to borrow money for the purposes of: (i)
26 constructing a new garage in the northwestern Cook County

1 suburbs, (ii) converting the South Cook garage in Markham
2 to a Compressed Natural Gas facility, (iii) constructing a
3 new paratransit garage in DuPage County, (iv) expanding
4 the North Shore garage in Evanston to accommodate
5 additional indoor bus parking, and (v) purchasing new
6 transit buses. For the purpose of evidencing the
7 obligation of the Suburban Bus Board to repay any money
8 borrowed as provided in this subsection, the Suburban Bus
9 Board may issue revenue bonds from time to time pursuant
10 to ordinance adopted by the Suburban Bus Board, subject to
11 the approval of the Regional Transportation Authority of
12 each such issuance by the affirmative vote of 12 of its
13 then Directors; provided that the Suburban Bus Board may
14 not issue bonds for the purpose of financing the
15 acquisition, construction, or improvement of any facility
16 other than those listed in this subsection (e). All such
17 bonds shall be payable solely from the revenues or income
18 or any other funds that the Suburban Bus Board may
19 receive, provided that the Suburban Bus Board may not
20 pledge as security for such bonds the moneys, if any, that
21 the Suburban Bus Board receives from the Regional
22 Transportation Authority pursuant to Section 4.03.3(f) of
23 the Regional Transportation Authority Act. The bonds shall
24 bear interest at a rate not to exceed the maximum rate
25 authorized by the Bond Authorization Act and shall mature
26 at such time or times not exceeding 25 years from their

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

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

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

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

1 (70 ILCS 3615/3B.09c new)

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

11 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

12 Sec. 4.01. Budget and Program.

13 (a) The Board shall control the finances of the Authority.
14 It shall by ordinance adopted by the affirmative vote of at
15 least 12 of its then Directors (i) appropriate money to
16 perform the Authority's purposes and provide for payment of
17 debts and expenses of the Authority, (ii) take action with
18 respect to the budget and two-year financial plan of each
19 Service Board, as provided in Section 4.11, and (iii) adopt an
20 Annual Budget and Two-Year Financial Plan for the Authority
21 that includes the annual budget and two-year financial plan of
22 each Service Board that has been approved by the Authority.
23 The Annual Budget and Two-Year Financial Plan shall contain a
24 statement of the funds estimated to be on hand for the

1 Authority and each Service Board at the beginning of the
2 fiscal year, the funds estimated to be received from all
3 sources for such year, the estimated expenses and obligations
4 of the Authority and each Service Board for all purposes,
5 including expenses for contributions to be made with respect
6 to pension and other employee benefits, and the funds
7 estimated to be on hand at the end of such year. The fiscal
8 year of the Authority and each Service Board shall begin on
9 January 1st and end on the succeeding December 31st. By July
10 1st of each year the Director of the Illinois Governor's
11 Office of Management and Budget (formerly Bureau of the
12 Budget) shall submit to the Authority an estimate of revenues
13 for the next fiscal year of the Authority to be collected from
14 the taxes imposed by the Authority and the amounts to be
15 available in the Public Transportation Fund and the Regional
16 Transportation Authority Occupation and Use Tax Replacement
17 Fund and the amounts otherwise to be appropriated by the State
18 to the Authority for its purposes. The Authority shall file a
19 copy of its Annual Budget and Two-Year Financial Plan with the
20 General Assembly and the Governor after its adoption. Before
21 the proposed Annual Budget and Two-Year Financial Plan is
22 adopted, the Authority shall hold at least one public hearing
23 thereon in the metropolitan region, and shall meet with the
24 county board or its designee of each of the several counties in
25 the metropolitan region. After conducting such hearings and
26 holding such meetings and after making such changes in the

1 proposed Annual Budget and Two-Year Financial Plan as the
2 Board deems appropriate, the Board shall adopt its annual
3 appropriation and Annual Budget and Two-Year Financial Plan
4 ordinance. The ordinance may be adopted only upon the
5 affirmative votes of 12 of its then Directors. The ordinance
6 shall appropriate such sums of money as are deemed necessary
7 to defray all necessary expenses and obligations of the
8 Authority, specifying purposes and the objects or programs for
9 which appropriations are made and the amount appropriated for
10 each object or program. Additional appropriations, transfers
11 between items and other changes in such ordinance may be made
12 from time to time by the Board upon the affirmative votes of 12
13 of its then Directors.

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

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

22 (i) that the level of fares and charges for mass
23 transportation provided by, or under grant or purchase of
24 service contracts of, the Service Boards is sufficient to
25 cause the aggregate of all projected fare revenues from
26 such fares and charges received in each fiscal year to

1 equal at least 50% of the aggregate costs of providing
2 such public transportation in such fiscal year. However,
3 due to the fiscal impacts of the COVID-19 pandemic, the
4 aggregate of all projected fare revenues from such fares
5 and charges received in fiscal years 2021, 2022, ~~and 2023,~~
6 2024, and 2025 may be less than 50% of the aggregate costs
7 of providing such public transportation in those fiscal
8 years. "Fare revenues" include the proceeds of all fares
9 and charges for services provided, contributions received
10 in connection with public transportation from units of
11 local government other than the Authority, except for
12 contributions received by the Chicago Transit Authority
13 from a real estate transfer tax imposed under subsection
14 (i) of Section 8-3-19 of the Illinois Municipal Code, and
15 from the State pursuant to subsection (i) of Section
16 2705-305 of the Department of Transportation Law (20 ILCS
17 2705/2705-305), and all other operating revenues properly
18 included consistent with generally accepted accounting
19 principles but do not include: the proceeds of any
20 borrowings, and, beginning with the 2007 fiscal year, all
21 revenues and receipts, including but not limited to fares
22 and grants received from the federal, State or any unit of
23 local government or other entity, derived from providing
24 ADA paratransit service pursuant to Section 2.30 of the
25 Regional Transportation Authority Act. "Costs" include all
26 items properly included as operating costs consistent with

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

1 initiation of each such service; costs as exempted by the
2 Board for projects pursuant to Section 2.09 of this Act;
3 or, beginning with the 2007 fiscal year, expenses related
4 to providing ADA paratransit service pursuant to Section
5 2.30 of the Regional Transportation Authority Act; and in
6 fiscal years 2008 through 2012 inclusive, costs in the
7 amount of \$200,000,000 in fiscal year 2008, reducing by
8 \$40,000,000 in each fiscal year thereafter until this
9 exemption is eliminated; and

10 (ii) that the level of fares charged for ADA
11 paratransit services is sufficient to cause the aggregate
12 of all projected revenues from such fares charged and
13 received in each fiscal year to equal at least 10% of the
14 aggregate costs of providing such ADA paratransit
15 services. However, due to the fiscal impacts of the
16 COVID-19 pandemic, the aggregate of all projected fare
17 revenues from such fares and charges received in fiscal
18 years 2021, 2022, and 2023 may be less than 10% of the
19 aggregate costs of providing such ADA paratransit services
20 in those fiscal years. For purposes of this Act, the
21 percentages in this subsection (b)(ii) shall be referred
22 to as the "system generated ADA paratransit services
23 revenue recovery ratio". For purposes of the system
24 generated ADA paratransit services revenue recovery ratio,
25 "costs" shall include all items properly included as
26 operating costs consistent with generally accepted

1 accounting principles. However, the Board may exclude from
2 costs an amount that does not exceed the allowable
3 "capital costs of contracting" for ADA paratransit
4 services pursuant to the Federal Transit Administration
5 guidelines for the Urbanized Area Formula Program.

6 (b-5) Before fares and charges received in fiscal years
7 2024 and 2025 may be less than 50% of the aggregate costs of
8 providing public transportation in those fiscal years under
9 item (i) of subsection (b), the Authority and Service Boards
10 must perform the actions required under this subsection.

11 The Authority and Service Boards must publish a monthly
12 comprehensive set of data regarding transit service and
13 safety. The data included shall include information to track
14 operations including:

15 (1) staffing levels, including numbers of budgeted
16 positions, current positions employed, hired staff,
17 attrition, staff in training, and absenteeism rates;

18 (2) scheduled service and delivered service, including
19 percentage of scheduled service delivered by day, service
20 by mode of transportation, service by route and rail line,
21 total number of revenue miles driven, excess wait times by
22 day, by mode of transportation, by bus route, and by stop.

23 The Authority and Service Boards shall also publish a
24 comparison of these measures to schedules and service
25 delivered in 2019; and

26 (3) safety on the system, including the number of

1 incidents of crime and code of conduct violations on
2 system, any performance measures used to evaluate the
3 effectiveness of investments in private security, safety
4 equipment, and other security investments in the system.

5 If no performance measures exist to evaluate the
6 effectiveness of these safety investments, the Service
7 Boards and Authority shall develop and publish these
8 performance measures.

9 The Authority and Service Boards shall solicit input and
10 ideas on publishing data on the service reliability,
11 operations, and safety of the system from the public and
12 groups representing transit riders, workers, and businesses.

13 The Authority shall submit to the General Assembly a
14 review of all reduced fare and ride-free programs administered
15 by the Authority and Service Boards. The Authority shall
16 include the total number of residents eligible for each
17 program and the percentage enrolled in the programs. The
18 Authority shall submit an accounting of the total cost of the
19 program, costs to increase the program, current sources of
20 funding for the program, and recommendations to increase
21 enrollment in current reduced fare and free-ride programs and
22 any other recommendations for improvements to the programs.

23 (c) The actual administrative expenses of the Authority
24 for the fiscal year commencing January 1, 1985 may not exceed
25 \$5,000,000. The actual administrative expenses of the
26 Authority for the fiscal year commencing January 1, 1986, and

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

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

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

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

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

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

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

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

1 (h) No Service Board shall undertake any capital
2 improvement which is not identified in the Five-Year Capital
3 Program.

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

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

11 Section 90. The State Mandates Act is amended by adding
12 Section 8.47 as follows:

13 (30 ILCS 805/8.47 new)

14 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
15 8 of this Act, no reimbursement by the State is required for
16 the implementation of the mandate created by Section 2.10a of
17 the Regional Transportation Authority Act in this amendatory
18 Act of the 103rd General Assembly.

19 Section 99. Effective date. This Section and Sections 2.41
20 and 2.42 of the Regional Transportation Authority Act take
21 effect upon becoming law."