



Rep. Al Riley

Filed: 5/13/2014

09800SB3056ham001

LRB098 18041 JLK 59277 a

1 AMENDMENT TO SENATE BILL 3056

2 AMENDMENT NO. _____. Amend Senate Bill 3056 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do not
16 require the holding of a closed meeting to discuss a subject

1 included within an enumerated exception.

2 (c) Exceptions. A public body may hold closed meetings to
3 consider the following subjects:

4 (1) The appointment, employment, compensation,
5 discipline, performance, or dismissal of specific
6 employees of the public body or legal counsel for the
7 public body, including hearing testimony on a complaint
8 lodged against an employee of the public body or against
9 legal counsel for the public body to determine its
10 validity.

11 (2) Collective negotiating matters between the public
12 body and its employees or their representatives, or
13 deliberations concerning salary schedules for one or more
14 classes of employees.

15 (3) The selection of a person to fill a public office,
16 as defined in this Act, including a vacancy in a public
17 office, when the public body is given power to appoint
18 under law or ordinance, or the discipline, performance or
19 removal of the occupant of a public office, when the public
20 body is given power to remove the occupant under law or
21 ordinance.

22 (4) Evidence or testimony presented in open hearing, or
23 in closed hearing where specifically authorized by law, to
24 a quasi-adjudicative body, as defined in this Act, provided
25 that the body prepares and makes available for public
26 inspection a written decision setting forth its

1 determinative reasoning.

2 (5) The purchase or lease of real property for the use
3 of the public body, including meetings held for the purpose
4 of discussing whether a particular parcel should be
5 acquired.

6 (6) The setting of a price for sale or lease of
7 property owned by the public body.

8 (7) The sale or purchase of securities, investments, or
9 investment contracts. This exception shall not apply to the
10 investment of assets or income of funds deposited into the
11 Illinois Prepaid Tuition Trust Fund.

12 (8) Security procedures and the use of personnel and
13 equipment to respond to an actual, a threatened, or a
14 reasonably potential danger to the safety of employees,
15 students, staff, the public, or public property.

16 (9) Student disciplinary cases.

17 (10) The placement of individual students in special
18 education programs and other matters relating to
19 individual students.

20 (11) Litigation, when an action against, affecting or
21 on behalf of the particular public body has been filed and
22 is pending before a court or administrative tribunal, or
23 when the public body finds that an action is probable or
24 imminent, in which case the basis for the finding shall be
25 recorded and entered into the minutes of the closed
26 meeting.

1 (12) The establishment of reserves or settlement of
2 claims as provided in the Local Governmental and
3 Governmental Employees Tort Immunity Act, if otherwise the
4 disposition of a claim or potential claim might be
5 prejudiced, or the review or discussion of claims, loss or
6 risk management information, records, data, advice or
7 communications from or with respect to any insurer of the
8 public body or any intergovernmental risk management
9 association or self insurance pool of which the public body
10 is a member.

11 (13) Conciliation of complaints of discrimination in
12 the sale or rental of housing, when closed meetings are
13 authorized by the law or ordinance prescribing fair housing
14 practices and creating a commission or administrative
15 agency for their enforcement.

16 (14) Informant sources, the hiring or assignment of
17 undercover personnel or equipment, or ongoing, prior or
18 future criminal investigations, when discussed by a public
19 body with criminal investigatory responsibilities.

20 (15) Professional ethics or performance when
21 considered by an advisory body appointed to advise a
22 licensing or regulatory agency on matters germane to the
23 advisory body's field of competence.

24 (16) Self evaluation, practices and procedures or
25 professional ethics, when meeting with a representative of
26 a statewide association of which the public body is a

1 member.

2 (17) The recruitment, credentialing, discipline or
3 formal peer review of physicians or other health care
4 professionals for a hospital, or other institution
5 providing medical care, that is operated by the public
6 body.

7 (18) Deliberations for decisions of the Prisoner
8 Review Board.

9 (19) Review or discussion of applications received
10 under the Experimental Organ Transplantation Procedures
11 Act.

12 (20) The classification and discussion of matters
13 classified as confidential or continued confidential by
14 the State Government Suggestion Award Board.

15 (21) Discussion of minutes of meetings lawfully closed
16 under this Act, whether for purposes of approval by the
17 body of the minutes or semi-annual review of the minutes as
18 mandated by Section 2.06.

19 (22) Deliberations for decisions of the State
20 Emergency Medical Services Disciplinary Review Board.

21 (23) The operation by a municipality of a municipal
22 utility or the operation of a municipal power agency or
23 municipal natural gas agency when the discussion involves
24 (i) contracts relating to the purchase, sale, or delivery
25 of electricity or natural gas or (ii) the results or
26 conclusions of load forecast studies.

1 (24) Meetings of a residential health care facility
2 resident sexual assault and death review team or the
3 Executive Council under the Abuse Prevention Review Team
4 Act.

5 (25) Meetings of an independent team of experts under
6 Brian's Law.

7 (26) Meetings of a mortality review team appointed
8 under the Department of Juvenile Justice Mortality Review
9 Team Act.

10 (27) (Blank).

11 (28) Correspondence and records (i) that may not be
12 disclosed under Section 11-9 of the Public Aid Code or (ii)
13 that pertain to appeals under Section 11-8 of the Public
14 Aid Code.

15 (29) Meetings between internal or external auditors
16 and governmental audit committees, finance committees, and
17 their equivalents, when the discussion involves internal
18 control weaknesses, identification of potential fraud risk
19 areas, known or suspected frauds, and fraud interviews
20 conducted in accordance with generally accepted auditing
21 standards of the United States of America.

22 (30) Those meetings or portions of meetings of an
23 at-risk adult fatality review team or the Illinois At-Risk
24 Adult Fatality Review Team Advisory Council during which a
25 review of the death of an eligible adult in which abuse or
26 neglect is suspected, alleged, or substantiated is

1 conducted pursuant to Section 15 of the Adult Protective
2 Services Act.

3 (31) ~~(30)~~ Meetings and deliberations for decisions of
4 the Concealed Carry Licensing Review Board under the
5 Firearm Concealed Carry Act.

6 (32) Meetings between the Regional Transportation
7 Authority Board and its Service Boards when the discussion
8 involves review by the Regional Transportation Authority
9 Board of employment contracts under Section 28d of the
10 Metropolitan Transit Authority Act and Sections 3A.18 and
11 3B.26 of the Regional Transportation Authority Act.

12 (d) Definitions. For purposes of this Section:

13 "Employee" means a person employed by a public body whose
14 relationship with the public body constitutes an
15 employer-employee relationship under the usual common law
16 rules, and who is not an independent contractor.

17 "Public office" means a position created by or under the
18 Constitution or laws of this State, the occupant of which is
19 charged with the exercise of some portion of the sovereign
20 power of this State. The term "public office" shall include
21 members of the public body, but it shall not include
22 organizational positions filled by members thereof, whether
23 established by law or by a public body itself, that exist to
24 assist the body in the conduct of its business.

25 "Quasi-adjudicative body" means an administrative body
26 charged by law or ordinance with the responsibility to conduct

1 hearings, receive evidence or testimony and make
2 determinations based thereon, but does not include local
3 electoral boards when such bodies are considering petition
4 challenges.

5 (e) Final action. No final action may be taken at a closed
6 meeting. Final action shall be preceded by a public recital of
7 the nature of the matter being considered and other information
8 that will inform the public of the business being conducted.

9 (Source: P.A. 97-318, eff. 1-1-12; 97-333, eff. 8-12-11;
10 97-452, eff. 8-19-11; 97-813, eff. 7-13-12; 97-876, eff.
11 8-1-12; 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; revised
12 7-23-13.)

13 Section 15. The Metropolitan Transit Authority Act is
14 amended by changing Section 28 and adding Section 28d as
15 follows:

16 (70 ILCS 3605/28) (from Ch. 111 2/3, par. 328)

17 Sec. 28. The Board shall classify all the offices,
18 positions and grades of regular and exempt employment required,
19 excepting that of the Chairman of the Board, the Executive
20 Director, Secretary, Treasurer, General Counsel, and Chief
21 Engineer, with reference to the duties, job title, job schedule
22 number, and the compensation fixed therefor, and adopt rules
23 governing appointments to any of such offices or positions on
24 the basis of merit and efficiency. The job title shall be

1 generally descriptive of the duties performed in that job, and
2 the job schedule number shall be used to identify a job title
3 and to further classify positions within a job title. No
4 discrimination shall be made in any appointment or promotion to
5 any office, position, or grade of regular employment because of
6 race, creed, color, sex, national origin, physical or mental
7 handicap unrelated to ability, or political or religious
8 affiliations. No officer or employee in regular employment
9 shall be discharged or demoted except for cause which is
10 detrimental to the service. Any officer or employee in regular
11 employment who is discharged or demoted may file a complaint in
12 writing with the Board within ten days after notice of his or
13 her discharge or demotion. If an employee is a member of a
14 labor organization the complaint may be filed by such
15 organization for and in behalf of such employee. The Board
16 shall grant a hearing on such complaint within thirty (30) days
17 after it is filed. The time and place of the hearing shall be
18 fixed by the Board and due notice thereof given to the
19 complainant, the labor organization by or through which the
20 complaint was filed and the Executive Director. The hearing
21 shall be conducted by the Board, or any member thereof or any
22 officers' committee or employees' committee appointed by the
23 Board. The complainant may be represented by counsel. If the
24 Board finds, or approves a finding of the member or committee
25 appointed by the Board, that the complainant has been unjustly
26 discharged or demoted, he or she shall be restored to his or

1 her office or position with back pay. The decision of the Board
2 shall be final and not subject to review. The Board may
3 designate such offices, positions, and grades of employment as
4 exempt as it deems necessary for the efficient operation of the
5 business of the Authority. The total number of employees
6 occupying exempt offices, positions, or grades of employment
7 may not exceed 3% of the total employment of the Authority. All
8 exempt offices, positions, and grades of employment shall be at
9 will. No discrimination shall be made in any appointment or
10 promotion to any office, position, or grade of exempt
11 employment because of race, creed, color, sex, national origin,
12 physical or mental handicap unrelated to ability, or religious
13 or political affiliation. The Board may abolish any vacant or
14 occupied office or position. Additionally, the Board may reduce
15 the force of employees for lack of work or lack of funds as
16 determined by the Board. When the number of positions or
17 employees holding positions of regular employment within a
18 particular job title and job schedule number are reduced, those
19 employees with the least company seniority in that job title
20 and job schedule number shall be first released from regular
21 employment service. For a period of one year, an employee
22 released from service shall be eligible for reinstatement to
23 the job title and job schedule number from which he or she was
24 released, in order of company seniority, if additional force of
25 employees is required. "Company seniority" as used in this
26 Section means the overall employment service credited to an

1 employee by the Authority since the employee's most recent date
2 of hire irrespective of job titles held. If 2 or more employees
3 have the same company seniority date, time in the affected job
4 title and job schedule number shall be used to break the
5 company seniority tie. For purposes of this Section, company
6 seniority shall be considered a working condition. When
7 employees are represented by a labor organization that has a
8 labor agreement with the Authority, the wages, hours, and
9 working conditions (including, but not limited to, seniority
10 rights) shall be governed by the terms of the agreement. Exempt
11 employment shall not include any employees who are represented
12 by a labor organization that has a labor agreement with the
13 Authority.

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

20 (Source: P.A. 90-183, eff. 1-1-98.)

21 (70 ILCS 3605/28d new)

22 Sec. 28d. Employment contracts. Except as otherwise
23 provided in Section 28a, before the Chicago Transit Board may
24 enter into or amend any employment contract in excess of
25 \$100,000, the Chicago Transit Board must submit that contract

1 or amendment to the Regional Transportation Authority Board for
2 review for a period of 14 days. After 14 days, the contract
3 shall be considered reviewed. This Section applies only to
4 contracts entered into or amended on or after the effective
5 date of this amendatory Act of the 98th General Assembly.

6 Section 20. The Regional Transportation Authority Act is
7 amended by changing Sections 1.02, 2.01, 2.01a, 2.06.1, 2.14,
8 3A.05, 3B.05, 4.01 and by adding Sections 3A.18, 3B.26, 4.15,
9 4.16 and 5.06 as follows:

10 (70 ILCS 3615/1.02) (from Ch. 111 2/3, par. 701.02)

11 Sec. 1.02. Findings and Purpose.

12 (a) The General Assembly finds;

13 (i) Public transportation is, as provided in Section 7
14 of Article XIII of the Illinois Constitution, an essential
15 public purpose for which public funds may be expended and
16 that Section authorizes the State to provide financial
17 assistance to units of local government for distribution to
18 providers of public transportation. There is an urgent need
19 to reform and continue a unit of local government to assure
20 the proper management of public transportation and to
21 receive and distribute State or federal operating
22 assistance and to raise and distribute revenues for local
23 operating assistance. System generated revenues are not
24 adequate for such service and a public need exists to

1 provide for, aid and assist public transportation in the
2 northeastern area of the State, consisting of Cook, DuPage,
3 Kane, Lake, McHenry and Will Counties.

4 (ii) Comprehensive and coordinated regional public
5 transportation is essential to the public health, safety
6 and welfare. It is essential to economic well-being,
7 maintenance of full employment, conservation of sources of
8 energy and land for open space and reduction of traffic
9 congestion and for providing and maintaining a healthful
10 environment for the benefit of present and future
11 generations in the metropolitan region. Public
12 transportation improves the mobility of the public and
13 improves access to jobs, commercial facilities, schools
14 and cultural attractions. Public transportation decreases
15 air pollution and other environmental hazards resulting
16 from excessive use of automobiles and allows for more
17 efficient land use and planning.

18 (iii) Because system generated receipts are not
19 presently adequate, public transportation facilities and
20 services in the northeastern area are in grave financial
21 condition. With existing methods of financing,
22 coordination and management, and relative convenience of
23 automobiles, such public transportation facilities are not
24 providing adequate public transportation to insure the
25 public health, safety and welfare.

26 (iv) Additional commitments to the public

1 transportation needs of the disabled, the economically
2 disadvantaged, and the elderly are necessary.

3 (v) To solve these problems, it is necessary to provide
4 for the creation of a regional transportation authority
5 with the powers necessary to insure adequate public
6 transportation.

7 (b) The General Assembly further finds, in connection with
8 this amendatory Act of 1983:

9 (i) Substantial, recurring deficits in the operations
10 of public transportation services subject to the
11 jurisdiction of the Regional Transportation Authority and
12 periodic cash shortages have occurred either of which could
13 bring about a loss of public transportation services
14 throughout the metropolitan region at any time;

15 (ii) A substantial or total loss of public
16 transportation services or any segment thereof would
17 create an emergency threatening the safety and well-being
18 of the people in the northeastern area of the State; and

19 (iii) To meet the urgent needs of the people of the
20 metropolitan region that such an emergency be averted and
21 to provide financially sound methods of managing the
22 provision of public transportation services in the
23 northeastern area of the State, it is necessary, while
24 maintaining and continuing the existing Authority, to
25 modify the powers and responsibilities of the Authority, to
26 reallocate responsibility for operating decisions, to

1 change the composition and appointment of the Board of
2 Directors thereof, and to immediately establish a new Board
3 of Directors.

4 (c) The General Assembly further finds in connection with
5 this amendatory Act of the 95th General Assembly:

6 (i) The economic vitality of northeastern Illinois
7 requires regionwide and systemwide efforts to increase
8 ridership on the transit systems, constrain road
9 congestion within the metropolitan region, and allocate
10 resources for transportation so as to assist in the
11 development of an adequate, efficient, geographically
12 equitable and coordinated regional transportation system
13 that is in a state of good repair.

14 (ii) To achieve the purposes of this amendatory Act of
15 the 95th General Assembly, the powers and duties of the
16 Authority must be enhanced to improve overall planning and
17 coordination, to achieve an integrated and efficient
18 regional transit system, to advance the mobility of transit
19 users, and to increase financial transparency of the
20 Authority and the Service Boards.

21 (d) It is the purpose of this Act to provide for, aid and
22 assist public transportation in the northeastern area of the
23 State without impairing the overall quality of existing public
24 transportation by providing for the creation of a single
25 authority responsive to the people and elected officials of the
26 area and with the power and competence to develop, implement,

1 and enforce plans that promote adequate, efficient,
2 geographically equitable and coordinated public
3 transportation, provide financial review of the providers of
4 public transportation in the metropolitan region and
5 facilitate public transportation provided by Service Boards
6 which is attractive and economical to users, comprehensive,
7 coordinated among its various elements, economical, safe,
8 efficient and coordinated with area and State plans.

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

10 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

11 Sec. 2.01. General Allocation of Responsibility for Public
12 Transportation.

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

17 (i) adopt plans that implement the public policy of the
18 State to provide adequate, efficient, geographically
19 equitable and coordinated public transportation throughout
20 the metropolitan region;

21 (ii) set goals, objectives, and standards for the
22 Authority, the Service Boards, and transportation
23 agencies;

24 (iii) develop performance measures to inform the
25 public about the extent to which the provision of public

1 transportation in the metropolitan region meets those
2 goals, objectives, and standards;

3 (iv) allocate operating and capital funds made
4 available to support public transportation in the
5 metropolitan region;

6 (v) provide financial oversight of the Service Boards;
7 and

8 (vi) coordinate the provision of public transportation
9 and the investment in public transportation facilities to
10 enhance the integration of public transportation
11 throughout the metropolitan region, all as provided in this
12 Act.

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

1 Budget and Two-Year Financial Plan.

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

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

22 (70 ILCS 3615/2.01a)

23 Sec. 2.01a. Strategic Plan.

24 (a) By the affirmative vote of at least 12 of its then
25 Directors, the Authority shall adopt a Strategic Plan, no less

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

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

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

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

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

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

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

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

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

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

24 (c) The Strategic Plan shall establish the process and
25 criteria by which proposals for capital improvements by a
26 Service Board or a transportation agency will be evaluated by

1 the Authority for inclusion in the Five-Year Capital Program,
2 which may include criteria for:

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

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

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

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

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

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

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

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

25 (ii) ridership data;

26 (iii) equipment failure rates;

1 (iv) employee and customer safety; and

2 (v) customer satisfaction.

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

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

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

1 federal, State, and local governments for operating and capital
2 purposes and issuance of debt, the availability of working
3 capital, and the resources needed to achieve the goals and
4 objectives described in the Strategic Plan.

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

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

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

9 (i) If the Authority determines, by the affirmative vote of
10 at least 12 of its then Directors, that, with respect to any
11 proposed new public transportation service or facility, (i)
12 multiple Service Boards or transportation agencies are
13 potential service providers and (ii) the public transportation
14 facilities to be constructed or purchased to provide that
15 service have an expected construction cost of more than
16 \$25,000,000, the Authority shall have sole responsibility for
17 conducting any alternatives analysis and preliminary
18 environmental assessment required by federal or State law.
19 Nothing in this subparagraph (i) shall prohibit a Service Board
20 from undertaking alternatives analysis and preliminary
21 environmental assessment for any public transportation service
22 or facility identified in items (i) and (ii) above that is
23 included in the Five-Year Capital Program as of the effective
24 date of this amendatory Act of the 95th General Assembly;
25 however, any expenditure related to any such public
26 transportation service or facility must be included in a

1 Five-Year Capital Program under the requirements of Sections
2 2.01b and 4.02 of this Act.

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

4 (70 ILCS 3615/2.06.1) (from Ch. 111 2/3, par. 702.06.1)

5 Sec. 2.06.1. Bikeways and trails. The Authority may use its
6 established funds, personnel, and other resources to acquire,
7 construct, operate, and maintain bikeways and trails. The
8 Authority shall ~~may~~ cooperate with other governmental and
9 private agencies in bikeway and trail programs.

10 (Source: P.A. 87-985.)

11 (70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

12 Sec. 2.14. Appointment of Officers and Employees. The
13 Authority may appoint, retain and employ officers, attorneys,
14 agents, engineers and employees. The officers shall include an
15 Executive Director, who shall be the chief executive officer of
16 the Authority, appointed by the Chairman with the concurrence
17 of 11 of the other then Directors of the Board. The Executive
18 Director shall organize the staff of the Authority, shall
19 allocate their functions and duties, shall transfer such staff
20 to the Suburban Bus Division and the Commuter Rail Division as
21 is sufficient to meet their purposes, shall fix compensation
22 and conditions of employment of the staff of the Authority, and
23 consistent with the policies of and direction from the Board,
24 take all actions necessary to achieve its purposes, fulfill its

1 responsibilities and carry out its powers, and shall have such
2 other powers and responsibilities as the Board shall determine.
3 The Executive Director must be an individual of proven
4 transportation and management skills and may not be a member of
5 the Board. The Authority may employ its own professional
6 management personnel to provide professional and technical
7 expertise concerning its purposes and powers and to assist it
8 in assessing the performance of the Service Boards in the
9 metropolitan region.

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

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

22 The Authority shall be subject to the "Illinois Human
23 Rights Act", as now or hereafter amended, and the remedies and
24 procedure established thereunder. The Authority shall file an
25 affirmative action program for employment by it with the
26 Department of Human Rights to ensure that applicants are

1 employed and that employees are treated during employment,
2 without regard to unlawful discrimination. Such affirmative
3 action program shall include provisions relating to hiring,
4 upgrading, demotion, transfer, recruitment, recruitment
5 advertising, selection for training and rates of pay or other
6 forms of compensation.

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

8 (70 ILCS 3615/3A.05) (from Ch. 111 2/3, par. 703A.05)

9 Sec. 3A.05. Appointment of officers and employees. The
10 Suburban Bus Board shall appoint an Executive Director who
11 shall be the chief executive officer of the Division,
12 appointed, retained or dismissed with the concurrence of 9 of
13 the directors of the Suburban Bus Board. The Executive Director
14 shall appoint, retain and employ officers, attorneys, agents,
15 engineers, employees and shall organize the staff, shall
16 allocate their functions and duties, fix compensation and
17 conditions of employment, and consistent with the policies of
18 and direction from the Suburban Bus Board take all actions
19 necessary to achieve its purposes, fulfill its
20 responsibilities and carry out its powers, and shall have such
21 other powers and responsibilities as the Suburban Bus Board
22 shall determine. The Executive Director shall be an individual
23 of proven transportation and management skills and may not be a
24 member of the Suburban Bus Board. The Division may employ its
25 own professional management personnel to provide professional

1 and technical expertise concerning its purposes and powers and
2 to assist it in assessing the performance of transportation
3 agencies in the metropolitan region.

4 No employee, officer, or agent of the Suburban Bus Board
5 may receive a bonus that exceeds 10% of his or her annual
6 salary unless that bonus has been reviewed by the Regional
7 Transportation Authority Board for a period of 14 days. After
8 14 days, the contract shall be considered reviewed. This
9 Section does not apply to usual and customary salary
10 adjustments.

11 No unlawful discrimination, as defined and prohibited in
12 the Illinois Human Rights Act, shall be made in any term or
13 aspect of employment nor shall there be discrimination based
14 upon political reasons or factors. The Suburban Bus Board shall
15 establish regulations to insure that its discharges shall not
16 be arbitrary and that hiring and promotion are based on merit.

17 The Division shall be subject to the "Illinois Human Rights
18 Act", as now or hereafter amended, and the remedies and
19 procedure established thereunder. The Suburban Bus Board shall
20 file an affirmative action program for employment by it with
21 the Department of Human Rights to ensure that applicants are
22 employed and that employees are treated during employment,
23 without regard to unlawful discrimination. Such affirmative
24 action program shall include provisions relating to hiring,
25 upgrading, demotion, transfer, recruitment, recruitment
26 advertising, selection for training and rates of pay or other

1 forms of compensation.

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

3 (70 ILCS 3615/3A.18 new)

4 Sec. 3A.18. Employment contracts. Except as otherwise
5 provided in Section 3A.14, before the Suburban Bus Board may
6 enter into or amend any employment contract in excess of
7 \$100,000, the Suburban Bus Board must submit that contract or
8 amendment to the Board for review for a period of 14 days.
9 After 14 days, the contract shall be considered reviewed. This
10 Section applies only to contracts entered into or amended on or
11 after the effective date of this amendatory Act of the 98th
12 General Assembly.

13 (70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

14 Sec. 3B.05. Appointment of officers and employees. The
15 Commuter Rail Board shall appoint an Executive Director who
16 shall be the chief executive officer of the Division,
17 appointed, retained or dismissed with the concurrence of 8 of
18 the directors of the Commuter Rail Board. The Executive
19 Director shall appoint, retain and employ officers, attorneys,
20 agents, engineers, employees and shall organize the staff,
21 shall allocate their functions and duties, fix compensation and
22 conditions of employment, and consistent with the policies of
23 and direction from the Commuter Rail Board take all actions
24 necessary to achieve its purposes, fulfill its

1 responsibilities and carry out its powers, and shall have such
2 other powers and responsibilities as the Commuter Rail Board
3 shall determine. The Executive Director shall be an individual
4 of proven transportation and management skills and may not be a
5 member of the Commuter Rail Board. The Division may employ its
6 own professional management personnel to provide professional
7 and technical expertise concerning its purposes and powers and
8 to assist it in assessing the performance of transportation
9 agencies in the metropolitan region.

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

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

24 The Division shall be subject to the "Illinois Human Rights
25 Act", as now or hereafter amended, and the remedies and
26 procedure established thereunder. The Commuter Rail Board

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

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

10 (70 ILCS 3615/3B.26 new)

11 Sec. 3B.26. Employment contracts. Except as otherwise
12 provided in Section 3B.13, before the Commuter Rail Board may
13 enter into or amend any employment contract in excess of
14 \$100,000, the Commuter Rail Board must submit that contract or
15 amendment to the Board for review for a period of 14 days.
16 After 14 days, the contract shall be considered reviewed. This
17 Section applies only to contracts entered into or amended on or
18 after the effective date of this amendatory Act of the 98th
19 General Assembly.

20 Before the Board of the Regional Transportation Authority
21 may enter into or amend any employment contract in excess of
22 \$100,000, the Board must submit that contract to the Chairman
23 and Minority Spokesman of the Mass Transit Committee, or its
24 successor committee, of the House of Representatives, and to
25 the Chairman and Minority Spokesman of the Transportation

1 Committee, or its successor committee, of the Senate.

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

3 Sec. 4.01. Budget and Program.

4 (a) The Board shall control the finances of the Authority.

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

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

1 from time to time by the Board upon the affirmative votes of 12
2 of its then Directors.

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

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

11 (i) that the level of fares and charges for mass
12 transportation provided by, or under grant or purchase of
13 service contracts of, the Service Boards is sufficient to
14 cause the aggregate of all projected fare revenues from
15 such fares and charges received in each fiscal year to
16 equal at least 50% of the aggregate costs of providing such
17 public transportation in such fiscal year. "Fare revenues"
18 include the proceeds of all fares and charges for services
19 provided, contributions received in connection with public
20 transportation from units of local government other than
21 the Authority, except for contributions received by the
22 Chicago Transit Authority from a real estate transfer tax
23 imposed under subsection (i) of Section 8-3-19 of the
24 Illinois Municipal Code, and from the State pursuant to
25 subsection (i) of Section 2705-305 of the Department of
26 Transportation Law (20 ILCS 2705/2705-305), and all other

1 operating revenues properly included consistent with
2 generally accepted accounting principles but do not
3 include: the proceeds of any borrowings, and, beginning
4 with the 2007 fiscal year, all revenues and receipts,
5 including but not limited to fares and grants received from
6 the federal, State or any unit of local government or other
7 entity, derived from providing ADA paratransit service
8 pursuant to Section 2.30 of the Regional Transportation
9 Authority Act. "Costs" include all items properly included
10 as operating costs consistent with generally accepted
11 accounting principles, including administrative costs, but
12 do not include: depreciation; payment of principal and
13 interest on bonds, notes or other evidences of obligation
14 for borrowed money issued by the Authority; payments with
15 respect to public transportation facilities made pursuant
16 to subsection (b) of Section 2.20 of this Act; any payments
17 with respect to rate protection contracts, credit
18 enhancements or liquidity agreements made under Section
19 4.14; any other cost to which it is reasonably expected
20 that a cash expenditure will not be made; costs for
21 passenger security including grants, contracts, personnel,
22 equipment and administrative expenses, except in the case
23 of the Chicago Transit Authority, in which case the term
24 does not include costs spent annually by that entity for
25 protection against crime as required by Section 27a of the
26 Metropolitan Transit Authority Act; the payment by the

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

19 (ii) that the level of fares charged for ADA
20 paratransit services is sufficient to cause the aggregate
21 of all projected revenues from such fares charged and
22 received in each fiscal year to equal at least 10% of the
23 aggregate costs of providing such ADA paratransit
24 services. For purposes of this Act, the percentages in this
25 subsection (b)(ii) shall be referred to as the "system
26 generated ADA paratransit services revenue recovery

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

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

1 agreements made pursuant to Section 4.14.

2 (d) This subsection applies only until the Department
3 begins administering and enforcing an increased tax under
4 Section 4.03(m) as authorized by this amendatory Act of the
5 95th General Assembly. After withholding 15% of the proceeds of
6 any tax imposed by the Authority and 15% of money received by
7 the Authority from the Regional Transportation Authority
8 Occupation and Use Tax Replacement Fund, the Board shall
9 allocate the proceeds and money remaining to the Service Boards
10 as follows: (1) an amount equal to 85% of the proceeds of those
11 taxes collected within the City of Chicago and 85% of the money
12 received by the Authority on account of transfers to the
13 Regional Transportation Authority Occupation and Use Tax
14 Replacement Fund from the County and Mass Transit District Fund
15 attributable to retail sales within the City of Chicago shall
16 be allocated to the Chicago Transit Authority; (2) an amount
17 equal to 85% of the proceeds of those taxes collected within
18 Cook County outside the City of Chicago and 85% of the money
19 received by the Authority on account of transfers to the
20 Regional Transportation Authority Occupation and Use Tax
21 Replacement Fund from the County and Mass Transit District Fund
22 attributable to retail sales within Cook County outside of the
23 city of Chicago shall be allocated 30% to the Chicago Transit
24 Authority, 55% to the Commuter Rail Board and 15% to the
25 Suburban Bus Board; and (3) an amount equal to 85% of the
26 proceeds of the taxes collected within the Counties of DuPage,

1 Kane, Lake, McHenry and Will shall be allocated 70% to the
2 Commuter Rail Board and 30% to the Suburban Bus Board.

3 (e) This subsection applies only until the Department
4 begins administering and enforcing an increased tax under
5 Section 4.03(m) as authorized by this amendatory Act of the
6 95th General Assembly. Moneys received by the Authority on
7 account of transfers to the Regional Transportation Authority
8 Occupation and Use Tax Replacement Fund from the State and
9 Local Sales Tax Reform Fund shall be allocated among the
10 Authority and the Service Boards as follows: 15% of such moneys
11 shall be retained by the Authority and the remaining 85% shall
12 be transferred to the Service Boards as soon as may be
13 practicable after the Authority receives payment. Moneys which
14 are distributable to the Service Boards pursuant to the
15 preceding sentence shall be allocated among the Service Boards
16 on the basis of each Service Board's distribution ratio. The
17 term "distribution ratio" means, for purposes of this
18 subsection (e) of this Section 4.01, the ratio of the total
19 amount distributed to a Service Board pursuant to subsection
20 (d) of Section 4.01 for the immediately preceding calendar year
21 to the total amount distributed to all of the Service Boards
22 pursuant to subsection (d) of Section 4.01 for the immediately
23 preceding calendar year.

24 (f) To carry out its duties and responsibilities under this
25 Act, the Board shall employ staff which shall: (1) propose for
26 adoption by the Board of the Authority rules for the Service

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

21 (g) All Service Boards, transportation agencies,
22 comprehensive planning agencies, including the Chicago
23 Metropolitan Agency for Planning, or transportation planning
24 agencies in the metropolitan region shall furnish to the
25 Authority such information pertaining to public transportation
26 or relevant for plans therefor as it may from time to time

1 require. The Executive Director, or his or her designee, shall,
2 for the purpose of securing any such information necessary or
3 appropriate to carry out any of the powers and responsibilities
4 of the Authority under this Act, have access to, and the right
5 to examine, all books, documents, papers or records of a
6 Service Board or any transportation agency receiving funds from
7 the Authority or Service Board, and such Service Board or
8 transportation agency shall comply with any request by the
9 Executive Director, or his or her designee, within 30 days or
10 an extended time provided by the Executive Director.

11 (h) No Service Board shall undertake any capital
12 improvement which is not identified in the Five-Year Capital
13 Program.

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

20 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08;
21 95-906, eff. 8-26-08.)

22 (70 ILCS 3615/4.15 new)

23 Sec. 4.15. Revolving door prohibition. No Director,
24 Service Board director or member, former Director, or former
25 Service Board director or member shall, during his or her term

1 and for a period of one year immediately after the end of his
2 or her term, engage in business dealings with, knowingly accept
3 employment from, or receive compensation or fees for services
4 from the Regional Transportation Authority, the Suburban Bus
5 Board, the Commuter Rail Board or the Chicago Transit Board.
6 This prohibition shall not apply to any business dealings
7 engaged in by the Director or Service Board director or member
8 in the course of his or her official duties or responsibilities
9 as a Director or Service Board director or member.

10 (70 ILCS 3615/4.16 new)

11 Sec. 4.16. Severance and employment-related settlement
12 agreements. If any of the Service Boards seek to enter into a
13 severance agreement in excess of \$50,000 or an
14 employment-related settlement agreement in excess of \$200,000,
15 that agreement shall be reviewed by the Board prior to
16 execution for a period of 14 days. After 14 days, the agreement
17 shall be considered reviewed. The Board shall review the
18 agreement to determine whether the terms are reasonable and in
19 the region's best interest. The Service Boards may only enter
20 into severance agreements or employment-related settlement
21 agreements that have been reviewed by the Board.

22 (70 ILCS 3615/5.06 new)

23 Sec. 5.06. Greater Chicago Mass Transit Transparency and
24 Accountability Portal (CHI-TAP).

1 (a) The Authority, within 12 months after the effective
2 date of this amendatory Act of the 98th General Assembly, shall
3 establish and maintain a website, known as the Greater Chicago
4 Mass Transit Transparency and Accountability Portal (CHI-TAP),
5 and shall be tasked with compiling and updating the CHI-TAP
6 database with information received from the Authority and all
7 of its Service Boards.

8 (b) For purposes of this Section:

9 "Contracts" means payment obligations with vendors on
10 file to purchase goods and services exceeding \$10,000 in
11 value.

12 "Recipients" means the Authority or any of its Service
13 Boards.

14 (c) The CHI-TAP shall provide direct access to each of the
15 following:

16 (1) A database of all current employees of the
17 Authority and its Service Boards, sorted separately by:

18 (i) Name.

19 (ii) Employing entity.

20 (iii) Employing division or department.

21 (iv) Employment position title.

22 (v) Current base salary or hourly rate and
23 year-to-date gross pay.

24 (2) A database of all current Authority expenditures,
25 sorted separately by Service Board and category.

26 (3) A database of all Authority and Service Board

1 contracts entered into after the effective date of this
2 amendatory Act of the 98th General Assembly, sorted
3 separately by contractor name, awarding officer or agency,
4 contract value, and goods or services provided.

5 (4) A database of all employees of the Authority and
6 its Service Boards hired on or after the effective date of
7 this amendatory Act of the 98th General Assembly, sorted
8 searchably by each of the following at the time of
9 employment:

10 (i) Name.

11 (ii) Employing entity.

12 (iii) Employing division.

13 (iv) Employment position title.

14 (v) Current base salary or hourly rate and
15 year-to-date gross pay.

16 (vi) County of employment location.

17 (vii) Status of position including, but not
18 limited to, bargained-for positions, at-will
19 positions, or not bargained for positions.

20 (viii) Employment status including, but not
21 limited to, full-time permanent, full-time temporary,
22 part-time permanent and part-time temporary.

23 (ix) Status as a military veteran.

24 (5) A database of publicly available accident-related
25 and safety-related information currently required to be
26 reported to the federal Secretary of Transportation under

1 49 U.S.C. 5335.

2 (d) The CHI-TAP shall include all information required to
3 be published by subsection (c) of this Section that is
4 available to the Authority in a format the Authority can
5 compile and publish on the CHI-TAP. The Authority shall update
6 the CHI-TAP within 30 days as additional information becomes
7 available in a format that can be compiled and published on the
8 CHI-TAP by the Authority.

9 (e) Each Service Board shall cooperate with the Authority
10 in furnishing the information necessary for the implementation
11 of this Section within a timeframe specified by the Authority.

12 (f) The Authority and its Service Boards are independently
13 responsible for the accuracy of the specific information
14 provided by each agency to be displayed on CHI-TAP.

15 Section 90. The State Mandates Act is amended by adding
16 Section 8.38 as follows:

17 (30 ILCS 805/8.38 new)

18 Sec. 8.38. Exempt mandate. Notwithstanding Sections 6 and 8
19 of this Act, no reimbursement by the State is required for the
20 implementation of any mandate created by this amendatory Act of
21 the 98th General Assembly."