



Rep. Elaine Nekritz

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09700HB0585ham002

LRB097 03412 RLJ 53342 a

1 AMENDMENT TO HOUSE BILL 585

2 AMENDMENT NO. _____. Amend House Bill 585 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regional Transportation Authority Act is
5 amended by changing Section 2.01d as follows:

6 (70 ILCS 3615/2.01d)

7 Sec. 2.01d. ADA Paratransit Fund. The Authority shall
8 establish an ADA Paratransit Fund and, each year, deposit into
9 that Fund the amounts directed by Section 4.03.3 of this Act,
10 any funds deposited in accordance with this Section necessary
11 to fully fund ADA paratransit services, and any funds received
12 from the State pursuant to appropriations for the purpose of
13 funding ADA paratransit services. In 2012 and each year
14 thereafter, notwithstanding anything in this Act to the
15 contrary, the Authority shall deposit into the ADA Paratransit
16 Fund no less than 105% of the actual funding expended on ADA

1 paratransit services in the prior year. Beginning in 2011, by
2 September 15th of each year, the Executive Director shall
3 provide to the Board a written determination of the projected
4 annual costs for the upcoming calendar year of ADA paratransit
5 services that are required to be provided pursuant to the
6 Americans with Disabilities Act of 1990 and its implementing
7 regulations to determine if the amount of funding available for
8 that year in the ADA Paratransit Fund is sufficient to cover
9 the estimated cost of ADA paratransit services for that year.
10 If the Authority determines that the funding available for ADA
11 paratransit services from the ADA Paratransit Fund is
12 insufficient to meet the operating deficit for ADA paratransit
13 services for the upcoming calendar year, then the Authority
14 shall deposit from the Authority's discretionary funds an
15 amount equal to the projected shortfall into the ADA
16 Paratransit Fund. The amounts on deposit in the Fund and
17 interest and other earnings on those amounts shall be used by
18 the Authority to make grants to the Suburban Bus Board for ADA
19 paratransit services provided pursuant to plans approved by the
20 Authority under Section 2.30 of this Act. Funds received by the
21 Suburban Bus Board from the Authority's ADA Paratransit Fund
22 shall be used only to provide ADA paratransit services to
23 individuals who are determined to be eligible for such services
24 by the Authority under the Americans with Disabilities Act of
25 1990 and its implementing regulations. Revenues from and costs
26 of services provided by the Suburban Bus Board with grants made

1 under this Section shall be included in the Annual Budget and
2 Two-Year Financial Program of the Suburban Bus Board and shall
3 be subject to all budgetary and financial requirements under
4 this Act that apply to ADA paratransit services. ~~Beginning in~~
5 ~~2008, the Executive Director shall, no later than August 15 of~~
6 ~~each year, provide to the Board a written determination of the~~
7 ~~projected annual costs of ADA paratransit services that are~~
8 ~~required to be provided pursuant to the Americans with~~
9 ~~Disabilities Act of 1990 and its implementing regulations.~~ The
10 Authority shall conduct triennial financial, compliance, and
11 performance audits of ADA paratransit services to assist in
12 this determination.

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

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."