

1 HOUSE JOINT RESOLUTION  
2 CONSTITUTIONAL AMENDMENT 36

3 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
4 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
5 SENATE CONCURRING HEREIN, that there shall be submitted to the  
6 electors of the State for adoption or rejection at the general  
7 election next occurring at least 6 months after the adoption of  
8 this resolution a proposition to add Section 11 to Article IX  
9 of the Illinois Constitution as follows:

10 ARTICLE IX

11 REVENUE

12 (ILCON Art. IX, Sec. 11 new)

13 SECTION 11. TRANSPORTATION FUNDS

14 (a) No moneys, including bond proceeds, derived from taxes,  
15 fees, excises, or license taxes relating to registration,  
16 title, or operation or use of vehicles, or related to the use  
17 of highways, roads, streets, bridges, mass transit, intercity  
18 passenger rail, ports, airports, or to fuels used for  
19 propelling vehicles, or derived from taxes, fees, excises, or  
20 license taxes relating to any other transportation  
21 infrastructure or transportation operation, shall be expended  
22 for purposes other than as provided in subsections (b) and (c).

1       (b) Transportation funds may be expended for the following:  
2       the costs of administering laws related to vehicles and  
3       transportation, including statutory refunds and adjustments  
4       provided in those laws; payment of highway obligations; costs  
5       for construction, reconstruction, maintenance, repair, and  
6       betterment of highways, roads, streets, bridges, mass transit,  
7       intercity passenger rail, ports, airports, or other forms of  
8       transportation; and other statutory highway purposes.  
9       Transportation funds may also be expended for the State or  
10       local share of highway funds to match federal aid highway  
11       funds, and expenses of grade separation of highways and  
12       railroad crossings, including protection of at-grade highways  
13       and railroad crossings, and, with respect to local governments,  
14       other transportation purposes as authorized by law.

15       (c) The costs of administering laws related to vehicles and  
16       transportation shall be limited to direct program expenses  
17       related to the following: the enforcement of traffic, railroad,  
18       and motor carrier laws; the safety of highways, roads, streets,  
19       bridges, mass transit, intercity passenger rail, ports, or  
20       airports; and the construction, reconstruction, improvement,  
21       repair, maintenance, operation, and administration of  
22       highways, under any related provisions of law or any purpose  
23       related or incident to, including grade separation of highways  
24       and railroad crossings. The limitations to the costs of  
25       administering laws related to vehicles and transportation  
26       under this subsection (c) shall also include direct program

1 expenses related to workers' compensation claims for death or  
2 injury of employees of the State's transportation agency; the  
3 acquisition of land and the erection of buildings for highway  
4 purposes, including the acquisition of highway rights-of-way  
5 or for investigations to determine the reasonable anticipated  
6 future highway needs; and the making of surveys, plans,  
7 specifications, and estimates for the construction and  
8 maintenance of flight strips and highways. The expenses related  
9 to the construction and maintenance of flight strips and  
10 highways under this subsection (c) are for the purpose of  
11 providing access to military and naval reservations,  
12 defense-industries, defense-industry sites, and sources of raw  
13 materials, including the replacement of existing highways and  
14 highway connections shut off from general use at military and  
15 naval reservations, defense-industries, and defense-industry  
16 sites, or the purchase of rights-of-way.

17 (d) None of the revenues described in subsection (a) of  
18 this Section shall, by transfer, offset, or otherwise, be  
19 diverted to any purpose other than those described in  
20 subsections (b) and (c) of this Section.

21 (e) If the General Assembly appropriates funds for a mode  
22 of transportation not described in this Section, the General  
23 Assembly must provide for a dedicated source of funding.

24 (f) Federal funds may be spent for any purposes authorized  
25 by federal law.

1 SCHEDULE

2 This Constitutional Amendment takes effect upon being  
3 declared adopted in accordance with Section 7 of the Illinois  
4 Constitutional Amendment Act.