AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The State Officials and Employees Ethics Act is amended by changing Section 75-10 as follows:

(5 ILCS 430/75-10)

Sec. 75-10. Coordination between Executive Inspector General and ~~Inspectors General appointed by~~ Regional Transit Boards.

(a) Nothing in this amendatory Act of the 96th General Assembly precludes a Regional Transit Board from appointing or employing an Inspector General to serve under the jurisdiction of a Regional Transit Board to receive complaints and conduct investigations in accordance with an ordinance or resolution adopted by that respective Board, provided he or she is approved by the Executive Ethics Commission. A Regional Transit Board shall notify the Executive Ethics Commission within 10 days after employing or appointing a person to serve as Inspector General, and the Executive Ethics Commission shall approve or reject the appointment or employment of the Inspector General. Any notification not acted upon by the Executive Ethics Commission within 60 days after its receipt shall be deemed to have received the approval of the Executive

Ethics Commission. Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, a Regional Transit Board shall notify the Executive Ethics Commission of any person serving on the effective date of this amendatory Act as an Inspector General for the Regional Transit Board, and the Executive Ethics Commission shall approve or reject the appointment or employment within 30 days after receipt of the notification, provided that any notification not acted upon by the Executive Ethics Commission within 30 days shall be deemed to have received approval. No person rejected by the Executive Ethics Commission shall serve as an Inspector General for a Regional Transit Board for a term of 5 years after being rejected by the Commission. For purposes of this subsection (a), any person appointed or employed by a Transit Board to receive complaints and investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of this Act shall be considered an Inspector General and shall be subject to approval of the Executive Ethics Commission.

(b) The Executive Inspector General appointed by the Governor shall have exclusive jurisdiction to investigate complaints or allegations of violations of this Act and, in his or her discretion, may investigate other complaints or allegations. ~~Unless created by statute, no Regional Transit Board or Regional Development Authority shall create or retain an investigative body that investigates matters under the~~

~~Executive Inspector General's jurisdiction.~~ Complaints or allegations of a violation of this Act received by a Regional Transit Board or by an Inspector General appointed or employed by a Regional Transit Board shall be immediately referred to the Executive Inspector General. The Executive Inspector General shall have authority to assume responsibility and investigate any complaint or allegation received by a Regional Transit Board or by an Inspector General appointed or employed by a Regional Transit Board. In the event the Executive Inspector General provides written notification of intent to assume investigatory responsibility for a complaint, allegation, or ongoing investigation, the Regional Transit Board, or the Inspector General appointed or employed by a Regional Transit Board shall cease review of the complaint, allegation, or ongoing investigation and provide all information to the Executive Inspector General. The Executive Inspector General may delegate responsibility for an investigation to a Regional Transit Board or the Inspector General appointed or employed by a Regional Transit Board. In the event the Executive Inspector General provides a Regional Transit Board or an Inspector General appointed or employed by a Regional Transit Board with written notification of intent to delegate investigatory responsibility for a complaint, allegation, or ongoing investigation, the Executive Inspector General shall provide all information, unless confidential pursuant to this Act, to the Regional Transit Board or its designee or to the Inspector General appointed or employed by a Regional Transit Board.

(c) The Regional Transit Boards and an ~~An~~ Inspector General appointed or employed by a Regional Transit Board shall provide a monthly activity report to the Executive Inspector General indicating:

(1) the total number of complaints or allegations received since the date of the last report and a description of each complaint;

(2) the number of investigations pending as of the reporting date and the status of each investigation;

(3) the number of investigations concluded since the date of the last report and the result of each investigation; and

(4) the status of any investigation delegated by the Executive Inspector General.

The Regional Transit Boards and an ~~An~~ Inspector General appointed or employed by a Regional Transit Board and the Executive Inspector General shall cooperate and share resources or information as necessary to implement the provisions of this Article.

(d) Reports filed under this Section are exempt from the Freedom of Information Act and shall be deemed confidential. Investigatory files and reports prepared by the Office of the Executive Inspector General and the Office of an Inspector General appointed or employed by a Regional Transit Board may be disclosed between the Offices as necessary to implement the provisions of this Article.

(e) This Section does not prohibit a Regional Transit Board from reviewing its practices, policies, performance, or personnel for the purposes of improving its operations or ensuring compliance with applicable laws.

(Source: P.A. 104-457, eff. 6-1-26.)

Section 10. The Department of Transportation Law of the Civil Administrative Code of Illinois is amended by changing Sections 2705-203, 2705-594, and 2705-598 as follows:

(20 ILCS 2705/2705-203)

Sec. 2705-203. Transportation asset management plan and performance-based programming.

(a) The General Assembly declares it to be in the public interest that a project prioritization process be developed and implemented to: improve the efficiency and effectiveness of the State's transportation system and transportation safety; enhance movement and multi-modal connections of people and goods; mitigate environmental impacts; and promote inclusive economic growth throughout the State.

(b) In accordance with Section 2705-200, the Department of Transportation shall develop and publish a statewide multi-modal transportation improvement program for all transportation facilities under its jurisdiction. The development of the program shall use the following methods:

(1) use transportation system information to make investment and policy decisions to achieve statewide and regional performance goals established in the State's long-range transportation plan;

(2) ensure transportation investment decisions emerge from an objective and quantifiable technical analysis;

(3) evaluate the need and financial support necessary for maintaining, expanding, and modernizing existing transportation infrastructure;

(4) ensure that all State transportation funds invested are directed to support progress toward the achievement of performance targets established in the State's long-range transportation plan;

(5) make investment decisions transparent and accessible to the public;

(6) consider emissions and increase infrastructure resilience to climate change; ~~and~~

(7) reduce disparities in transportation system performance experienced by racially marginalized communities, low-income to moderate-income consumers, and other disadvantaged groups and populations identified under the Environmental Justice Act; and ~~.~~

(8) evaluate project potential for mode shift away from single-occupancy vehicles and commercial motor vehicles.

(c) The Department shall develop a risk-based, statewide highway system asset management plan in accordance with 23 U.S.C. 119 and 23 CFR Part 515 to preserve and improve the condition of highway and bridge assets and enhance the performance of the system while minimizing the life-cycle cost. The asset management plan shall be made publicly available on the Department's website.

(d) The Department shall develop a needs-based transit asset management plan for State-supported public transportation assets, including vehicles, facilities, equipment, and other infrastructure in accordance with 49 CFR Part 625. The goal of the transit asset management plan is to preserve and modernize capital transit assets that will enhance the performance of the transit system. Federally required transit asset management plans developed by the Northern Illinois Transit Authority or Service Boards, as defined in Section 1.03 of the Northern Illinois Transit Authority Act, shall become the transportation asset management plans for all public transportation assets owned and operated by the Service Boards. The Department's transit asset management plan shall be made publicly available on the Department's website. The Northern Illinois Transit Authority shall be responsible for making public transit asset management plans for its service area publicly available.

(e) The Department shall develop a performance-based project selection process to prioritize taxpayer investment in

State-owned transportation assets that add capacity. The goal of the process is to select projects through an evaluation process. This process shall provide the ability to prioritize projects based on geographic regions. The Department shall solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, representatives of labor and private businesses, the public, community-based organizations, and other stakeholders in its development of the prioritization process pursuant to this subsection.

The selection process shall include a defined public process by which candidate projects are evaluated and selected. The process shall include both a quantitative analysis of the evaluation factors and qualitative review by the Department. The Department may apply different weights to the performance measures based on regional geography or project type. Projects selected as part of the process will be considered for inclusion in the State's multi-year transportation program and the annual element of the multi-year program. Starting April 1, 2022, no new capacity project shall be included in the multi-year transportation plan or annual element without being evaluated under the selection process described in this Section. Existing projects in the multi-year highway improvement program may be included regardless of the outcome of using the performance-based project selection tool. The policies that guide the performance-based project selection process shall be derived from State and regional long-range transportation plans. The Department shall certify that it is making progress toward the goals included in the State's long-range transportation plan. All plan and program development based on the project selection process described in this subsection shall include consideration of regional balance. The selection process shall be based on an objective and quantifiable analysis that considers, at a minimum, the goals identified in the long-range transportation plan and shall:

(1) consider emissions and increase infrastructure resilience due to climate change;

(2) reduce disparities in transportation system performance experienced by racially marginalized communities, low-income to moderate-income consumers, and other disadvantaged groups and populations identified under the Environmental Justice Act; and

(3) evaluate project potential for mode shift away from single-occupancy vehicles and commercial motor vehicles.

(f) The prioritization process developed under subsection (e) may apply only to State jurisdiction projects and not to:

(1) projects funded by the Congestion Mitigation and Air Quality Improvement funds apportioned to the State pursuant to 23 U.S.C. 104(b)(4) and State matching funds;

(2) projects funded by the Highway Safety Improvement

Program funds apportioned to the State pursuant to 23 U.S.C. 104(b)(3) and State matching funds;

(3) projects funded by the Transportation Alternatives funds set-aside pursuant to 23 U.S.C. 133(h) and State matching funds;

(4) projects funded by the National Highway Freight Program pursuant to 23 U.S.C. 167 and State matching funds;

(5) funds to be allocated to urban areas based on population under federal law; and

(6) any new federal program that requires competitive selection, distribution to local public agencies, or specific eligibility.

(g) A summary of the project evaluation process, measures, program, and scores for all candidate projects shall be published on the Department website in a timely manner.

(Source: P.A. 104-457, eff. 6-1-26.)

(20 ILCS 2705/2705-594)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2030)

Sec. 2705-594. Transit Integration Policy Development Committee.

(a) The Transit Integration Policy Development Committee is created within the Department to better integrate transit policy, planning, and design into Department decisions and highway planning and design. The Committee shall consist of the following members:

(1) the Secretary or the Secretary's designee;

(2) representatives of the Department that are involved in highway or intermodal project implementation, design, planning, or programming, as designated by the Secretary; and

(3) transportation experts from outside the Department, including, but not limited to, staff of a metropolitan planning organization or local transportation department, as designated by the Secretary.

(b) The Committee shall recommend new policies and processes or shall review and recommend revisions to existing policies and processes for:

(1) identifying existing, planned, and potential future transit corridors;

(2) soliciting in a timely fashion and evaluating feedback from local transit agencies and local governments as it pertains to Department projects on existing, planned, and potential future transit corridors;

(3) coordinating with local transit authorities, intercity bus operators, and local governments on the delivery of bus rapid transit and bus priority projects;

(4) incorporating designing for transit vehicles and intercity buses on highway projects in the Department's

Design and Environment Manual, including design to facilitate bus-on-shoulder operations; and

(5) developing a cost and maintenance policy for construction and maintenance of future facilities in partnership with transit agencies.

(c) The Committee shall research global best practices on optimizing roadways for public transportation services.

(d) The Committee shall consult with highway and transit experts, transit users, and other individuals and groups with knowledge and experience on how to optimize roadways for public transportation service.

(e) The Department shall implement policies and processes based on recommendations developed by the Transit Integration Policy Development Committee under subsection (b) and shall publish, by January 1, 2028 ~~2027~~, a report on the modifications to the Department's policies and procedures based on input from the Transit Integration Policy Development Committee. The report shall include the Department's identification of statutory provisions that the Department believes make it difficult or impossible for the Department to implement its recommended best practices for optimizing its highways for public transit service and users.

(f) The Transit Integration Policy Development Committee shall review and evaluate the Department's implementation of policies and processes created or revised under subsection (f). The Committee shall publish a report on the status of the

Department's implementation of these policies and procedures by January 1, 2030.

(g) This Section is repealed January 1, 2030.

(Source: P.A. 104-457, eff. 6-1-26.)

(20 ILCS 2705/2705-598)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2705-598. Planning study on improvements needed at the Joliet train station. By December 1, 2030, the ~~The~~ Department shall conduct a planning study on improvements needed at the Joliet train station for potential extensions of passenger rail service to Peoria and other locations outside of the counties of Cook, DuPage, Kane, Lake, McHenry, and Will.

(Source: P.A. 104-457, eff. 6-1-26.)

Section 15. The State Finance Act is amended by changing Sections 5d, 6c, and 8.3 as follows:

(30 ILCS 105/5d) (from Ch. 127, par. 141d)

Sec. 5d. Except as provided by Section 5e of this Act, the State Construction Account Fund shall be used exclusively for the construction, reconstruction and maintenance of the State maintained highway system. Except as provided by Section 5e of this Act, none of the money deposited in the State

Construction Account Fund shall be used to pay the cost of administering the Motor Fuel Tax Law as now or hereafter amended, nor be appropriated for use by the Department of Transportation to pay the cost of its operations or administration, nor be used in any manner for the payment of regular or contractual employees of the State, nor be transferred or allocated by the Comptroller and Treasurer or be otherwise used, except for the sole purpose of construction, reconstruction and maintenance of the State maintained highway system as the Illinois General Assembly shall provide by appropriation from this fund. Beginning with the month immediately following the effective date of this amendatory Act of 1985, investment income which is attributable to the investment of moneys of the State Construction Account Fund shall be retained in that fund for the uses specified in this Section. Beginning July 1, 2026, of the investment income which is attributable to the investment of moneys of the State Construction Account Fund, 90% ~~85%~~ shall be deposited into the Northern Illinois Transit Authority Capital Improvement Fund and 10% ~~15%~~ shall be deposited into the Downstate Mass Transportation Capital Improvement Fund.

(Source: P.A. 104-457, eff. 6-1-26.)

(30 ILCS 105/6c) (from Ch. 127, par. 142c)

Sec. 6c. All fees and other money received by the Division of Highways of the Department of Transportation shall, upon being paid into the State treasury, be placed in the Road Fund. After the effective date of this amendatory Act of 1980, investment income which is attributable to the investment of moneys of the Road Fund shall be retained in the Road Fund. Beginning July 1, 2026, of the investment income which is attributable to the investment of moneys of the Road Fund, 90% shall be deposited into the Northern Illinois Transit Authority Capital Improvement Fund and 10% shall be deposited into the Downstate Mass Transportation Capital Improvement Fund.

(Source: P.A. 81-1550.)

(30 ILCS 105/8.3)

Sec. 8.3. Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code, and to pay the costs of the Executive Ethics

Commission for oversight and administration of the Chief Procurement Officer appointed under paragraph (2) of subsection (a) of Section 10-20 of the Illinois Procurement Code for transportation; and

secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; Northern Illinois Transit or, during fiscal year 2025, for the purposes of a grant not to exceed $10,020,000 to the Northern Illinois Transit Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or, during fiscal year 2026, for the purposes of a grant not to exceed $11,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of Public Health;

2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly, except fiscal year 2025 when no more than $20,969,900 may be expended and except fiscal year 2026 when no more than $23,067,000 may be expended;

3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of appropriate personnel;

4. Judicial Systems and Agencies.

Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Illinois State Police, except for expenditures with respect to the Division of Patrol and Division of Criminal Investigation;

2. Department of Transportation, only with respect to Intercity Rail Subsidies, except fiscal year 2025 when no more than $67,000,000 may be expended and except fiscal year 2026 when no more than $76,000,000 may be expended,

and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement: Department of Central Management Services, except for awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Illinois State Police, except not more than 40% of the funds appropriated for the Division of Patrol and Division of Criminal Investigation;

2. State Officers.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal and interest on that bonded indebtedness as it becomes due and payable as provided in the General Obligation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and

secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those monies, Northern Illinois Transit or during fiscal year 2025 for the purposes of a grant not to exceed $10,020,000 to the Northern Illinois Transit Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2026 for the purposes of a grant not to exceed $11,500,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, and the costs for patrolling and policing the public highways (by the State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Illinois State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $97,310,000. For fiscal year 2008 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $106,100,000. For fiscal year 2009 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of $114,700,000. Beginning in fiscal year 2010, no Road Fund moneys shall be appropriated to the Illinois State Police. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus $9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

Beginning with fiscal year 1995 and thereafter, no Road

Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

Fiscal Year 2000	$80,500,000;
Fiscal Year 2001	$80,500,000;
Fiscal Year 2002	$80,500,000;
Fiscal Year 2003	$130,500,000;
Fiscal Year 2004	$130,500,000;
Fiscal Year 2005	$130,500,000;
Fiscal Year 2006	$130,500,000;
Fiscal Year 2007	$130,500,000;
Fiscal Year 2008	$130,500,000;
Fiscal Year 2009	$130,500,000.

For fiscal year 2010, no road fund moneys shall be appropriated to the Secretary of State.

Beginning in fiscal year 2011, moneys in the Road Fund shall be appropriated to the Secretary of State for the exclusive purpose of paying refunds due to overpayment of fees related to Chapter 3 of the Illinois Vehicle Code unless otherwise provided for by law.

Beginning in fiscal year 2025, moneys in the Road Fund may be appropriated to the Environmental Protection Agency for the exclusive purpose of making deposits into the Electric Vehicle Rebate and Charging Fund, subject to appropriation, to be used for purposes consistent with Section 11 of Article IX of the Illinois Constitution.

In fiscal year 2026, in addition to any other uses permitted by law, moneys in the Road Fund may be used, subject to appropriation, by the Department of Transportation for grants to port districts for the purpose of making infrastructure improvements consistent with Section 11 of Article IX of the Illinois Constitution.

Notwithstanding any provision of law to the contrary, beginning in Fiscal Year 2027, any interest earned on monies in the Road Fund and the State Construction Account Fund shall be dedicated to public transportation construction improvements or debt service. Of the interest earned on moneys in the Road Fund and the State Construction Account Fund on or after July 1, 2026, 90% shall be deposited into the Northern Illinois Transit Capital Improvement Fund to be used by the Northern Illinois Transit Authority for construction improvements and 10% shall be deposited into the Downstate Mass Transportation Capital Improvement Fund to be used by participants in the Downstate Public Transportation Fund, other than the Northern Illinois Transit Authority, for construction improvements. There shall be a transfer of $5,000,000 from the Downstate Transit Improvement Fund to an airport operated under the University of Illinois Airport Act. Beginning in Fiscal Year 2027, the Department shall issue a biennial ~~semi-annual~~ call for projects for the ~~this~~ program funded by the interest earned on moneys in the Road Fund and State Construction Account Fund and deposited into the Downstate Mass Transportation Capital Improvement Fund.

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by Public Act 93-25.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by Public Act 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 1-1-24; 103-588, eff. 6-5-24; 103-605, eff. 7-1-24; 103-616, eff. 7-1-24; 104-2, eff. 6-16-25; 104-417, eff. 8-15-25; 104-457, eff. 6-1-26; 104-458, eff. 6-1-26; revised 1-12-26.)

Section 20. The Illinois Procurement Code is amended by changing Section 20-25.3 as follows:

(30 ILCS 500/20-25.3)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 20-25.3. Procurement of transition consultant by the Department of Transportation.

(a) Notwithstanding any other provision of this Code or any law to the contrary, the Department of Transportation shall identify a method of source selection that will make it possible to procure and contract with a consultant to assist with the transition from the Regional Transportation Authority to the Northern Illinois Transit Authority as set out in

Section 1.04 of the Northern Illinois Transit Authority Act. The source selection method identified by the Department of Transportation is not limited to those otherwise set forth in this Code. The transition consultant shall assist the Department of Transportation and the interim Northern Illinois Transit Authority Board to develop a transition plan, including the transition of functions between the Service Boards and the Authority, the evaluation of existing policy processes, and the development of a process for efficient and effective operations by both the Northern Illinois Transit Authority and the Service Boards.

(b) The method of source selection shall be by an expedited, competitive process approved by the Chief Procurement Officer appointed under paragraph (4) of subsection (a) of Section 10-20.

(c) All potential contractors shall be registered in the Illinois Procurement Gateway vendor portal prior to contract execution.

(d) Except for Sections 5-5, 5-7, 10-10, 20-75, 20-80, 20-120, 20-155, 20-160, and 25-60, paragraph (5) of subsection (b) of Section 15-25, and Article 50 and any rules adopted under those Sections and Article, this Code does not apply to procurements required by this Section, notwithstanding any other provision of this Code or any law to the contrary.

(e) This Section is inoperative 2 years after the effective date of this amendatory Act of the 104th General

Assembly.
(Source: P.A. 104-457, eff. 6-1-26.)

Section 25. The Downstate Public Transportation Act is amended by changing Sections 2-2.03, 2-7, 2-15, 3-1.03, and 4-1.11 as follows:

(30 ILCS 740/2-2.03) (from Ch. 111 2/3, par. 662.03)

Sec. 2-2.03. "Operating deficits" means the amount by which eligible operating expenses exceed revenue from fares, reduced fare reimbursements, rental of properties, ~~advertising,~~ and any other amounts collected and received by a provider of public transportation, which, under standard accounting practices, are properly classified as operating revenue or operating income attributable to providing public transportation and revenue from any federal financial assistance received by the participant to defray operating expenses or deficits. For purposes of determining operating deficits, local effort from local taxes or its equivalent shall not be included as operating revenue or operating income. Provided, however, under the provisions of this Act with respect to any operating deficit incurred by any Metro-East Transit District participant, such operating deficits shall be limited solely to those arising out of operations within the State of Illinois.
(Source: P.A. 86-590.)

(30 ILCS 740/2-7) (from Ch. 111 2/3, par. 667)

Sec. 2-7. Quarterly reports; annual audit.

(a) Any Metro-East Transit District participant shall, no later than 60 days following the end of each quarter of any fiscal year, file with the Department on forms provided by the Department for that purpose, a report of the actual operating deficit experienced during that quarter. The Department shall, upon receipt of the quarterly report, determine whether the operating deficits were incurred in conformity with the program of proposed expenditures and services approved by the Department pursuant to Section 2-11. Any Metro-East District may either monthly or quarterly for any fiscal year file a request for the participant's eligible share, as allocated in accordance with Section 2-6, of the amounts transferred into the Metro-East Public Transportation Fund.

(b) Each participant other than any Metro-East Transit District participant shall, 30 days before the end of each quarter, file with the Department on forms provided by the Department for such purposes a report of the projected eligible operating expenses to be incurred in the next quarter and 30 days before the third and fourth quarters of any fiscal year a statement of actual eligible operating expenses incurred in the preceding quarters. Except as otherwise provided in subsection (b-5), within 45 days of receipt by the Department of such quarterly report, the Comptroller shall order paid and the Treasurer shall pay from the Downstate Public Transportation Fund to each participant an amount equal to one-third of such participant's eligible operating expenses; provided, however, that in Fiscal Year 1997, the amount paid to each participant from the Downstate Public Transportation Fund shall be an amount equal to 47% of such participant's eligible operating expenses and shall be increased to 49% in Fiscal Year 1998, 51% in Fiscal Year 1999, 53% in Fiscal Year 2000, 55% in Fiscal Years 2001 through 2007, 65% in Fiscal Years 2008 through 2026, and 80% in Fiscal Year 2027 and thereafter; however, in any year that a participant receives funding under subsection (i) of Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), that participant shall be eligible only for assistance equal to the following percentage of its eligible operating expenses: 42% in Fiscal Year 1997, 44% in Fiscal Year 1998, 46% in Fiscal Year 1999, 48% in Fiscal Year 2000, and 50% in Fiscal Year 2001 and thereafter. Any such payment for the third and fourth quarters of any fiscal year shall be adjusted to reflect actual eligible operating expenses for preceding quarters of such fiscal year. However, no participant shall receive an amount less than that which was received in the immediate prior year, provided in the event of a shortfall in the fund those participants receiving less than their full allocation pursuant to Section 2-6 of this Article shall be the first participants to receive an amount not less than that received in the immediate prior year.

(b-5) (Blank).

(b-10) On July 1, 2008, each participant shall receive an appropriation in an amount equal to 65% of its fiscal year 2008 eligible operating expenses adjusted by the annual 10% increase required by Section 2-2.04 of this Act. In no case shall any participant receive an appropriation that is less than its fiscal year 2008 appropriation. Every fiscal year thereafter, each participant's appropriation shall increase by 10% over the appropriation established for the preceding fiscal year as required by Section 2-2.04 of this Act.

(b-11) Beginning July 1, 2026, ~~and every fiscal year thereafter, if the participant's expenditures in the immediately preceding fiscal year are equal to or greater than 85% of the amounts appropriated to the participant in the immediately preceding fiscal year, then~~ the participant's appropriation shall increase by an amount equal to the year-over-year percentage increase in revenue deposited into the Downstate Public Transportation Fund. Beginning July 1, 2032, and every fiscal year thereafter, if the participant's expenditures in the immediately preceding fiscal year are equal to or greater than 85% of the amounts appropriated to the participant in the immediately preceding fiscal year, then the participant's appropriation shall increase by an amount equal to the year-over-year percentage increase in revenue deposited into the Downstate Public Transportation Fund. In no event shall the participant's appropriation be less than the appropriation for the immediately preceding fiscal year. If there was a year-over-year reduction in the revenue deposited into the Fund, then each participant's appropriation shall be equal to their appropriation from the previous fiscal year ~~then each participant's appropriation shall be no more than the previous fiscal year's appropriation~~.

(b-15) Beginning on July 1, 2007, and for each fiscal year thereafter, each participant shall maintain a minimum local share contribution (from farebox and all other local revenues) equal to the actual amount provided in Fiscal Year 2006 or, for new recipients, an amount equivalent to the local share provided in the first year of participation. The local share contribution shall be reduced by an amount equal to the total amount of lost revenue for services provided under Section 2-15.2 and Section 2-15.3 of this Act.

(b-20) Any participant in the Downstate Public Transportation Fund may use State operating assistance funding pursuant to this Section to provide transportation services within any county that is contiguous to its territorial boundaries as defined by the Department and subject to Departmental approval. Any such contiguous-area service provided by a participant after July 1, 2007 must meet the requirements of subsection (a) of Section 2-5.1.

(c) No later than 180 days following the last day of the participant's Fiscal Year each participant shall provide the

Department with an audit prepared by a Certified Public Accountant covering that Fiscal Year. For those participants other than a Metro-East Transit District, any discrepancy between the funds paid and the percentage of the eligible operating expenses provided for by paragraph (b) of this Section shall be reconciled by appropriate payment or credit. In the case of any Metro-East Transit District, any amount of payments from the Metro-East Public Transportation Fund which exceed the eligible deficit of the participant shall be reconciled by appropriate payment or credit.

(d) Upon the Department's final reconciliation determination that identifies a discrepancy between the Downstate Operating Assistance Program funds paid and the percentage of the eligible operating expenses which results in a reimbursement payment due to the Department, the participant shall remit the reimbursement payment to the Department no later than 90 days after written notification.

(e) Funds received by the Department from participants for reimbursement as a result of an overpayment from a prior State fiscal year shall be deposited into the Downstate Public Transportation Fund in the fiscal year in which they are received and all unspent funds shall roll to following fiscal years.

(f) Upon the Department's final reconciliation determination that identifies a discrepancy between the Downstate Operating Assistance Program funds paid and the percentage of the eligible operating expenses which results in a reimbursement payment due to the participant, the Department shall remit the reimbursement payment to the participant no later than 90 days after written notifications.

(Source: P.A. 103-154, eff. 6-30-23; 104-457, eff. 6-1-26.)

(30 ILCS 740/2-15) (from Ch. 111 2/3, par. 675.1)

Sec. 2-15. Residual fund balance.

(a) Except as otherwise provided in this Section, all funds that remain in the Downstate Public Transportation Fund or the Metro-East Public Transportation Fund after the payment of the fourth quarterly payment to participants other than Metro-East Transit District participants and the last monthly payment to Metro-East Transit participants in each fiscal year shall be transferred to the Downstate Transit Improvement Fund for fiscal year 2026 and each fiscal year thereafter. Transfers shall be made no later than 90 days after the end of the fiscal year. However, an amount the Department determines to be necessary for allocation to participants for the purposes of Section 2-7 for the first quarter of the succeeding fiscal year and an amount equal to 2% of the total allocations to participants in the immediately preceding fiscal year to be used for the purpose of audit adjustments shall be retained in the Funds to be used by the Department for those purposes. Beginning fiscal year 2010, all moneys each year in the Downstate Transit Improvement Fund, held solely for the benefit of the participants in the Downstate Public Transportation Fund and shall be appropriated to the Department to make competitive capital grants to the participants of the respective funds, except that a portion of the total residual fund balance remaining in the Downstate Transit Improvement Fund after the completion of Fiscal Year 2026 and every year thereafter may be used by the Department for intercity rail capital projects for connectivity between downstate communities and Chicago, including routes to new destinations. Beginning in Fiscal Year 2026, the Department of Transportation may issue an annual notice of funding opportunity for intercity rail capital projects that may include, but are not limited to, station upgrades, grade separations, and planning studies for new destinations. The amount used from this fund for intercity rail capital projects may not exceed $342,000,000. However, such amount as the Department determines to be necessary for ~~(1)~~ allocation to participants for the purposes of Section 2-7 for the first quarter of the succeeding fiscal year and ~~(2) an amount equal to 2% of the total allocations to participants in the fiscal year just ended to be used for~~ the purpose of audit adjustments shall be retained in such Funds to be used by the Department for such purposes. Notwithstanding any other provision of law, for Fiscal Year 2027, the sum of $3,750,000, or so much of that amount as may be necessary, may be appropriated from the Downstate Transit Improvement Fund to the Department of

Transportation to make a grant to the Springfield Airport Authority for the purpose of supporting daily commercial air service between Springfield and Chicago O'Hare International Airport in order to facilitate State operations in the Capital City.

(b) Notwithstanding any other provision of law, in addition to any other transfers that may be provided by law, on July 1, 2011, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the Metro East Public Transportation Fund into the General Revenue Fund. Upon completion of the transfers, the Metro East Public Transportation Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund pass to the General Revenue Fund.

(c) If necessary, the Department of Transportation may notify the Comptroller of a projected deficit in the Downstate Public Transportation Fund of the amount needed to cover the required statutory reimbursement of eligible operating expenses to participants in the Downstate Public Transportation Fund. If the Comptroller is notified of a projected deficit, then the Comptroller shall order transferred and the Treasurer shall transfer from the Downstate Transit Improvement Fund the amount necessary to remedy the projected deficit in the Downstate Public Transportation Fund.

(Source: P.A. 104-457, eff. 6-1-26.)

(30 ILCS 740/3-1.03) (from Ch. 111 2/3, par. 684)

Sec. 3-1.03. "Operating deficits" means the amount by which eligible operating expenses exceed revenues from nonreimbursable fares, rental of properties, ~~advertising,~~ and any other amounts collected or received in the process of providing public transportation under this Article which, under standard accounting practices for the providing of public transportation are properly classified as operating revenue or operating income attributable to providing public transportation under this Article. For purposes of determining operating deficits, operating revenue or operating income shall not include such funds as the Department may determine consistent with federal Department of Transportation regulations and requirements affecting Section 18.

(Source: P.A. 82-783.)

(30 ILCS 740/4-1.11) (from Ch. 111 2/3, par. 699.11)

Sec. 4-1.11. "Operating revenues" means income from nonreimbursable fares, rental of properties, ~~advertising,~~ local and state funds contributed to meet eligible operating expenses, and any other amounts collected or received in the process of providing public transportation under this Article, and any revenue which is an operating revenue according to standard accounting practices for the providing of public transportation and which the Secretary may determine, consistent with the federal Department of Transportation regulations and requirements.

(Source: P.A. 86-16.)

Section 28. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. Beginning with returns due on or after January 1, 2025, the discount allowed in this Section, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, including any local tax administered by the Department and reported on the same return, shall not exceed

$1,000 per month in the aggregate for returns other than transaction returns filed during the month. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 6.25% rate but for the 1.25% rate imposed on sales tax holiday items under Public Act 102-700. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 1% rate but for the 0% rate imposed under Public Act 102-700. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return, but, beginning with returns due on or after January 1, 2025, the discount allowed under this Section and the Retailers' Occupation Tax Act, including any local tax administered by the Department and reported on the same transaction return, shall not exceed $1,000 per month for all transaction returns filed during the month. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period only the tax applicable to that part of the selling price actually received during such tax return period.

In the case of leases, except as otherwise provided in this Act, the lessor, in collecting the tax, may collect for each tax return period only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require. The return shall include the gross receipts on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) which were received during the preceding calendar month, quarter, or year, as appropriate, and upon which tax would have been due but for the 0% rate imposed under Public Act 102-700. The return shall also include the amount of tax that would have been due on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) but for the 0% rate imposed under Public Act 102-700.

On and after January 1, 2018, except for returns required to be filed prior to January 1, 2023 for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. On and after January 1, 2023, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act, including, but not limited to, returns for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, shall be filed electronically. Retailers who demonstrate that they do not have access to the Internet or demonstrate hardship in filing electronically may petition the Department to waive the electronic filing requirement.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first 2 months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due;

5-5. The signature of the taxpayer; and

6. Such other reasonable information as the Department may require.

Each retailer required or authorized to collect the tax imposed by this Act on aviation fuel sold at retail in this State during the preceding calendar month shall, instead of reporting and paying tax on aviation fuel as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, retailers collecting tax on aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Notwithstanding any other provision of this Act to the contrary, retailers subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 1.25% in Public Act 102-700 on sales tax holiday items had not occurred. For quarter monthly payments due on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 1.25% in Public Act 102-700 on sales tax holiday items had not occurred. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 0% in Public Act 102-700 on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) had not occurred. For quarter monthly payments due under this paragraph on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 0% in Public Act 102-700 had not occurred. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's vendor's discount shall be reduced, if necessary, to reflect the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, except as otherwise provided in this Section, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every person who is engaged in the business of leasing or renting such items and who, in connection with such business, sells any such item to a retailer for the purpose of resale is, notwithstanding any other provision of this Section to the contrary, authorized to meet the return-filing requirement of this Act by reporting the transfer of all the aircraft, watercraft, motor vehicles, or trailers transferred for resale during a month to the Department on the same uniform invoice-transaction reporting return form on or before the 20th of the month following the month in which the transfer takes place. Notwithstanding any other provision of this Act to the contrary, all returns filed under this paragraph must be filed by electronic means in the manner and form as required by the Department.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The

Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the vendor's discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

On and after January 1, 2025, with respect to the lease of trailers, other than semitrailers as defined in Section 1-187 of the Illinois Vehicle Code, that are required to be registered with an agency of this State and that are subject to the tax on lease receipts under this Act, notwithstanding any other provision of this Act to the contrary, for the purpose of reporting and paying tax under this Act on those lease receipts, lessors shall file returns in addition to and separate from the transaction reporting return. Lessors shall file those lease returns and make payment to the Department by electronic means on or before the 20th day of each month following the month, quarter, or year, as applicable, in which lease receipts were received. All lease receipts received by the lessor from the lease of those trailers during the same reporting period shall be reported and tax shall be paid on a single return form to be prescribed by the Department.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than (i) tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government and (ii) aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuels Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. If, in any month, the tax on sales tax holiday items, as defined in Section 3-6, is imposed at the rate of 1.25%, then the Department shall pay 100% of the net revenue realized for that month from the 1.25% rate on the selling price of sales tax holiday items into the State and Local Sales Tax Reform Fund.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers'

Occupation Tax Act, each month the Department shall deposit $500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited into the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the

Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000

2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036	450,000,000
and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the	

Metropolitan Pier and

Exposition Authority Act,

but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim, and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year	Total Deposit
2024	$200,000,000
2025	$206,000,000
2026	$212,200,000
2027	$218,500,000
2028	$225,100,000
2029	$288,700,000
2030	$298,900,000
2031	$309,300,000
2032	$320,100,000
2033	$331,200,000
2034	$341,200,000
2035	$351,400,000
2036	$361,900,000
2037	$372,800,000
2038	$384,000,000
2039	$395,500,000
2040	$407,400,000
2041	$419,600,000
2042	$432,200,000

2043 .... $445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2026, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2026, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Public Transportation Fund and the Downstate Public Transportation Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Moneys shall be apportioned as follows: 85% into the Public Transportation Fund and 15% into the Downstate Public Transportation Fund. The amounts to be paid each month into the Public Transportation Fund and the Downstate Public Transportation Fund as provided in this paragraph shall be paid and deposited therein directly by the Department and shall not be held or subject to transfer from any other fund. As used in this paragraph, "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the meaning given to that term in Section 3-40 of this Act.

Until July 1, 2025, of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act. Beginning July 1, 2025, of the remainder of the moneys received by the Department pursuant to this Act, 75% shall be deposited into the General Revenue Fund and 25% shall be deposited into the Common School Fund.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 103-154, eff. 6-30-23; 103-363, eff. 7-28-23; 103-592, Article 75, Section 75-5, eff. 1-1-25; 103-592, Article 110, Section 110-5, eff. 6-7-24; 103-1055, eff. 12-20-24; 104-6, Article 5, Section 5-10, eff. 6-16-25; 104-6, Article 35, Section 35-20, eff. 6-16-25; 104-457, eff. 6-1-26.)

Section 30. The People Over Parking Act is amended by changing Section 5-5 as follows:

(50 ILCS 845/5-5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 5-5. Definitions. As used in this Act:

"Car-share vehicles" means motor vehicles that are operated as part of a regional fleet by a public or private car-sharing company or organization and provide hourly or daily service.

"Commercial development project" means a development project that is undertaken for the development of land for commercial use, including residential housing, multi-family housing, mixed-use housing, and nonresidential commercial developments.

"Development project" means a project undertaken for the purpose of development of land. "Development project" includes (i) a project involving the issuance of a permit for construction or reconstruction, (ii) a housing development project, or (iii) a commercial development project. "Development project" does not include a project where any portion is designated for use as a hotel, motel, bed-and-breakfast inn, or other transient lodging, except where a portion of a housing development project is designated for use as a residential hotel.

"Efficiency living unit" has the meaning ascribed to that term in the 2018 International Building Code, Sixth Version (November 2021).

"Elderly housing", "low-income household", "moderate-income household", "multi-family housing", and "very low-income household" have the meanings ascribed to those terms in the Illinois Affordable Housing Act.

"Ferry" means a dock, wharf, or similar apparatus that is served by a regularly scheduled, or on demand, ferry or boat for passengers and that crosses a river, unfordable stream, lake, estuary, or bay.

"Housing development project" means a development project consisting of (i) residential units only, (ii) mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use, or (iii) transitional housing or supportive housing.

"Maximum automobile parking requirements" means any law, code, or policy that limits a maximum number of off-street~~, private~~ parking spaces for new residential and commercial developments.

"Minimum automobile parking requirements" means any law, code, or policy that requires a minimum number of off-street~~, private~~ parking spaces for new residential and commercial developments.

"On-street parking" means parking of vehicles on public streets or thoroughfares located within the physical boundaries of a municipality.

"Public transportation corridor" means a street on which one or more bus routes have a combined frequency of bus service interval of 15 minutes or less during the morning and afternoon peak commute periods.

"Public transportation hub" means~~:~~ (i) a rail transit station, (ii) a boat or ferry terminal served by either a bus stop or rail transit station, and (iii) an intersection of 2 or more public transportation corridors ~~bus routes with a combined frequency of bus service interval of 15 minutes or less during the morning and afternoon peak commute periods~~.

"Rail transit station" means a stop served by regularly scheduled intercity rail, regional rail, commuter rail, light rail, or rapid transit service for passengers.

"Residential hotel" means any building containing 6 or more guest rooms or efficiency living units that is used or intended or designed to be used, rented, hired out, or occupied for sleeping purposes by guests and that is also the primary residence of those guests. "Residential hotel" does not include any building containing 6 or more guest rooms or efficiency living units primarily used by transient guests who do not occupy the building as their primary residence.

(Source: P.A. 104-457, eff. 6-1-26.)

Section 35. The Metropolitan Transit Authority Act is amended by changing Sections 15, 19.5, 27, 28, 28d, and 33.10 as follows:

(70 ILCS 3605/15) (from Ch. 111 2/3, par. 315)

Sec. 15. To the extent permitted by the Northern Illinois Transit Authority ~~Act~~, the Authority shall have power to apply for and accept grants and loans from the Federal Government or any agency or instrumentality thereof, from the State, or from any county, municipal corporation or other political subdivision of the State to be used for any of the purposes of the Authority, including, but not by way of limitation, grants and loans in aid of mass transportation and for studies in mass transportation, and may provide matching funds when necessary to qualify for such grants or loans. The Authority may enter into any agreement with the Federal Government, the State, and any county, municipal corporation or other political subdivision of the State in relation to such grants or loans;

provided that such agreement does not conflict with any of the provisions of any trust agreement securing the payment of bonds or certificates of the Authority.

The Authority may also accept from the State, or from any county or other political subdivision, or from any municipal corporation, or school district, or school authorities, grants or other funds authorized by law to be paid to the Authority for any of the purposes of this Act.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3605/19.5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 19.5. Chicago Transit Board.

(a) The governing body of the Chicago Transit Authority shall be the Chicago Transit Board. Beginning September 1, 2026, the Board shall consist of 7 members appointed as follows:

(1) Two members appointed by the Governor, with the advice and consent of the Senate, including:

(A) a member with an initial term of 5 years who shall serve as a member of the Northern Illinois Transit Authority; and

(B) a member with an initial term of 3 years.

(2) Three members appointed by the Mayor of Chicago, with the advice and consent of the City Council of the City

of Chicago, including:

(A) a member with an initial term of 3 years who shall serve as a member of the Northern Illinois Transit Authority;

(B) a member with an initial term of 5 years who shall serve as a member of the Northern Illinois Transit Authority; and

(C) a member with an initial term of 3 years.

(3) Two members appointed by the President of the Cook County Board of Commissioners, with the advice and consent of the Cook County Board of Commissioners, including:

(A) a member with an initial term of 3 years who shall serve as a member of the Northern Illinois Transit Authority; and

(B) a member with an initial term of 5 years.

(b) The subsequent terms of each director appointed under subsection (a) shall be 5 years.

(c) The Chair of the Board shall be elected by a majority vote by the members of the Board from among the members of the Board. Until September 1, 2030, the Chair of the Board must be approved by the Senate. Until September 1, 2030, if the members of the Board elect a Chair of the Board, then the elected Chair of the Board may serve as ~~a~~ the acting Chair of the Board until confirmation. Until September 1, 2030, if the Senate votes against confirming the acting Chair of the Board, then the acting Chair of the Board must resign and the members of the Board must elect a new Chair of the Board.

(d) Initial appointments of members under subsection (a) must be made in time for the members to begin their terms on September 1, 2026.

(e) On September 1, 2026, the terms of all members serving on the effective date of this amendatory Act of the 104th General Assembly, and of any members appointed to fill a vacancy, shall immediately expire. If a vacancy on the Board occurs before September 1, 2026, then the vacancy shall be filled under Section 21. Members serving on the effective date of this amendatory Act of the 104th General Assembly may be reappointed under subsection (a).

(f) The members of the Board shall receive an annual salary of $15,000, except that members of the Board who are also members of the Board of the Northern Illinois Transit Authority shall receive $10,000 ~~$5,000~~ per year in addition to the compensation the members receive for serving on the Board of the Northern Illinois Transit Authority.

(g) Directors shall have diverse and substantial relevant experience and expertise for overseeing the planning, operation, and funding of a transit agency ~~regional transportation system~~, including, but not limited to, backgrounds in urban and regional planning, management of large capital projects, labor and workforce development, business management, public administration, transportation, and community organizations. Except as otherwise provided by this Act, a director, while serving as such, shall not be an officer, member of the board of directors or board of trustees, or employee of any Service Board or transportation agency, shall not be an employee of the State of Illinois or any department or agency thereof or any municipality, county, or any other unit of local government, and shall not receive any compensation from any elected or appointed office under the Constitution or laws of this State, except that a Director may be a member of a school board or a member of the National Guard.

(h) Those responsible for appointing Directors shall strive to assemble a set of Directors that, to the greatest extent possible, reflects the ethnic, cultural, economic, racial, and geographic diversity of the metropolitan region.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3605/27) (from Ch. 111 2/3, par. 327)

Sec. 27. The Board may appoint an Executive Director with the advice and consent of the Board of the Northern Illinois Transit Authority. The Executive Director shall have demonstrated experience with one or more of the following areas: (i) public transportation system operations; (ii) infrastructure capital project management; or (iii) legal or human resource management for a public agency. The Executive Director shall also meet any qualifications that may be set, by ordinance, by the Northern Illinois Transit Authority. The

Chair of the Board of the Northern Illinois Transit Authority and the Executive Director of the Northern Illinois Transit Authority shall be included in the process for choosing the Executive Director of the Authority, including membership in any search committee. The Executive Director shall be a person of recognized ability and experience in the operation of transportation systems and shall hold office during the pleasure of the Board. The Executive Director shall have management of the properties and business of the Authority and the employees thereof, subject to the general control of the Board, shall direct the enforcement of all ordinances, resolutions, rules, and regulations of the Board, and shall perform such other duties and powers as may be prescribed from time to time by the Board of the Northern Illinois Transit Authority in an ordinance describing the position's role, powers, and responsibilities. The Board may appoint a General Counsel and a Chief Engineer, and shall provide for the appointment of other officers, attorneys, engineers, consultants, agents and employees as may be necessary for the construction, extension, operation, maintenance, and policing of its properties. It shall define their duties and require bonds of such of them as the Board may designate. The Executive Director, General Counsel, Chief Engineer, and all other officers provided for pursuant to this section shall be exempt from taking and subscribing to any oath of office. The compensation of the Executive Director, General Counsel, Chief

Engineer, and all other officers, attorneys, consultants, agents and employees shall be fixed by the Board.

(Source: P.A. 104-457, eff. 6-1-26.)

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

Sec. 28. The Board shall classify all the offices, positions and grades of regular and exempt employment required, excepting that of the Chairman of the Board, the Executive Director, Secretary, Treasurer, General Counsel, and Chief Engineer, with reference to the duties, job title, job schedule number, and the compensation fixed therefor, and adopt rules governing appointments to any of such offices or positions on the basis of merit and efficiency. The job title shall be generally descriptive of the duties performed in that job, and the job schedule number shall be used to identify a job title and to further classify positions within a job title. ~~No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment. There shall not be discrimination based upon political reasons or factors.~~ No officer or employee in regular employment shall be discharged or demoted except for cause which is detrimental to the service. Any officer or employee in regular employment who is discharged or demoted may file a complaint in writing with the Board within ten days after notice of his or her discharge or demotion. If an employee is a member of a labor organization the complaint may be filed by such organization for and on behalf of such employee. The Board shall grant a hearing on such complaint within thirty (30) days after it is filed. The time and place of the hearing shall be fixed by the Board and due notice thereof given to the complainant, the labor organization by or through which the complaint was filed and the Executive Director. The hearing shall be conducted by the Board, or any member thereof or any officers' committee or employees' committee appointed by the Board. The complainant may be represented by counsel. If the Board finds, or approves a finding of the member or committee appointed by the Board, that the complainant has been unjustly discharged or demoted, he or she shall be restored to his or her office or position with back pay. The decision of the Board shall be final and not subject to review. The Board may designate such offices, positions, and grades of employment as exempt as it deems necessary for the efficient operation of the business of the Authority. The total number of employees occupying exempt offices, positions, or grades of employment may not exceed 3% of the total employment of the Authority. All exempt offices, positions, and grades of employment shall be at will. No unlawful discrimination, as defined and prohibited in the Illinois Human Rights Act, shall be made in any term or aspect of employment. There shall not be discrimination based upon political reasons or factors. The Board may abolish any vacant or occupied office or position. Additionally, the Board may reduce the force of employees for lack of work or lack of funds as determined by the Board. When the number of positions or employees holding positions of regular employment within a particular job title and job schedule number are reduced, those employees with the least company seniority in that job title and job schedule number shall be first released from regular employment service. For a period of one year, an employee released from service shall be eligible for reinstatement to the job title and job schedule number from which he or she was released, in order of company seniority, if additional force of employees is required. "Company seniority" as used in this Section means the overall employment service credited to an employee by the Authority since the employee's most recent date of hire irrespective of job titles held. If 2 or more employees have the same company seniority date, time in the affected job title and job schedule number shall be used to break the company seniority tie. For purposes of this Section, company seniority shall be considered a working condition. When employees are represented by a labor organization that has a labor agreement with the Authority, the wages, hours, and working conditions (including, but not limited to, seniority rights) shall be governed by the terms of the agreement. Exempt employment shall not include any employees who are represented by a labor organization that has a labor agreement with the Authority.

No employee, officer, or agent of the Chicago Transit

Board may receive a bonus that exceeds 10% of his or her annual salary unless that bonus has been reviewed for a period of 14 days by the Northern Illinois Transit Authority Board. After 14 days, the bonus shall be considered reviewed. This Section does not apply to usual and customary salary adjustments.
(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3605/28d)

Sec. 28d. Employment contracts. Except as otherwise provided in Section 28a, before the Chicago Transit Board may enter into or amend any employment contract in excess of $200,000 ~~$100,000~~, the Chicago Transit Board must submit that contract or amendment to the Northern Illinois Transit Authority Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.
(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3605/33.10)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 33.10. Budget and program. The Authority, subject to the powers of the Northern Illinois Transit Authority, including the budget review powers contained in Section 4.11

of the Northern Illinois Transit Authority Act, shall, by ordinance, appropriate money to perform the Authority's purposes and provide for payment of debts and expenses of the Authority. Each year, as part of the process set forth in Section 4.11 of the Northern Illinois Transit Authority Act, the Northern Illinois Transit Authority shall prepare and publish a comprehensive annual budget and proposed 5-Year Capital Program document, and a financial plan for the 2 years thereafter describing the state of the Authority and presenting for the forthcoming fiscal year and the 2 following years the Authority's plans for such operations and capital expenditures as it intends to undertake and the means by which it intends to finance them. The proposed budget, financial plan, and 5-Year Capital Program shall be based on the Northern Illinois Transit Authority's estimate of funds to be made available to the Board by or through the Authority and shall conform in all respects to the requirements established by the Northern Illinois Transit Authority. The proposed budget, financial plan, and 5-Year Capital Program shall contain a statement of the funds estimated to be on hand at the beginning of the fiscal year, the funds estimated to be received from all sources for the year and the funds estimated to be on hand at the end of the year. The fiscal year of the Authority shall be the same as the fiscal year of the Northern Illinois Transit Authority. The proposed budget, financial plan, and 5-Year Capital Program shall be included in the

Northern Illinois Transit Authority's public hearings under Section 4.01 ~~4.11~~ of the Northern Illinois Transit Authority Act. The budget, financial plan, and 5-Year Capital Program shall then be finalized by the Northern Illinois Transit Authority as provided in Section 4.01 ~~4.11~~. The ordinance adopted by the Northern Illinois Transit Authority as provided in Section 4.01 ~~4.11~~ shall appropriate the sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority, specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items, and other changes in the ordinance that do not alter the basis upon which the balanced budget determination was made by the Board of the Northern Illinois Transit Authority may be made from time to time by the Authority. The Authority shall not (i) use any funds in its budget, or in reserves, allocated for operational expenses to fund capital projects or (ii) transfer moneys from any funds in its budget, or in reserves, allocated for operational expenses to an account primarily used to fund capital projects.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3605/51.5 rep.)

Section 40. The Metropolitan Transit Authority Act is amended by repealing Section 51.5.

Section 45. The Local Mass Transit District Act is amended by changing Section 5.08 as follows:

(70 ILCS 3610/5.08)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 5.08. Transit-supportive development and trail-supportive development.

(a) As used in this Section:

"Transit-supportive development" means residential, commercial, and governmental facilities and supporting infrastructure improvements that are designed to facilitate access to and use of public transit or public trails and that are located within either (i) one-half mile of a public transportation station or (ii) one-eighth mile of a bus stop on a public transportation bus route.

"Trail-supportive development" means residential, commercial, and governmental facilities, and supporting infrastructure improvements that are (i) located within one-quarter mile of a public trail and (ii) designed to facilitate access to and use of public transit or public trails.

(b) The Board of Trustees of any Transit District may acquire, construct, own, operate, or maintain for public service transit-supportive developments and trail-supportive developments and may exercise all powers necessary or convenient to accomplish the purposes of this Section.

(c) The Board of Trustees of any Transit District may acquire by purchase, condemnation, lease, gift, or otherwise any property and rights useful for its transit-supportive development purposes and trail-supportive development purposes and may sell, lease, transfer, or convey any property or rights when no longer useful or to exchange the same for other property or rights that are useful for its purposes.

(d) In addition to other powers provided in this amendatory Act of the 104th General Assembly, the Board of Trustees of any Transit District may enter into contracts and agreements with governmental, not-for-profit, and for-profit entities for the development, construction, and operation of transit-supportive developments and trail-supportive developments.

(e) The Board of Trustees of any Transit District shall have the continuing power to borrow money for (i) the purpose of acquiring, constructing, reconstructing, extending, or improving transit-supportive developments and trail-supportive developments or any part of those developments and (ii) the purpose of acquiring property and equipment useful for the construction, reconstruction, extension, improvement, or operation of its transit-supportive developments and trail-supportive developments or any part of those developments.

(f) This Section does not exempt the Board of Trustees of any Transit District from complying with land use regulations applicable to the property involved in a transit-supportive development or trail-supportive development.
(Source: P.A. 104-457, eff. 6-1-26.)

Section 50. The Regional Transportation Authority Act is amended by changing Sections 1.02, 1.03, 2.01a, 2.01b, 2.01f, 2.04, 2.05, 2.06.2, 2.11.05, 2.11.15, 2.11.35, 2.14, 2.41, 2.49, 3.01, 3A.02, 3A.06, 3A.10.5, 3A.15.5, 3A.18, 3B.02.5, 3B.06, 3B.10.5, 3B.26, 4.01, 4.01b, 4.03, 4.04, 4.09, 5.05, 6.01, 7.02, 7.03, and 7.04 and by adding Section 2.50 as follows:

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

Sec. 1.02. Findings and Purpose.

(a) The General Assembly finds;

(1) Public transportation is, as provided in Section 7 of Article XIII of the Illinois Constitution, an essential public purpose for which public funds may be expended and that Section authorizes the State to provide financial assistance to units of local government for distribution to providers of public transportation. There is an urgent need to reform and continue a unit of local government to assure the proper management of public transportation and to receive and distribute State or federal operating

assistance and to raise and distribute revenues for local operating assistance. System generated revenues are not adequate for such service and a public need exists to provide for, aid and assist public transportation in the northeastern area of the State, consisting of Cook, DuPage, Kane, Lake, McHenry and Will Counties.

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

(3) Transportation in the metropolitan region is being threatened by grave financial conditions. With existing methods of financing, coordination, structure, and management, the public transportation system is not providing adequate public transportation to ensure the public health, safety, and welfare.

(3.5) The COVID-19 pandemic caused unprecedented disruption in public transportation ridership and operations from which the service providers have yet to fully recover and the pandemic-related federal funding support for public transportation operations has expired. Although ridership levels continue to improve from the lowest levels observed during the pandemic, net ridership levels have not recovered to pre-pandemic levels. Furthermore, the system experienced persistent losses in ridership, service quality, and financial stability for many years before the pandemic. These systemic issues, combined with the changes in passenger behaviors, experiences, and commuting patterns since the pandemic, create conditions untenable to a sustainable and thriving public transportation system.

(4) Additional commitments to the public transportation needs of persons with disabilities, the economically disadvantaged, and the elderly are necessary. Further, additional commitments to the public transit needs of persons who currently reside in areas with limited, infrequent, or no public transit service are needed to eliminate existing public transit deserts and ensure that all residents of the metropolitan region have access to frequent, reliable, safe, and interconnected transit options.

(5) To solve these problems, it is necessary to

provide for the creation and empowerment of the Northern Illinois Transit Authority with the powers necessary to insure adequate public transportation.

(b) (Blank).

(c) (Blank).

(d) It is the purpose of this Act to provide for, aid and assist public transportation in the northeastern area of the State without impairing the overall quality of existing public transportation by providing for the creation of a single authority responsive to the people and elected officials of the area and with the power and competence to develop, implement, and enforce plans that promote adequate, efficient, geographically equitable and coordinated public transportation, provide financial review of the providers of public transportation in the metropolitan region and facilitate public transportation provided by Service Boards which is attractive and economical to users, comprehensive, coordinated among its various elements, economical, safe, efficient and coordinated with area and State plans.

(e) It is the intent of this Act to continue and maintain the existence of the Regional Transportation Authority, notwithstanding a change in its name and appointment powers and authorities, and is in no way intended to change, modify, or restrict the rights of existing Regional Transportation ~~Transit~~ Authority bondholders or to change or repeal the non-impairment covenant in the current Regional Transportation

Authority legislation.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

Sec. 1.03. Definitions. As used in this Act:

"Authority" means the Northern Illinois Transit Authority (formerly the Regional Transportation Authority).

"Board" means the Board of Directors of the Northern Illinois Transit Authority (formerly the Board of Directors of the Regional Transportation Authority).

"Construct or acquire" means plan, design, construct, reconstruct, improve, modify, extend, landscape, expand or acquire.

~~"Limited English proficient individual" means an individual who does not speak English as the individual's primary language and who has a limited ability to read, speak, write, or understand English.~~

"Metropolitan Region" means all territory included within the territory of the Authority as provided in this Act, and such territory as may be annexed to the Authority.

"Municipality", "County" and "Unit of Local Government" have the meanings given to such terms in Section 1 of Article VII of the Illinois Constitution.

"Operate" means operate, maintain, administer, repair, promote and any other acts necessary or proper with regard to such matters.

"Passenger miles traveled" means the cumulative sum of the distances ridden by each passenger.

"Public Transportation" means the transportation or conveyance of persons within the metropolitan region by means available to the general public, including groups of the general public with special needs, except for transportation by automobiles not used for conveyance of the general public as passengers.

"Public Transportation Facilities" means all equipment or property, real or personal, or rights therein, useful or necessary for providing, maintaining or administering public transportation within the metropolitan region or otherwise useful for carrying out or meeting the purposes or powers of the Authority, except it shall not include roads, streets, highways or bridges or toll highways or toll bridges for general public use.

~~"Qualified interpreter" or "qualified translator" means an individual proficient in both English and the non-English language used by the limited English proficient individual, with demonstrated ability to interpret or translate accurately and impartially.~~

"Service Boards" means the Board of the Commuter Rail Division of the Authority, the Board of the Suburban Bus Division of the Authority, and the Board of the Chicago Transit Authority established pursuant to the Chicago Transit Authority Act.

"Service standards" means quantitative and qualitative attributes of public transit service as well as the appropriate level of service to be provided across the metropolitan region.

"Supermajority vote" means the affirmative vote of:

(1) until September 1, 2026, 12 of the Authority's then Directors; or

(2) beginning September 1, 2026, either at least 15 of the Authority's then Directors or 12 of the Authority's then Directors if there are:

(A) at least 2 affirmative votes from Directors appointed under subsection (a) of Section 3.01.05 ~~3.01~~;

(B) at least 2 affirmative votes from Directors appointed under subsection (a-5) of Section 3.01.05 ~~3.01~~;

(C) at least 2 affirmative votes from Directors appointed under subsection (b) of Section 3.01.05 ~~3.01~~; and

(D) at least 2 affirmative votes from Directors appointed under subsection (b-5) of Section 3.01.05 ~~3.01~~.

"Transportation Agency" means any individual, firm, partnership, corporation, association, body politic, municipal corporation, public authority, unit of local government or other person, other than the Authority and the Service Boards, which provides public transportation, any local mass transit district created pursuant to the Local Mass Transit District Act and any urban transportation district created pursuant to the Urban Transportation District Act, which districts are located in whole or in part within the metropolitan region.

"Unlinked passenger trips" means the number of passengers who board public transportation vehicles. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to destination.

"Vehicle revenue hours" means the hours that vehicles are scheduled to or actually travel while in revenue service. "Vehicle revenue hours" includes layover or recovery time. "Vehicle revenue hours" does not include deadhead, operator training, vehicle maintenance testing, and other non-revenue uses of vehicles.

"Vehicle revenue miles" means the miles that vehicles are scheduled to or actually travel while in revenue service. "Vehicle revenue miles" includes distances traveled during layover or recovery time. "Vehicle revenue miles" does not include deadhead, operator training, vehicle maintenance testing, and other non-revenue uses of vehicles.

~~"Vital documents" means materials critical for obtaining services or understanding rider rights, including fare schedules, safety information, service announcements, and notices of rights or responsibilities.~~

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.01a)

Sec. 2.01a. Strategic Plan.

(a) By a supermajority vote, the Authority shall adopt a Strategic Plan, no less than every 5 years, after consultation with the Service Boards and after holding a minimum of 3 public hearings in Cook County, at least one of which shall be held in the City of Chicago, and one public hearing in each of the other counties in the region. The Executive Director of the Authority shall review the Strategic Plan on an ongoing basis and make recommendations to the Board of the Authority with respect to any update or amendment of the Strategic Plan. The Strategic Plan shall describe the specific actions to be taken by the Authority and the Service Boards to provide adequate, efficient, and coordinated public transportation.

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

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

(ii) increasing per capita transit ridership and the share of trips taken by transit in the region;

(iii) using public transportation to reduce greenhouse gas and other emissions from the transportation sector;

(iv) coordination of public transportation services and the investment in public transportation facilities to enhance the integration of public transportation throughout the metropolitan region;

(v) coordination of fare and transfer policies to promote transfers by riders among Service Boards, Transportation Agencies, and public transportation modes, which may include goals and objectives for development of a universal fare instrument that riders may use interchangeably on all public transportation funded by the Authority, and methods to be used to allocate revenues from transfers;

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

(vii) increasing access for transit-dependent populations, including low-income communities, seniors, students, and people with disabilities;

(viii) increasing access by low-income communities to places of employment, using analyses provided by the Chicago Metropolitan Agency for Planning regarding employment and transportation availability, and giving consideration to the location of employment centers in each county and the availability of public transportation at off-peak hours and on weekends;

(ix) the financial viability of the public transportation system, including both operating and capital programs;

(x) improving roadway operations within the metropolitan region to enhance transit options and to improve mobility;

(xi) land use policies, practices, and incentives that make more effective use of public transportation services and facilities as community assets and encourage locating the siting of businesses, homes, and public facilities near public transportation services and facilities to provide convenient and affordable travel for residents, customers, and employees in the metropolitan region;

(xii) policies, practices, and incentives that will better integrate public transportation with other active modes of transportation; and

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

(c) The Strategic Plan shall establish the process and criteria by which proposals for capital improvements by the Authority, a Service Board, or a Transportation Agency will be evaluated by the Authority for inclusion, as proposed or with modifications, in the 5-Year Capital Program, which shall be in accordance with the prioritization process set forth in Section 2.39. The Strategic Plan ~~Proposals for capital improvements~~ may include criteria for:

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

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

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

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

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

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

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

(i) travel times and on-time performance;

(ii) ridership data;

(iii) equipment failure rates;

(iv) employee and customer safety;

(v) crowding;

(vi) cleanliness of vehicles and stations;

(vii) service productivity; and

(viii) customer satisfaction.

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

(f) The Strategic Plan shall describe the expected financial condition of public transportation in the metropolitan region prospectively over a 10-year period, which may include information about the cash position and all known obligations of the Authority and the Service Boards including operating expenditures, debt service, contributions for payment of pension and other post-employment benefits, the expected revenues from fares, tax receipts, grants from the federal, State, and local governments for operating and capital purposes and issuance of debt, the availability of working capital, and the resources needed to achieve the goals and objectives described in the Strategic Plan.

(g) In developing the Strategic Plan, the Authority shall rely on such demographic and other data, forecasts, and assumptions developed by the Chicago Metropolitan Agency for Planning with respect to the patterns of population density and growth, projected commercial and residential development, and environmental factors, within the metropolitan region and in areas outside the metropolitan region that may impact public transportation utilization in the metropolitan region.

The Authority shall also consult with the Illinois Department of Transportation's Office of Planning and Programming when developing the Strategic Plan. Before adopting or amending any Strategic Plan, the Authority shall consult with the Chicago Metropolitan Agency for Planning regarding the consistency of the Strategic Plan with the Regional Comprehensive Plan adopted pursuant to the Regional Planning Act.

(h) The Authority may adopt, by a supermajority vote, sub-regional or corridor plans for specific geographic areas of the metropolitan region in order to improve the adequacy, efficiency, geographic equity and coordination of existing, or the delivery of new, public transportation. Such plans may also address areas outside the metropolitan region that may impact public transportation utilization in the metropolitan region. In preparing a sub-regional or corridor plan, the Authority may identify changes in operating practices or capital investment in the sub-region or corridor that could increase ridership, reduce costs, improve coordination, or enhance transit-oriented development. The Authority shall consult with any affected Service Boards in the preparation of any sub-regional or corridor plans.

(i) (Blank).

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.01b)

Sec. 2.01b. The 5-Year Capital Program. By a supermajority vote, the Authority, after consultation with the Service Boards and after holding a minimum of 3 public hearings in Cook County, at least one ~~one~~ of which shall be held in the City of Chicago, and one public hearing in each of the other counties in the metropolitan region, shall each year adopt a 5-Year Capital Program that shall include each capital improvement to be undertaken by the Authority or, on behalf of the Authority, by a Service Board or Transportation Agency, provided that the Authority finds that the improvement meets any criteria for capital improvements contained in the Strategic Plan, is not inconsistent with any sub-regional or corridor plan adopted by the Authority, and can be funded within amounts available with respect to the capital and operating costs of such improvement. Prior to submitting their proposed capital projects to the Authority, each Service Board shall hold at least one meeting for consideration of the capital projects being submitted to the Authority with representatives of labor organizations that have collective bargaining agreements with the respective Service Board. The Program shall be based on any criteria for capital improvements contained in the Strategic Plan, the capital project prioritization process, the service standards, the transit asset management plans required by 49 CFR 625.25, and other criteria determined by the Authority so long as the improvements are not inconsistent with any subregional or corridor plan adopted by the Authority and can be funded within amounts available with respect to the capital and operating costs of the improvement.

In reviewing proposals for improvements to be included in a 5-Year Capital Program, the Authority may give priority to improvements that are intended to bring public transportation facilities into a state of good repair. Before adopting a 5-Year Capital Program, the Authority shall consult with the Chicago Metropolitan Agency for Planning regarding the consistency of the 5-Year Capital Program with the Regional Comprehensive Plan adopted under the Regional Planning Act. The 5-Year Capital Program shall also identify capital improvements to be undertaken by a Service Board, a Transportation Agency, or a unit of local government and funded by the Authority from amounts in the Innovation, Coordination, and Enhancement Fund, provided that no improvement that is included in the 5-Year Capital Program as of the effective date of this amendatory Act of the 95th General Assembly may receive funding from the Innovation, Coordination, and Enhancement Fund.

Beginning on January 1, 2027, for each improvement identified in the 5-year Capital Program, the Authority shall identify the entity responsible for implementing the project. The Service Boards shall remain responsible for managing contracts they entered into before January 1, 2027 for improvements identified in the 5-Year Capital Program, subject to the Authority's review and approval. The Authority shall retain responsibility for larger or comprehensive improvements such as Regionally Significant Projects, as designated by the Chicago Metropolitan Agency for Planning; new service infrastructure such as a new rail line or a new BRT corridor; large-scale rebuild of existing service infrastructure; new service vehicle or rolling stock purchases; or improvements that will be used by multiple Service Boards. The Authority shall assign to the appropriate Service Board responsibility for projects such as general service infrastructure renewal; improvements to non-service facilities; overhauls of railcars and vehicles; routine maintenance; and projects that will be completed entirely by Service Board employees.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.01f)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.01f. Service planning.

(a) Beginning December 2027, the Authority shall develop a regionally coordinated Service Plan that describes all transit service to be provided in the coming year or years. The Authority may plan service for periods of not less than 1 year and not more than 3 years.

(b) To assist in the development of Service Plans, the Authority may issue a request for proposed service plans to all Service Boards. Requests for proposed service plans must indicate the first and last years for which service will be planned and must not cover more than 3 years. Requests for proposed service plans may not be issued to less than all Service Boards.

(c) For years in which the Authority is engaged in Service Planning, it shall commence the process by issuing a request for proposed service plans to all the Service Boards by the preceding December 15. The requests for proposed service plans may include:

(1) a description of service improvements and changes that the Authority desires to carry out its Strategic Plan and to implement its service standards;

(2) a description of the estimates of revenue for the next fiscal year that the Authority has received from the Director of the Governor's Office of Management and Budget;

(3) a directive to the Service Boards to prepare service coverage and service-level scenarios assuming various specified budget allocations for each Service Board;

(4) a description of the degree to which Service Boards may make changes to the programmed location, frequency, days, and hours of service provided by the Service Board as compared to the Service Board's current approved service plan and the circumstances under which the changes shall be permitted;

(5) the opportunity for the Service Boards to propose

service improvements along with estimated costs; and

(6) requests for information the Authority deems necessary for the Authority to assess how to most effectively and equitably allocate funds among the Service Boards, including estimates of the resources needed to provide each service-level scenario.

(d) By March 31 following the request for proposed service plans, each Service Board shall present preliminary service proposals in several public hearings conducted by the Authority. A minimum of 3 public hearings shall be held in Cook County, including one in the City of Chicago, and one public hearing shall be held in each of the other counties in the region.

(e) By June 30 following the request for proposed service plans, each Service Board shall submit a proposed service plan in response to the Authority's request, prepared in the format requested by the Authority. Proposed service plans shall outline:

(1) the operating funding assumptions used by the Service Board to determine that the proposed service is feasible, including any estimates of resources that were requested by the Authority;

(2) the location, frequency, days and hours of service, and other details of the service that the Service Board shall provide;

(3) the reasons for any changes made to the location,

frequency, days, and hours of service provided by the Service Board from the previous service plan;

(4) the service requirements applicable to the service provided by the Service Board covering issues such as reliability, cleanliness, and safety; and

(5) requirements relating to the Service Board's compliance with Authority fare technology and fare integration efforts, information technology systems, customer communication systems and protocols, branding and advertising efforts, coordination of schedules, and other requirements designed to improve the integration and quality of public transportation in the metropolitan region.

(f) Before voting on any final regionwide Service Plan, the Authority shall hold at least one public hearing on the regionwide Service Plan.

(g) Before voting on any proposed final regionwide Service Plan, the Authority shall hold at least one meeting for consideration of the regionwide Service Plan with the county board of each of the several counties in the metropolitan region in which the Service Board provides service.

(h) The Board shall review the proposed service plans and compile the plans into a ~~revised,~~ regionwide Service Plan. The Board shall only approve the ~~revised,~~ regionwide Service Plan if it meets the service standards set forth in the Strategic Plan as best as possible considering projected available funds. If the Board fails to approve the proposed ~~revised,~~ regionwide Service Plan, then the Board shall notify each Service Board of any deficiencies identified in that Service Board's contributions to the proposed ~~revised,~~ regionwide Service Plan. The Board shall also notify each Service Board if its reasons for changes from the previous approved service plan fail to comply with any guidance provided by the Board in the previous request for service plans as described in paragraph (4) of subsection (e). Service Boards shall not continue to operate service changes that the Board deems to have failed to comply with guidance provided by the Board, unless the service is included in the ~~forthcoming~~ regionwide service plan approved by the Board.

(i) If the Board finds ~~has not found~~ that the proposed ~~revised,~~ regionwide Service Plan does not meet ~~meets~~ the service standards, the Board shall adopt a regionwide Service Plan that does. In all cases, the Board shall adopt a regionwide Service Plan by no later than December ~~August~~ 31 following the request for plans.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.04) (from Ch. 111 2/3, par. 702.04)

Sec. 2.04. Fares and nature of service.

(a) The Authority shall have the sole authority to: (i) set and coordinate fares and charges for public transit services in the metropolitan region, including public transportation provided by Transportation Agencies pursuant to purchase of service or grant agreements with the Authority, and (ii) establish the nature and standards of public transit to be provided in accordance with the Strategic Plan and service standards. However, the Authority may not increase the fares of any service provided by a Service Board until one year after the effective date of this amendatory Act of the 104th General Assembly. Beginning one year after the effective date of this amendatory Act of the 104th General Assembly, the Board may not increase the fares of any Service Board before evaluating the effects of increase fares.

(b) Whenever a Service Board provides any public transportation pursuant to purchase of service or grant agreements to Transportation Agencies for operating expenses (other than with regard to experimental programs) or pursuant to any purchase of service agreement, the purchase of service agreement or grant contract shall provide for the level and nature of fares or charges to be made for such services, and the nature and standards of public transportation to be so provided. A Service Board shall require all Transportation Agencies with which it contracts, or from which it purchases transportation services or to which it makes grants to provide half fare transportation for their student riders if any of such agencies provide for half fare transportation to their student riders.

(c) In so providing for the fares or charges and the nature and standards of public transportation, any purchase of service agreements or grant contracts shall provide, among other matters, for the terms or cost of transfers or interconnections between different modes of transportation and different public Transportation Agencies, schedules or routes of such service, changes which may be made in such service, the nature and condition of the facilities used in providing service, the manner of collection and disposition of fares or charges, the records and reports to be kept and made concerning such service, for interchangeable tickets or other coordinated or uniform methods of collection of charges, and shall further require that the Transportation Agency comply with any determination made by the Board of the Authority under and subject to the provisions of Section 2.12b of this Act. In regard to any such service, the Authority and the Service Boards shall give attention to and may undertake programs to promote use of public transportation and to provide coordinated ticket sales and passenger information. In the case of a grant to a Transportation Agency which remains subject to Illinois Commerce Commission supervision and regulation, the Service Boards shall exercise the powers set forth in this Section in a manner consistent with such supervision and regulation by the Illinois Commerce Commission.

(d) The Authority shall develop and implement a regionally coordinated and consolidated fare collection system.

(e) The Authority may delegate the responsibility for all or some aspects of physical fare collection to the Service Boards.

(f) Prior to adopting any fare structure ordinance, the Authority shall allow a reasonable time for public input and hold public hearings under subsection (e-5) of Section 5.01.

(g) The Authority shall submit the proposed fare structure ordinance to each Service Board for feedback.

(h) By no later than January 1, 2028, the Authority, in coordination with the Service Boards, shall undertake a joint procurement for a next generation fare collection system, which shall include, among other things, a unified mobile ticket application, that shall be procured and implemented by the Authority by February 1, 2030, as a unified regional fare payment system. All agreements for, or related to, a regional fare payment system must include provisions for data sharing that allow the Authority and the Service Boards access to all data generated by the fare collection system.

(i) Whenever the Authority adopts a fare policy establishing or modifying interagency passes, tickets, or transfers, the policy shall also set forth the fare-sharing agreements between the Service Boards that apply to the revenue raised from interagency fare passes, tickets, and transfers. Except as specified in such an agreement, all fare revenue generated and received by the Authority shall be disbursed by the Authority to the Service Board responsible for generating the revenue.

(j)(1) The Authority shall have sole authority over and be responsible for administering all special fare programs, including free and reduced fares for seniors and people with disabilities, and other special fare programs.

(2) The ~~To the extent required by Section 3-33-160 of the Chicago Municipal Code, the~~ Authority and the Chicago Transit Authority ~~Agency~~ shall provide for free rides for active duty military personnel in uniform or with appropriate identification, and disabled veterans of the United States Armed Forces under the same terms as Section 3-33-260 of the Chicago Municipal Code.

(3) Any fixed-route public transportation services provided by, or under grant or purchase of service contracts of, a Service Board shall be provided without charge to senior citizens aged 65 and older, and all persons with a disability, who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such conditions as shall be prescribed by Authority. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. After an initial eligibility determination is made, an individual's eligibility for free services shall automatically renew every 5 years after receipt by the

Authority of a copy of the individual's government-issued identification card validating Illinois residency. Nothing in this Section shall relieve the Authority from providing reduced fares as may be required by federal law. The Authority shall provide the Department of Public Health with a monthly list of all riders that receive free or reduced fares under this subsection. The list shall include an individual's name, address, and date of birth. The Department of Public Health shall, within 2 weeks after receipt of the list, report back to the Authority any discrepancies that indicate that a rider receiving free or reduced fare services is deceased. The Authority, upon receipt of the report from the Department of Public Health, shall take appropriate steps to remove any deceased individual's name from the list of individuals eligible under the free or reduced fare programs.

(4) By no later than 2 years after the effective date of this amendatory Act of the 104th General Assembly, the Authority shall develop the following programs:

(A) An income-based reduced fare program for:

(i) veterans;

(ii) any United States resident who is 17 years of age or older and has been in and left the physical custody of the Department of Corrections within the last 36 months; and

(iii) individuals experiencing homelessness.

(B) A free and reduced fare program for domestic violence and sexual assault survivors, which shall provide free and reduced fares to survivors of domestic violence and sexual assault. The Authority shall not require domestic violence or sexual assault programs to report or share information related to individual program participants or applicants.

(C) A program across public transportation service providers for providing free services to a rider for any additional fares for the duration of a daily, weekly, monthly, or 30-day pass once the rider has purchased enough regular one-way fares to reach an amount that is no less than the cost of an applicable pass.

(k) The Authority shall provide regular annual reports to the Governor and General Assembly on progress made in implementing the changes made to this Act by this amendatory Act of the 104th General Assembly under subsections (f) and (g) of this Section as outlined under Section 2.44.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.05) (from Ch. 111 2/3, par. 702.05)

Sec. 2.05. Centralized services; acquisition and construction.

(a) The Authority may at the request of two or more Service Boards, serve, or designate a Service Board to serve, as a centralized purchasing agent for the Service Boards so requesting.

(b) The Authority may at the request of two or more Service Boards perform other centralized services such as ridership information and transfers between services under the jurisdiction of the Service Boards where such centralized services financially benefit the region as a whole. Provided, however, that the Board may require transfers only upon a supermajority vote.

(c) A Service Board or the Authority may for the benefit of a Service Board, to meet its purposes, construct or acquire any public transportation facility for use by a Service Board or for use by any Transportation Agency and may acquire any such facilities from any Transportation Agency, including also without limitation any reserve funds, employees' pension or retirement funds, special funds, franchises, licenses, patents, permits and papers, documents and records of the agency. In connection with any such acquisition from a Transportation Agency the Authority may assume obligations of the Transportation Agency with regard to such facilities or property or public transportation operations of such agency.

In connection with any construction or acquisition, the Authority shall make relocation payments as may be required by federal law or by the requirements of any federal agency authorized to administer any federal program of aid.

(d) The Authority shall, after consulting with the Service Boards, develop regionally coordinated and consolidated sales, marketing, advertising, and public information programs that promote the use and coordination of, and transfers among, public transportation services in the metropolitan region. The Authority shall develop and adopt, with a supermajority vote, rules and regulations for the Authority and the Service Boards regarding such programs to ensure that the Service Boards' independent programs conform with the Authority's regional programs.

(e) By July 1, 2028, the Authority shall manage digital and web-based trip-planning and real-time vehicle arrival information for use by riders for all public transportation services in northeastern Illinois provided by or funded by the Authority or a Service Board, including demand-response modes. Relevant Service Board infrastructure, digital assets, technology, administrative support, and contracts may be transferred to the Authority for future centralized customer information services.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.06.2)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.06.2. Pedestrian access to transit.

(a) As part of its Strategic Plan, the Authority shall identify and prioritize sidewalk and other improvements needed to provide safe pedestrian access to transit service stops.

(b) When any unit of local government in the metropolitan region undertakes a new construction or reconstruction project on a roadway under its jurisdiction that has bus stops, rail stations, or other fixed location transit service stops where a person can board or alight public transportation vehicles or that intersects with a roadway that provides access to the transit service stop within one-quarter mile of the project, then the project scope may include the addition of sidewalks or shared-use paths to connect the transit stops to any existing sidewalks or paths within 500 feet of the project. The unit of local government in the metropolitan region may also include the addition of concrete sidewalk boarding areas, which may connect to the sidewalk, for any existing or new transit stops within the project limits and may add a shelter, if appropriate, based on rules the Authority develops for transit service stops.

(c) If a unit of local government in the metropolitan region includes a project listed subsection (b) in its construction or reconstruction project, then the unit of local government may seek reimbursement from the Authority for capital costs associated with the requirements of this Section, including signal improvements, ADA accommodations, and other pay items appurtenant to the construction of sidewalks, shelters, and concrete boarding areas. If right-of-way acquisition is required to construct the improvements, then the unit of local government may elect not to include these improvements in its construction contract.

Units of local government in the metropolitan region shall comply with all applicable requirements of the Department of Transportation in carrying out improvements under this Section.

(d) The Authority shall, by ordinance, provide rules for the program described in this Section, including rules restricting reimbursement to pay items not already required by the Department of Transportation, and it may elect to establish an annual not-to-exceed amount for the program and require cost-sharing by grantees. The Authority shall use only capital funding for any program established under this Section.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.11.05)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.11.05. NITA Law Enforcement Task Force.

(a) The Cook County Sheriff shall establish a multijurisdictional NITA Law Enforcement Task Force led by the Cook County Sheriff's Office in cooperation with the Chicago Police Department, the Metra Police, the Illinois State Police, the sheriff's offices of other counties in the metropolitan region, and other municipal police departments in the metropolitan region. Law enforcement agencies within the metropolitan region not explicitly named in this subsection may participate on the Task Force upon request of the Cook County Sheriff.

(b) The Task Force shall be created under an intergovernmental agreement and be dedicated to combating violent and other types of crime with the primary mission of preservation of life and reducing the occurrence and the fear of crime on the public transit system of the Northern Illinois Transit Authority. The objectives of the Task Force shall include, but shall not be limited to, reducing and preventing violent crimes and other illegal activities. The Task Force shall also assist and coordinate with the Chief Transit Safety Officer in the Chief Transit Safety Officer's efforts to enforce the Authority's and Service Boards' codes of conduct and to solve quality of life issues for transit riders and staff.

(c) The Task Force may develop and acquire information, training, tools, and resources necessary to implement a data-driven approach to policing, with an emphasis on:

(1) preventing violent crime in known hotspots, property crime, and code of conduct violations that are crimes; and

(2) identifying and arresting persons accused of violent crime.

(d) The Task Force may use information sharing, partnerships, crime analysis, and evidence-based practices to assist in the reduction of violent crime, property crime, and other code of conduct violations.

(e) The Task Force shall recognize and use best practices of community-oriented policing and procedural justice. The Task Force may develop potential partnerships with faith-based and community organizations to achieve its goals, including, but not limited to, partnering with social service organizations, to assist persons experiencing homelessness obtain shelter and other services and to assist persons experiencing a mental health or behavioral crisis in connecting with appropriate services.

(f) The Task Force shall identify and use best practices in deflection and diversion programs and other community-based services to redirect low level offenders and persons charged with nonviolent offenses.

(g) The Task Force shall engage in violence suppression strategies, including, but not limited to, details in identified locations that have shown to be the most prone to gun violence and violent crime, focused deterrence against violent gangs and groups considered responsible for the violence in the transit system, and other intelligence driven methods deemed necessary to implement the Task Force's objectives.

(h) To implement this Section, the Cook County Sheriff may establish intergovernmental agreements with law enforcement agencies in accordance with the Intergovernmental Cooperation Act.

(i) Law enforcement agencies that are party to an intergovernmental agreement established under subsection (b) or (h) and that participate in activities described in subsections (c) through (g) may claim funds to defray increased costs incurred by participation in the Task Force from any available moneys provided in support of the Task Force.

(j) The Chicago Police Department shall use any resources provided for participation in the Task Force to supplement, not supplant, existing force strength currently assigned to the Mass Transit Unit within the Chicago Police Department.

(k) The Authority shall provide technical, operational, and material assistance to the Task Force as necessary. The Authority's Chief Transit Safety Officer or the Chief Transit Safety Officer's designee shall participate in the Task Force to facilitate information sharing.

(l) The Task Force shall coordinate with the Chief Transit Safety Officer to identify which code of conduct violations and quality of life issues shall fall under the Task Force's purview, which shall fall under the transit ambassadors' purview, and which shall require the Task Force and transit ambassadors to respond.

(m) Within 6 months after the effective date of this amendatory Act of the 104th General Assembly, the Task Force shall prepare a preliminary report of recommendations for ongoing law enforcement strategies, tactics, and best practices for the ~~Northern Illinois Transit~~ Authority transit system. The Task Force shall prepare a final report of recommendations no later than March 1, 2027, and the ~~The~~ report shall also make recommendations to be used by the Authority in implementing a sworn law enforcement officer crime prevention program on public transportation and a crime prevention plan to protect public transportation employees and riders in the metropolitan region. The Report shall be submitted to the Coordinated Safety Response Council created under Section 2.11.20.

(n) The Task Force shall disband 3 years after the effective date of this amendatory Act of the 104th General Assembly or upon the Authority's transition to a sworn law enforcement officer crime prevention program on public transportation and a crime prevention plan to protect public transportation employees and riders in the metropolitan region, whichever event occurs first.

(o) Prior to disbanding, the Task Force shall cooperate with the Office of Transit Safety and Experience to develop a plan to transition from the Task Force to a sworn law enforcement officer crime prevention program on public transportation and a crime prevention plan to protect public transportation employees and riders in the metropolitan region.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.11.15)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.11.15. Office of Transit Safety and Experience.

(a) The Authority shall establish an Office of Transit Safety and Experience.

(b) The Office shall be responsible for:

(1) developing, implementing, and overseeing a regionwide safety strategy, working with the Coordinated Safety Response Council;

(2) promoting code of conduct compliance and the safety of riders and workers;

(3) developing safety standards under subsection (a) of Section 2.11.30;

(4) making recommendations relating to system safety for inclusion in the Authority's Strategic Plan, Annual Budget and 2-Year Financial Plan, 5-Year Capital Program, and other projects and programs;

(5) making any reports and plans regarding rider and worker safety required under this Act;

(6) overseeing the enforcement and facilitation of the achievement and maintenance of safety standards, the implementation of safety tools and technologies, and the conducting of customer satisfaction polling under Section 2.11;

(7) coordinating and liaising with law enforcement

agencies, the Task Force, social service agencies, and other government agencies or nongovernmental agencies serving the metropolitan region on safety issues and initiatives;

(8) strategizing and partnering with law enforcement agencies as appropriate to ensure as much as possible that the response to safety incidents on public transit facilities occurs pursuant to the sworn law enforcement officer crime prevention program on public transportation, the crime prevention plan to protect public transportation employees and riders in the metropolitan region, and the incident response deployment strategy developed by the Safety Coordination Council;

(9) developing and overseeing policies and programs to assist riders in their use of the transit system and to connect them to other beneficial government and social services, including through partnerships and contracts with social service agencies and nongovernmental agencies that conduct outreach and provide assistance to unhoused riders;

(10) collecting and analyzing data on safety incidents occurring on public transportation in the metropolitan region; and

(11) developing and implementing policies and procedures for riders to provide compliments and complaints about their experiences on public

transportation in the metropolitan region.

(c) The Executive Director of the Authority shall, subject to the Board's approval, designate a full-time Chief Transit Safety Officer to lead and manage the Office of Transit Safety and Experience. The Chief Transit Safety Officer shall have previously served in a supervisory capacity at a law enforcement agency and report directly to the Executive Director. The Chief Transit Safety Officer shall receive the same training that all members of the Coordinated Safety Response Council receive under subsection (h) of Section 2.11.20.

(d) Personnel within the Office for Transit Safety and Experience may be organized or assigned into bureaus, sections, or divisions as determined by the Executive Director pursuant to the authority granted by this Act.

(e) To implement this Section, the Authority may establish intergovernmental agreements with law enforcement agencies in accordance with the Intergovernmental Cooperation Act.

(f) To implement this Section, the Authority shall enter into contracts with nongovernmental agencies to provide, or create using the staff of the Authority, programs that offer outreach and assistance to riders that are unhoused, that suffer from mental health issues, or that otherwise may benefit from social services in order to implement the recommendations of the study conducted by the Coordinated Safety Response Council within 6 ~~12~~ months of the delivery of the report.

(g) Law enforcement agencies that are party to intergovernmental agreements and nongovernmental agencies that enter into contracts with the Authority to implement the sworn law enforcement officer crime prevention program on public transportation, the crime prevention plan to protect public transportation employees and riders in the metropolitan region, the incident response deployment strategy, or a combination thereof may claim funds to defray increased costs incurred by participation in those programs from any available moneys provided in support of the programs.

(h) The Chicago Police Department shall use any resources provided to implement the sworn law enforcement officer crime prevention program on public transportation, the crime prevention plan to protect public transportation employees and riders in the metropolitan region, the incident response deployment strategy or combination thereof to supplement, not supplant, existing force strength currently assigned to the Mass Transit Unit within the Chicago Police Department.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.11.35)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.11.35. Bus shields.

(a) As used in this Section, "security barrier" means a protective partition made of hard and durable materials designed to shield a fixed-route bus operator from physical assault or projectiles while maintaining visibility and communication with passengers, that:

(1) extends from the bus floor to the bus ceiling;

(2) is capable of fully enclosing the bus operator's workstation and preventing the unwanted entry of persons, fluids, and objects into the bus operator's workstation; and

(3) does not impede the bus operator's lines of sight from the workstation to the exterior of the bus.

(b) The bus operator's workstation of any fixed-route bus operated in revenue service for the Authority, the Chicago Transportation Authority, and the Suburban Bus Division shall be equipped with a security barrier as conducive to the physical limitations of the vehicle.

(c) No later than January 1, 2027, the Authority shall consult with the Chicago Transportation Authority, the Suburban Bus Division, and representatives from each labor organization representing Chicago Transportation Authority fixed-route bus operators and Suburban Bus Division fixed-route bus operators regarding security barriers, including design, materials, specifications, selection, and installation.

(d) The Authority, the Chicago Transit ~~Transportation~~ Authority, and the Suburban Bus Division shall complete installation of security barriers by January 1, 2028 for vehicles without limitations provided in subsection (b).

(e) In the ~~The~~ procurement of new fixed-route buses, ~~operated by~~ the Authority, the Chicago Transit ~~Transportation~~ Authority, and the Suburban Bus Division shall consider the implementation of security barriers and the safety of bus operators.

(Source: P.A. 104-457, eff. 6-1-26.)

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

Sec. 2.14. Appointment of officers and employees. The Authority may appoint, retain, and employ officers, attorneys, agents, engineers and employees. The officers shall include an Executive Director, who shall be the chief executive officer of the Authority, appointed by the Chair with the concurrence of 11 of the other then Directors of the Board. The initial Executive Director appointed after this amendatory Act of the 104th General Assembly shall be confirmed by the Senate. Until July 1, 2030, each Executive Director appointed under this Section shall be confirmed by the Illinois State Senate ~~until~~. The Executive Director shall organize the staff of the Authority, shall allocate their functions and duties, may transfer such staff to the Service Boards or Transportation Agencies when deemed necessary or advisable, shall fix compensation and conditions of employment of the staff of the Authority, and consistent with the policies of and direction from the Board, take all actions necessary to achieve its purposes, fulfill its responsibilities and carry out its powers, and shall have such other powers and responsibilities as the Board shall determine. The Executive Director must be an individual of proven transportation and management skills and may not be a member of the Board. The Authority may employ its own professional management personnel to provide professional and technical expertise concerning its purposes and powers and to assist it in assessing the performance of the Service Boards in the metropolitan region.

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

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

The Authority shall be subject to the Illinois Human Rights Act and the remedies and procedure established under that Act. The Authority shall file an affirmative action program for employment by it with the Department of Human

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

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.41)

Sec. 2.41. Fast-track authority.

(a) The Board may designate select projects in the 5-Year Capital Program to be authorized using a fast-track process to be approved along with the 5-Year Capital Program.

(1) To be considered for fast-track authorization, a project must meet each of the following criteria:

(A) It must have over $250,000,000 in 5-year funding programmed in the 5-Year Capital Program.

(B) It must have demonstrated local support in the affected area, as evidenced by comments at public meetings, letters of support from local officials, survey responses, or similar expressions of support.

(C) It must document benefits from techniques recognized to lower costs, such as the use of itemized costs, standardized designs, or increased in-house staff to manage contracts.

(2) The Board shall hold the following hearings for

each fast-track project to demonstrate how the project meets the eligibility criteria before final approval of the 5-Year Capital Program. Before adopting a 5-Year Capital Program with one or more fast-track projects, the Board must meet with and attempt to address concerns raised by (i) the county board president or county executive of each county within which any construction activity for the proposed fast-track projects is to be conducted; (ii) the mayor of Chicago if any fast-track project construction activity may occur within Chicago; and (iii) the Department of Transportation if any fast-track project construction activity will affect highway rights-of-way under State jurisdiction.

(b) Once the Board has presented the fast-track project, the Board may approve its fast-track status as part of the 5-year Capital Program. Upon confirmation of fast-track status, the Authority or the relevant Service Board shall notify the State and any unit of local government or public utility affected by any proposed construction, acquisition, or other activity related to the fast-track project. Any agreements, such as cost-sharing agreements for utility relocation, project betterments, and site access, between the Authority or a Service Board and the State, unit of local government, private or public utilities, or private property owners shall be negotiated and executed before fast-track projects are finalized and construction contracts are executed.

(1) If construction related to the fast-track project will require access to a roadway or right-of-way that is under the jurisdiction of the State or a unit of local government, the Authority shall provide notice to the governmental entity from which the Authority anticipates seeking right-of-way access upon completion of the preliminary plan and shall provide updates throughout the planning stage. Upon completion of final plans, the Authority shall request access to roadways or right-of-ways, if necessary, from the government entity with jurisdiction over the property. The Authority's request must comply with any existing requirements of the State or unit of local government for access to its roadways or, at minimum, include detailed construction plans, safety measures, and plans for mitigating traffic and inconvenience caused by the work.

Once an access request is received and complete information has been provided, as determined by the State or unit of local government from which the Authority seeks access, the government entity with jurisdiction over the relevant roadway will have 60 days to process and respond to the Authority's request. If the State or unit of local government requires additional information or adjustments to the Authority's plans, it will work with the Authority for an additional 45 days to complete its review. If the

State or unit of local government fails or is unable to approve the Authority's request within 120 days, the Authority may report the delay to and seek immediate approval from the relevant representative of the State or unit of local government, which is the Regional Engineer of the Department of Transportation's District 1 Office if the request involves a State roadway; the relevant highway superintendent or county engineer if the request involves a county roadway; the transportation commissioner if the request involves a municipality; or the chief executive officer of the relevant organization if the requests involves any other local governmental entity.

Upon completion of construction, the Authority shall comply with permit and State or unit of local governmental requirements and restore the roadway to its previous condition, unless otherwise agreed to by the State or unit of local government. The Authority shall provide a survey of the quality of the relevant infrastructure and shall allow the State or unit of local government to inspect the infrastructure. The Authority shall be responsible for any defect in infrastructure or other damage resulting from the Authority's actions. The Authority shall either repair or compensate the State or unit of local government for any damages resulting from the Authority's actions. Unless previously agreed, at no point shall the Authority's use of State or unit of local governmental property be permanent, create a property interest, or affect the jurisdiction of the roadway.

(2) If a fast-track project requires the removal, relocation, or modification of any facility of a public utility, the Authority or the relevant Service Board shall provide reasonable notice to the affected public utility when the need for removal or relocation becomes known and shall provide updates throughout the planning stage. Upon completion of final plans, the Authority shall provide written notice to each affected public utility of the need to remove, relocate, or modify its facilities. The notice shall include detailed construction plans, safety measures, and plans for mitigating traffic and inconvenience caused by the work. If public utility facilities that are subject to removal or relocation are located within State or county highway rights-of-way, then the Authority may, with the consent of the State or appropriate county highway authority, coordinate with the Department of Transportation or county highway authority, and the removal or relocation shall be subject to the terms of the Illinois Highway Code. Any other utility relocation or removal shall be subject to the terms of subsection (b) of Section 2.21.

Upon receipt of the written notice, the utility shall prioritize the removal or relocation of the facilities and shall coordinate with the Authority or the relevant

Service Board to ensure that the removal or relocation is done safely, efficiently, expeditiously, and without compromising the service to the Authority or the relevant Service Board or the public. ~~The taking shall occur by condemnation according to law to the extent that the removal or relocation requires the taking of utility property.~~

(Source: P.A. 103-281, eff. 7-28-23; 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.49)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 2.49. Renovations to terminals.

(a) The Authority shall remodel, renovate, or construct a new station at or near the Central Station and the western entrance at the Lavergne Avenue location on the Blue Line. The renovated or newly constructed station shall be completed and open for public operation no later than January 1, 2031.

~~The Authority shall remodel, renovate, or construct a new station at or near the Central station and the western entrance at Leclaire Avenue location on the Blue Line. The renovated or newly constructed station shall be completed and open for public operation no later than January 1, 2029.~~

(b) The Authority shall remodel, renovate, or construct a new station along the Green Line within the Englewood community area. The renovated or newly constructed station shall be completed and open for public operation no later than January 1, 2031 ~~2029~~.

(c) The Authority may enter into intergovernmental agreements with municipalities to share costs for repair and related right-of-way improvements for bridges used by the Green Line located outside of the City of Chicago.

(d) The Authority may enter into cost-sharing agreements necessary to carry out the purposes of this Section using funds appropriated to it and funds made available through existing capital programs administered by the Department of Transportation or the Authority.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/2.50 new)

Sec. 2.50. Construction contracts; responsible bidder requirements. To be considered a responsible bidder on a construction contract for purposes of this Act, a bidder must comply with all of the following requirements and must present satisfactory evidence of that compliance to the appropriate construction agency:

(1) The bidder must comply with all applicable laws concerning the bidder's entitlement to conduct business in Illinois.

(2) The bidder must comply with all applicable provisions of the Prevailing Wage Act.

(3) The bidder must comply with Subchapter VI ("Equal

Employment Opportunities") of Chapter 21 of Title 42 of the United States Code (42 U.S.C. 2000e and following) and with Federal Executive Order No. 11246 as amended by Executive Order No. 11375.

(4) The bidder must have a valid Federal Employer Identification Number or, if an individual, a valid Social Security Number.

(5) The bidder must have a valid certificate of insurance showing the following coverages: general liability, professional liability, product liability, workers' compensation, completed operations, hazardous occupation, and automobile.

(6) The bidder and all bidder's subcontractors must participate in applicable apprenticeship and training programs approved by and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

(7) The bidder must certify that the bidder will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract. The provisions of this Section shall not apply to federally funded construction projects if such application would jeopardize the receipt or use of federal funds in support of such a project.

Construction contracts of the Authority and the Service Boards that are subject to this Act shall be awarded only to a bidder that is considered to be a responsible bidder under this Section.

(70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

Sec. 3.01. Board of Directors. The corporate authorities and governing body of the Authority shall be a Board consisting of 13 Directors until April 1, 2008, and 16 Directors thereafter, appointed as follows:

(a) Four Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, and, only until April 1, 2008, a fifth director who shall be the Chairman of the Chicago Transit Authority. After April 1, 2008, the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago, shall appoint a fifth Director. The Directors appointed by the Mayor of the City of Chicago shall not be the Chairman or a Director of the Chicago Transit Authority. Each such Director shall reside in the City of Chicago.

(b) Four Directors appointed by the votes of a majority of the members of the Cook County Board elected from districts, a majority of the electors of which reside outside Chicago. After April 1, 2008, a fifth Director appointed by the President of the Cook County Board with the advice and consent of the members of the Cook County Board. Each Director appointed under this subparagraph shall reside in that part of Cook County outside Chicago.

(c) Until April 1, 2008, 3 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake, McHenry, and Will Counties, as follows:

(i) Two Directors appointed by the Chairmen of the county boards of Kane, Lake, McHenry and Will Counties, with the concurrence of not less than a majority of the Chairmen from such counties, from nominees by the Chairmen. Each such Chairman may nominate not more than 2 persons for each position. Each such Director shall reside in a county in the metropolitan region other than Cook or DuPage Counties.

(ii) One Director appointed by the Chairman of the DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(d) After April 1, 2008, 5 Directors appointed by the Chairmen of the County Boards of DuPage, Kane, Lake and McHenry Counties and the County Executive of Will County, as follows:

(i) One Director appointed by the Chairman of the Kane County Board with the advice and consent of the Kane County Board. Such Director shall reside in Kane County.

(ii) One Director appointed by the County Executive of Will County with the advice and consent of the Will County Board. Such Director shall reside in Will County.

(iii) One Director appointed by the Chairman of the

DuPage County Board with the advice and consent of the DuPage County Board. Such Director shall reside in DuPage County.

(iv) One Director appointed by the Chairman of the Lake County Board with the advice and consent of the Lake County Board. Such Director shall reside in Lake County.

(v) One Director appointed by the Chairman of the McHenry County Board with the advice and consent of the McHenry County Board. Such Director shall reside in McHenry County.

(vi) To implement the changes in appointing authority under this subparagraph (d) the three Directors appointed under subparagraph (c) and residing in Lake County, DuPage County, and Kane County respectively shall each continue to serve as Director until the expiration of their respective term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Thereupon, the appointment shall be made by the officials given appointing authority with respect to the Director whose term has expired or office has become vacant.

(e) The Chairman serving on the effective date of this amendatory Act of the 95th General Assembly shall continue to serve as Chairman until the expiration of his or her term of office and until his or her successor is appointed and qualified or a vacancy occurs in the office. Upon the expiration or vacancy of the term of the Chairman then serving upon the effective date of this amendatory Act of the 95th General Assembly, the Chairman shall be appointed by the other Directors, by the affirmative vote of at least 11 of the then Directors with at least 2 affirmative votes from Directors who reside in the City of Chicago, at least 2 affirmative votes from Directors who reside in Cook County outside the City of Chicago, and at least 2 affirmative votes from Directors who reside in the Counties of DuPage, Lake, Will, Kane, or McHenry. The chairman shall not be appointed from among the other Directors. The chairman shall be a resident of the metropolitan region.

(f) Except as otherwise provided by this Act no Director shall, while serving as such, be an officer, a member of the Board of Directors or Trustees or an employee of any Service Board or transportation agency, or be an employee of the State of Illinois or any department or agency thereof, or of any municipality, county, or any other unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board.

(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority to the Board, which shall maintain the certifications as part of the official records of the Authority.

(h) (Blank).

(i) This Section is repealed on September 1, 2026.

~~The corporate authorities and governing and administrative body of the Authority shall be a Board consisting of 20 Directors appointed as follows:~~

~~(a) Five Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago. Each Director shall reside in the City of Chicago. Directors appointed under this subsection shall include:~~

~~(1) one Director with an initial term of 5 years who shall serve as a member of the Board of the Chicago Transit Authority;~~

~~(2) one Director with an initial term of 3 years who shall serve as a member of the Board of the Chicago Transit Authority;~~

~~(3) one Director with an initial term of 5 years who shall serve as a director of the Suburban Bus Board;~~

~~(4) one Director with an initial term of 3 years who shall serve as a director of the Commuter Rail Board; and~~

~~(5) one Director with an initial term of 5 years.~~

~~(a-5) Five Directors appointed by the Governor of the State of Illinois with the advice and consent of the Senate. Each Director appointed under this subsection shall reside in the metropolitan region. Directors appointed under this subsection shall include:~~

~~(1) one Director with an initial term of 5 years who~~

~~shall serve as a member of the Board of the Chicago Transit Authority;~~

~~(2) one Director with an initial term of 3 years who shall serve as a director of the Suburban Bus Board;~~

~~(3) one Director appointed by the Governor, with the advice and consent of the Senate, with an initial term of 5 years who shall serve as a director of the Commuter Rail Board;~~

~~(4) one Director with an initial term of 5 years; and~~

~~(5) one Director with an initial term of 3 years.~~

~~(b) Five Directors appointed by the President of the Cook County Board of Commissioners, with the advice and consent of the Cook County Board of Commissioners, including:~~

~~(1) one Director representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue who shall reside in the area the Director represents, serve an initial term of 3 years, and serve as a director of the Suburban Bus Board;~~

~~(2) one Director representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and in addition the Village of Summit who shall reside in the area the Director represents, serve an initial term of 5 years, and serve as a director of the Suburban Bus Board;~~

~~(3) one Director representing those communities in Cook County that are outside of the City of Chicago, south~~

~~of Interstate 55, and west of the Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park who shall reside in the area the Director represents, serve an initial term of 3 years, and serve as a director of the Commuter Rail Board;~~

~~(4) one Director representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park who shall reside in the area the Director represents, serve an initial term of 5 years, and serve as a director of the Commuter Rail Board; and~~

~~(5) one Director with an initial term of 3 years who shall serve as a member of the Board of the Chicago Transit Authority.~~

~~(b-5) Five Directors appointed by the chair of the county boards of Kane, Lake, McHenry, DuPage, and Will counties. Each chair shall appoint one Director for the chair's county, with the advice and consent of the chair's county board. Each Director shall reside in the county from which the Director is appointed. Directors appointed under this subsection shall include:~~

~~(1) one Director appointed by the Chairman of the DuPage County Board with an initial term of 5 years who shall serve as a director of the Suburban Bus Board;~~

~~(2) one Director appointed by the Chairman of the Kane County Board with an initial term of 3 years who shall serve as a director of the Suburban Bus Board;~~

~~(3) one Director appointed by the Chairman of the Lake County Board with an initial term of 3 years who shall serve as a director of the Commuter Rail Board;~~

~~(4) one Director appointed by the Chairman of the McHenry County Board with an initial term of 5 years who shall serve as a director of the Commuter Rail Board; and~~

~~(5) one Director appointed by the County Executive of Will County Board who shall reside in Will County, serve an initial term of 3 years, and serve as a director of the Suburban Bus Board.~~

~~(b-10) On September 1, 2026, the terms of all directors serving on the effective date of this amendatory Act of the 104th General Assembly and of any directors appointed to fill a vacancy shall immediately expire. If a vacancy on the Board occurs before September 1, 2026, then the vacancy shall be filled under Section 3.03. Directors serving on the effective date of this amendatory Act of the 104th General Assembly may be reappointed.~~

~~(b-15) Within 120 days of the effective date of this amendatory Act of the 104th General Assembly, the appointing authorities shall appoint, with the advice and consent required under this Section, a new Board of the Authority. Directors have been appointed when appointments are filed with~~

~~and accepted by the Secretary of State in accordance with subsection (g). The initial Directors appointed after the effective date of this amendatory Act of the 104th General Assembly shall serve terms of office beginning on September 1, 2026.~~

~~(b-20) On the first meeting of the Board the Directors after the effective date of this amendatory Act of the 104th General Assembly, the Board of Directors shall, by majority vote, elect a Director to serve as Chair of the Board. All subsequent Chairs of the Board shall be elected by a majority vote by the Directors of the Board from among the Directors. Until September 1, 2030, the Chair of the Board must be confirmed by the Senate. Until September 1, 2030, if the Directors elect a Chair of the Board, then the elected Chair of the Board may serve as a the acting Chair of the Board until confirmation. Until September 1, 2030, if the Senate votes against confirming the acting Chair of the Board, then the acting Chair of the Board must resign and the Directors must elect a new Chair of the Board.~~

~~(b-25) The subsequent terms of each Director appointed after September 1, 2026 shall be 5 years.~~

~~(c) (Blank).~~

~~(d) (Blank).~~

~~(e) (Blank).~~

~~(f) Except as otherwise provided by this Act, no Director shall, while serving as such, be an officer, member of the~~

~~Board of Directors or Trustees, an employee of any Service Board or Transportation Agency, or an employee of the State, any department or agency of the State, or any municipality, county, or other unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board, a member of the National Guard, or, if the Director is also a member of the Suburban Bus Board, an elected officer of a municipality.~~

~~(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority and filed with the Secretary of State and the Secretary of the Board. The Secretary of the Board shall maintain the certifications as part of the official records of the Authority.~~

~~(h) (Blank).~~

~~(i) Directors shall have diverse and substantial relevant experience and expertise for overseeing the planning, operation, and funding of a regional transportation system, including, but not limited to, backgrounds in urban and regional planning, management of large capital projects, labor and workforce development, business management, public administration, transportation, and community organizations.~~

~~(j) Those responsible for appointing Directors shall strive to assemble a set of Directors that, to the greatest extent possible, reflects the ethnic, cultural, economic,~~

~~racial, and geographic diversity of the metropolitan region.~~
(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

Sec. 3A.02. Suburban Bus Board.

(a) The governing body of the Suburban Bus Division shall be the Suburban Bus Board. Until September 1, 2026, the Suburban Bus Board shall consist of 13 directors appointed as follows:

(1) (a) Six Directors appointed by the members of the Cook County Board elected from that part of Cook County outside of Chicago, or in the event such Board of Commissioners becomes elected from single member districts, by those Commissioners elected from districts, a majority of the residents of which reside outside of Chicago from the chief executive officers of the municipalities, of that portion of Cook County outside of Chicago. Provided however, that:

(A) One of the Directors shall be the chief executive officer of a municipality within the area of the Northwest Region defined in Section 3A.13;

(B) One of the Directors shall be the chief executive officer of a municipality within the area of the North Central Region defined in Section 3A.13;

(C) One of the Directors shall be the chief executive officer of a municipality within the area of the North Shore Region defined in Section 3A.13;

(D) One of the Directors shall be the chief executive officer of a municipality within the area of the Central Region defined in Section 3A.13;

(E) One of the Directors shall be the chief executive officer of a municipality within the area of the Southwest Region defined in Section 3A.13;

(F) One of the Directors shall be the chief executive officer of a municipality within the area of the South Region defined in Section 3A.13;

(2) One Director by the Chairman of the Kane County Board who shall be a chief executive officer of a municipality within Kane County;

(3) One Director by the Chairman of the Lake County Board who shall be a chief executive officer of a municipality within Lake County;

(4) One Director by the Chairman of the DuPage County Board who shall be a chief executive officer of a municipality within DuPage County;

(5) One Director by the Chairman of the McHenry County Board who shall be a chief executive officer of a municipality within McHenry County;

(6) One Director by the Chairman of the Will County Board who shall be a chief executive officer of a municipality within Will County;

(7) The Commissioner of the Mayor's Office for People

with Disabilities, from the City of Chicago, who shall serve as an ex officio member; and

(8) The Chairman by the Governor for the initial term, and thereafter by a majority of the Chairmen of the DuPage, Kane, Lake, McHenry and Will County Boards and the members of the Cook County Board elected from that part of Cook County outside of Chicago, or in the event such Board of Commissioners is elected from single member districts, by those Commissioners elected from districts, a majority of the electors of which reside outside of Chicago; and who after the effective date of this amendatory Act of the 95th General Assembly may not be a resident of the City of Chicago.

(b) Beginning September 1, 2026, the board shall consist of 11 directors appointed as follows:

(1) One director appointed by the Governor, with the advice and consent of the Senate. The director appointed under this paragraph shall have an initial term of 3 years. The director appointed under this paragraph shall also serve as a Director of the Northern Illinois Transit Authority.

(2) Two directors appointed by the Mayor of Chicago with the advice and consent of the City Council of the City of Chicago, including:

(A) a director with an initial term of 5 years who shall serve as a Director on the Board of the

Authority; and

(B) a director with an initial term of 3 years.

(3) Three directors appointed by the President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners, including:

(A) a director with an initial term of 5 years who shall serve as a Director on the Board of the Authority;

(B) a director with an initial term of 3 years who shall serve as a Director on the Board of the Authority; and

(C) a director with an initial term of 5 years.

(4) One director appointed by the Chairman of the DuPage County Board. The director appointed under this paragraph shall have an initial term of 5 ~~3~~ years. The director appointed under this paragraph shall also serve as a Director on the Board of the Authority.

(5) One director appointed by the Chairman of the Kane County Board. The director appointed under this paragraph shall have an initial term of 3 ~~5~~ years. The director appointed under this paragraph shall also serve as a Director on the Board of the Authority.

(6) One director appointed by the Chairman of the Lake County Board. The director appointed under this paragraph shall have an initial term of 5 years.

(7) One director appointed by the Chairman of the McHenry County Board. The director appointed under this paragraph shall have an initial term of 3 years.

(8) One director appointed by the County Executive of the Will County Board. The director appointed under this paragraph shall reside in Will County. The director appointed under this paragraph shall have an initial term of 3 ~~5~~ years. The director appointed under this paragraph shall also serve as a Director on the Board of the Authority.

(c) The subsequent terms of each director appointed under subsection (b) shall be 5 years.

(d) The Chair of the Suburban Bus Board shall be elected by a majority vote by the directors of the Suburban Bus Board from among the directors of the Suburban Bus Board. Until September 1, 2030, the Chair of the Suburban Bus Board must be approved by the Senate. Until September 1, 2030, if the directors of the Suburban Bus Board elect a Chair of the Suburban Bus Board, then the elected Chair of the Suburban Bus Board may serve as ~~a~~ the acting Chair of the Suburban Bus Board until confirmation. Until September 1, 2030, if the Senate votes against confirming the acting Chair of the Suburban Bus Board, then the acting Chair of the Suburban Bus Board must resign and the directors of the Suburban Bus Board must elect a new Chair of the Suburban Bus Board.

(e) Initial appointments of directors under subsection (b) must be made in time for the directors to begin their terms on September 1, 2026.

(e-5) Except as otherwise provided by this Act, no Director appointed under subsection (b) shall, while serving as such, be an officer, a member of the Board of Directors or Trustees, or an employee of any other Service Board or Transportation Agency, or an employee of the State, any department or agency of the State, or any municipality, county, or other unit of local government, or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a mayor of a municipality, a member of a school board, or a member of the National Guard.

(f) On September 1, 2026, the terms of all directors appointed under subsection (a) and of any directors appointed to fill a vacancy shall immediately expire. If a vacancy on the Suburban Bus Board occurs before September 1, 2026, then the vacancy shall be filled under Section 3A.03. Directors appointed under subsection (a) may be reappointed under subsection (b).

(g) Directors shall have diverse and substantial relevant experience or expertise in overseeing the planning, operation, or funding of a public transportation system, including, but not limited to, backgrounds in urban and regional planning, management of large capital projects, labor and workforce development, business management, public administration, transportation, and transit and ridership advocacy.

(h) Those responsible for appointing directors shall strive to assemble a set of directors that, to the greatest extent possible, reflects the ethnic, cultural, economic, racial, and geographic diversity of the metropolitan region.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3A.06) (from Ch. 111 2/3, par. 703A.06)

Sec. 3A.06. Compensation. The members of the Suburban Bus Board shall receive an annual salary of $15,000, except that members of the Suburban Bus Board who are also members of the Board of the Authority shall receive $10,000 ~~$5,000~~ per year in addition to the compensation the members receive for serving on the Board of the Authority. Each member shall be reimbursed for actual expenses incurred in the performance of his duties, not to exceed $5,000 ~~$5000~~ per year.

Officers of the Division shall not be required to comply with the requirements of the Public Funds Statement Publication Act.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3A.10.5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3A.10.5. Budget and program. The Suburban Bus Board, subject to the powers of the Authority, including the budget review powers contained in Section 4.01 of the Northern Illinois Transit Authority Act, shall by ordinance appropriate money to perform the Division's purposes and provide for payment of debts and expenses of the Division. Each year, as part of the process set forth in Section 4.01 ~~4.11~~, the Authority shall prepare and publish a comprehensive annual budget and proposed 5-year Capital Program document, and a financial plan for the 2 years thereafter describing the state of the Division and presenting for the forthcoming fiscal year and the 2 following years the Division's plans for such operations and capital expenditures as it intends to undertake and the means by which it intends to finance them. The proposed budget, financial plan, and 5-year Capital Program shall be based on the Authority's estimate of funds to be made available to the Suburban Bus Board by or through the Authority and shall conform in all respects to the requirements established by the Authority. The proposed budget, financial plan, and 5-year Capital Program shall contain a statement of the funds estimated to be on hand at the beginning of the fiscal year, the funds estimated to be received from all sources for such year and the funds estimated to be on hand at the end of such year. The fiscal year of the Division shall be the same as the fiscal year of the Authority. The proposed budget, financial plan, and 5-year Capital Program shall be included in the Authority's public hearings under Section 4.01 ~~4.11~~. The budget, financial plan, and 5-year Capital Program shall then be finalized by the Authority as provided in Section 4.01 ~~4.11~~. The ordinance adopted by the Authority as provided in Section 4.01 ~~4.11~~ shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Division, specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance which do not alter the basis upon which the balanced budget determination was made by the Board of the Authority may be made from time to time by the Suburban Bus Board. The Suburban Bus Board shall not (i) use any funds in its budget, or in reserves, allocated for operational expenses to fund capital projects or (ii) transfer moneys from any funds in its budget, or in reserves, allocated for operational expenses to an account primarily used to fund capital projects.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3A.15.5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3A.15.5. Visitor paratransit service.

(a) Upon certifying that a person is eligible to receive complementary paratransit services under 49 CFR Part 37, Subpart F or within 10 business days after receiving a certified person's request for documentation of eligibility for those services, the Northern Illinois Transit Authority or, until December 31, 2029, the Suburban Bus Board shall provide the person with documentation of the person's certification of eligibility for those services.

(b) If a person provides the Suburban Bus Board with documentation of the person's certification of eligibility to receive complementary paratransit services under 49 CFR Part 37, Subpart F, then the Suburban Bus Board shall provide those services to the person within one business day after receiving the documentation.

(c) The procedures used by the Northern Illinois Transit Authority or, until December 31, 2029, the Suburban Bus Board to document a person's certification of eligibility for complementary paratransit services under 49 CFR Part 37, Subpart F shall not require the disclosure or recording of any specific information about an individual's disability.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3A.18)

Sec. 3A.18. Employment contracts. Except as otherwise provided in Section 3A.14, before the Suburban Bus Board may enter into or amend any employment contract in excess of $200,000 ~~$100,000~~, the Suburban Bus Board must submit that contract or amendment to the Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 98-1027, eff. 1-1-15.)

(70 ILCS 3615/3B.02.5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3B.02.5. Commuter Rail Board.

(a) The governing body of the Commuter Rail Division shall be the Commuter Rail Board. Beginning September 1, 2026, the Commuter Rail Board shall consist of 11 directors appointed as follows:

(1) One director appointed by the Governor, with the advice and consent of the Senate. The director appointed under this paragraph shall have an initial term of 5 years. The director appointed under this paragraph shall also serve as a Director of the Northern Illinois Transit Authority.

(2) Two directors appointed by the Mayor of Chicago with the advice and consent of the City Council of the City of Chicago, including:

(A) a director with an initial term of 3 years who shall also serve as a Director on the Board of the Authority; and

(B) a director with an initial term of 5 years.

(3) Three directors appointed by the President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners, including:

(A) a director with an initial term of 3 years who shall also serve as a Director on the Board of the Authority;

(B) a director with an initial term of 5 years who shall also serve as a Director on the Board of the Authority; and

(C) a director with an initial term of 3 years.

(4) One director appointed by the Chairman of the DuPage County Board. The director appointed under this paragraph shall have an initial term of 5 years.

(5) One director appointed by the Chairman of the Kane County Board. The director appointed under this paragraph shall have an initial term of 3 years.

(6) One director appointed by the Chairman of the Lake County Board. The director appointed under this paragraph shall have an initial term of 3 years. The director appointed under this paragraph shall also serve as a Director on the Board of the Authority.

(7) One director appointed by the Chairman of the McHenry County Board. The director appointed under this paragraph shall have an initial term of 5 years. The director appointed under this paragraph shall also serve

as a Director on the Board of the Authority.

(8) One director appointed by the County Executive of Will County. The director appointed under this paragraph shall reside in Will County. The director appointed under this paragraph shall have an initial term of 5 ~~3~~ years.

(b) The subsequent terms of each director appointed under subsection (a) shall be 5 years.

(c) The Chair of the Commuter Rail Board shall be elected by a majority vote by the directors of the Commuter Rail Board from among the directors of the Commuter Rail Board. Until September 1, 2030, the Chair of the Commuter Rail Board must be approved by the Senate. Until September 1, 2030, if the directors of the Commuter Rail Board elect a Chair of the Commuter Rail Board, then the elected Chair of the Commuter Rail Board may serve as ~~a~~ the acting Chair of the Commuter Rail Board until confirmation. Until September 1, 2030, if the Senate votes against confirming the acting Chair of the Commuter Rail Board, then the acting Chair of the Commuter Rail Board must resign and the directors of the Commuter Rail Board must elect a new Chair of the Commuter Rail Board.

(d) Initial appointments of directors under subsection (a) must be made in time for the directors to begin their terms on September 1, 2026.

(e) On September 1, 2026, the terms of all directors serving on the effective date of this amendatory Act of the 104th General Assembly and of any directors appointed to fill a vacancy shall immediately expire. If a vacancy on the Board occurs before September 1, 2026, then the vacancy shall be filled under Section 3B.03. Directors serving on the effective date of this amendatory Act of the 104th General Assembly may be reappointed under subsection (a).

(f) Directors shall have diverse and substantial relevant experience and expertise for overseeing the planning, operation, and funding of a regional transportation system, including, but not limited to, backgrounds in urban and regional planning, management of large capital projects, labor and workforce development, business management, public administration, transportation, and community organizations. Except as otherwise provided by this Act, no Director shall, while serving as such, be an officer, a member of the Board of Directors or Trustees, an employee of any other Service Board or Transportation Agency, or an employee of the State, any department or agency of the State thereof, or any municipality, county, or other unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board or a member of the National Guard.

(g) Those responsible for appointing directors shall strive to assemble a set of directors that, to the greatest extent possible, reflects the ethnic, cultural, economic, racial, and geographic diversity of the metropolitan region.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3B.06) (from Ch. 111 2/3, par. 703B.06)

Sec. 3B.06. Compensation. Directors of the Commuter Rail Board shall receive an annual salary of $15,000, except that members of the Commuter Rail Board that are also members of the Board of the Northern Illinois Transit Authority shall receive $10,000 ~~$5,000~~ per year in addition to the compensation the member receives for serving on the Board of the Northern Illinois Transit Authority. Each member shall be reimbursed for actual expenses incurred in the performance of his duties.

Officers of the Division shall not be required to comply with the requirements of "An Act requiring certain custodians of public monies to file and publish statements of the receipts and disbursements thereof", approved June 24, 1919, as now or hereafter amended.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3B.10.5)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3B.10.5. Budget and program. The Commuter Rail Board, subject to the powers of the Authority, including the budget review powers contained in Section 4.01 of the Northern Illinois Transit Authority Act, shall by ordinance appropriate money to perform the Division's purposes and provide for payment of debts and expenses of the Division. Each year, as part of the process set forth in Section 4.11, the Authority shall prepare and publish a comprehensive annual budget and proposed 5-year Capital Program document, and a financial plan for the 2 years thereafter describing the state of the Division and presenting for the forthcoming fiscal year and the 2 following years the Division's plans for such operations and capital expenditures as it intends to undertake and the means by which it intends to finance them. The proposed budget, financial plan, and 5-year Capital Program shall be based on the Authority's estimate of funds to be made available to the Commuter Rail Board by or through the Authority and shall conform in all respects to the requirements established by the Authority. The proposed budget, financial plan, and 5-year Capital Program shall contain a statement of the funds estimated to be on hand at the beginning of the fiscal year, the funds estimated to be received from all sources for such year and the funds estimated to be on hand at the end of such year. The fiscal year of the Division shall be the same as the fiscal year of the Authority. The proposed budget, financial plan, and 5-year Capital Program shall be included in the Authority's public hearings under Section 4.01 ~~4.11~~. The budget, financial plan, and 5-year Capital Program shall then be finalized by the Authority as provided in Section 4.01 ~~4.11~~. The ordinance adopted by the Authority as provided in Section 4.01 ~~4.11~~

shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Division, specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance which do not alter the basis upon which the balanced budget determination was made by the Board of the Authority may be made from time to time by the Commuter Rail Board. The Commuter Rail Board shall not (i) use any funds in its budget, or in reserves, allocated for operational expenses to fund capital projects or (ii) transfer moneys from any funds in its budget, or in reserves, allocated for operational expenses to an account primarily used to fund capital projects.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/3B.26)

Sec. 3B.26. Employment contracts. Except as otherwise provided in Section 3B.13, before the Commuter Rail Board may enter into or amend any employment contract in excess of $200,000 ~~$100,000~~, the Commuter Rail Board must submit that contract or amendment to the Board for review for a period of 14 days. After 14 days, the contract shall be considered reviewed. This Section applies only to contracts entered into or amended on or after the effective date of this amendatory Act of the 98th General Assembly.

Before the Board of the Authority may enter into or amend any employment contract in excess of $100,000, the Board must submit that contract to the Chairman and Minority Spokesman of the Transportation Regulations Roads and Bridges Committee, or its successor committee, of the House of Representatives, and to the Chairman and Minority Spokesman of the Transportation Committee, or its successor committee, of the Senate.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/4.01)

Sec. 4.01. Budget and program.

(a) The Board shall control the finances of the Authority. It shall, by ordinance adopted by a supermajority vote:

(1) appropriate money to perform the Authority's purposes and provide for payment of debts and expenses of the Authority;

(2) until the new budget process under subsection (a-20) is implemented on January 1, 2027, take action with respect to the budget and 2-year financial plan of each Service Board, as provided in Section 4.11; and

(3) until the new budget process under subsection (a-20) is implemented on January 1, 2027, adopt an Annual Budget and 2-Year Financial Plan for the Authority that includes the Annual Budget and 2-Year financial plan of each Service Board that has been approved by the Authority.

(a-5) The Annual Budget and 2-Year Financial Plan shall contain a statement of the funds estimated to be on hand for the Authority and each Service Board at the beginning of the fiscal year, the funds estimated to be received from all sources for such year, the estimated expenses and obligations of the Authority and each Service Board for all purposes, including expenses for contributions to be made with respect to pension and other employee benefits, and the funds estimated to be on hand at the end of such year.

(a-10) The fiscal year of the Authority and each Service Board shall begin on January 1st and end on the succeeding December 31st.

(a-15) Until January 1, 2027, the Annual Budget and 2-Year Financial Plan shall be prepared as follows:

(1) By July 1st of each year the Director of the Illinois Governor's Office of Management and Budget shall submit to the Authority an estimate of revenues for the next fiscal year of the Authority to be collected from the taxes imposed by the Authority and the amounts to be available in the Public Transportation Fund and the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund and the amounts otherwise to be appropriated by the State to the Authority for its purposes. Before a proposed Annual Budget and 2-Year Financial Plan is adopted, the Authority shall hold at least one public hearing in the metropolitan region and

meet with the county board, or its designee, of each of the counties in the metropolitan region. After an Annual Budget and 2-Year Financial Plan is adopted, the Authority shall file a copy of the Annual Budget and 2-Year Financial Plan with the General Assembly and the Governor.

(2) After conducting the hearings and holding the meetings required under this subsection and after making the changes in the proposed Annual Budget and 2-Year Financial Plan that the Authority deems appropriate, the Board shall adopt its annual appropriation and Annual Budget and 2-Year Financial Plan ordinance before December 31 ~~November 30~~. The ordinance may be adopted by the Board only upon a supermajority vote. The ordinance shall appropriate the sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority and the Service Boards, specifying the purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in the ordinance may be made from time to time by the Board upon a supermajority vote.

(a-20) Beginning January 1, 2027, the Annual Budget and 2-Year Financial Plan shall be prepared as follows:

(1) By July 1 of each year the Director of the Illinois Governor's Office of Management and Budget shall submit to the Authority an estimate of revenues for the next fiscal

year of the Authority to be collected from the taxes imposed by the Authority and the amounts to be available in the Public Transportation Fund and the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund and the amounts otherwise to be appropriated by the State to the Authority for its purposes. Before the Board may adopt its annual appropriation and Annual Budget and 2-Year Financial Plan ordinance, based on the information provided by the Director of the Illinois Governor's Office of Management and Budget and the estimates of amounts to be available from the State and other sources to the Service Boards, the Board shall advise each Service Board on the amounts estimated to be available for the Service Board during the upcoming fiscal year and the 2 following fiscal years and the times at which the amounts shall be available.

(2) Before the Board may adopt its annual appropriation and Annual Budget and 2-Year Financial Plan ordinance, the Board shall provide the Service Boards with a proposed Annual Budget and 2-Year Financial Plan. At the same time that it provides a copy of the proposed Annual Budget and 2-Year Financial Plan to the Service Boards, the Board shall make the proposed Annual Budget and 2-Year Financial Plan budget available to the public on its website. The Authority shall hold at least 3 public hearings on the proposed Annual Budget and 2-Year

Financial Plan in Cook County and at least one public hearing in each of the other counties in the metropolitan region. In addition, the Authority shall meet with the county board, or its designee, of each of the counties in the metropolitan region.

(3) Before the Board adopts the Authority's annual appropriation and Annual Budget and 2-Year Financial Plan ordinance, the Service Boards shall review the proposed Annual Budget and 2-Year Financial Plan and shall adopt, by the affirmative vote of a majority of each Service Board's then Directors, a budget recommendation ordinance describing any modifications to the Board's proposed Annual Budget and 2-Year Financial Plan that are deemed necessary by the Service Boards to provide the service described in the regionwide Service Plan adopted by the Authority.

(4) After conducting the hearings and holding the meetings required under this subsection and after making the changes in the proposed Annual Budget and 2-Year Financial Plan as the Authority deems appropriate, the Authority shall adopt its annual appropriation and Annual Budget and 2-Year Financial Plan ordinance. The ordinance may be adopted only upon a supermajority vote. The ordinance shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority and the Service Boards,

specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance may be made from time to time by the Board upon a supermajority vote.

(b) The Annual Budget and 2-Year Financial Plan shall show a balance between anticipated revenues from all sources and anticipated expenses including funding of operating deficits or the discharge of encumbrances incurred in prior periods and payment of principal and interest when due, and shall show cash balances sufficient to pay with reasonable promptness all obligations and expenses as incurred.

(b-3) The Authority shall file a copy of its Annual Budget and 2-Year Financial Plan with the General Assembly and the Governor after its adoption. ~~, and 2026, and 2026~~

The Authority shall file a statement certifying that the Service Boards published the data described in subsection (b-5) with the General Assembly and the Governor after adoption of the Annual Budget and 2-Year Financial Plan required by subsection (a). If the Authority fails to file a statement certifying publication of the data, then the appropriations to the Department of Transportation for grants to the Authority intended to reimburse the Service Boards for providing free and reduced fares shall be withheld.

(b-5) Each fiscal year, the Service Boards must publish a monthly comprehensive set of data regarding transit service and safety. The data included shall include information to track operations including:

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

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

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

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

(c) The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1985 may not exceed $5,000,000. The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1986, and for each fiscal year thereafter shall not exceed the maximum administrative expenses for the previous fiscal year plus 5%, except that this limitation shall not apply to fiscal years beginning on January 1, 2026, and ending on or before December 31, 2027. "Administrative expenses" are defined for purposes of this Section as all expenses except: (1) capital expenses and purchases of the Authority on behalf of the Service Boards; (2) payments to Service Boards; and (3) payment of principal and interest on bonds, notes or other evidence of obligation for borrowed money issued by the Authority; (4) costs for passenger security including grants, contracts, personnel, equipment and administrative expenses; (5) payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; and (6) any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made pursuant to Section 4.14.

(d) This subsection becomes inoperative on January 1, 2027. This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. After withholding 15% of the proceeds of any tax imposed by the Authority and 15% of money received by the

Authority from the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund, the Board shall allocate the proceeds and money remaining to the Service Boards as follows: (1) an amount equal to 85% of the proceeds of those taxes collected within the City of Chicago and 85% of the money received by the Authority on account of transfers to the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within the City of Chicago shall be allocated to the Chicago Transit Authority; (2) an amount equal to 85% of the proceeds of those taxes collected within Cook County outside the City of Chicago and 85% of the money received by the Authority on account of transfers to the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within Cook County outside of the city of Chicago shall be allocated 30% to the Chicago Transit Authority, 55% to the Commuter Rail Board and 15% to the Suburban Bus Board; and (3) an amount equal to 85% of the proceeds of the taxes collected within the Counties of DuPage, Kane, Lake, McHenry and Will shall be allocated 70% to the Commuter Rail Board and 30% to the Suburban Bus Board.

(e) This subsection becomes inoperative on January 1, 2027. This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th

General Assembly. Moneys received by the Authority on account of transfers to the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund shall be allocated among the Authority and the Service Boards as follows: 15% of such moneys shall be retained by the Authority and the remaining 85% shall be transferred to the Service Boards as soon as may be practicable after the Authority receives payment. Moneys which are distributable to the Service Boards pursuant to the preceding sentence shall be allocated among the Service Boards on the basis of each Service Board's distribution ratio. The term "distribution ratio" means, for purposes of this subsection (e) of this Section 4.01, the ratio of the total amount distributed to a Service Board pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year to the total amount distributed to all of the Service Boards pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year.

(f) To carry out its duties and responsibilities under this Act, the Board shall employ staff which shall:

(1) propose for adoption by the Board of the Authority rules for the Service Boards that establish (i) forms and schedules to be used and information required to be provided with respect to a 5-Year Capital Program, an Annual Budget and 2-Year Financial Plan, and each Service Board's annual budget and 2-year financial plan, and

regular reporting of actual results against adopted budgets and financial plans, (ii) financial practices to be followed in the budgeting and expenditure of public funds, (iii) assumptions and projections that must be followed in preparing and submitting its Annual Budget and 2-Year Financial Plan or a 5-Year Capital Program;

(2) evaluate for the Board public transportation programs operated or proposed by the Service Boards and Transportation Agencies in terms of the goals and objectives set out in the Strategic Plan;

(3) keep the Board and the public informed of the extent to which the Service Boards and Transportation Agencies are meeting the goals and objectives adopted by the Authority in the Strategic Plan; and

(4) assess the efficiency or adequacy of public transportation services provided by a Service Board and make recommendations for change in that service to the end that the moneys available to the Authority may be expended in the most economical manner possible with the least possible duplication.

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

(h) No Service Board shall undertake any capital improvement which is not identified in the 5-Year Capital Program.

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

(j) Notwithstanding any other provision of this Section, the Authority shall, through the implementation of service efficiencies, realize $46,900,000 in ~~the following~~ net savings in its annual budget for the fiscal year that begins on January 1, 2027 across the following categories of savings ~~October 1, 2026~~: (i) ~~$10 million in~~ service-delivery savings; (ii) ~~$20.1~~

~~million in~~ savings from labor optimization, including changes in employee headcounts and position types; and (iii) ~~$16.8 million in~~ real estate and other property-related savings.
(Source: P.A. 103-281, eff. 1-1-24; 104-434, eff. 11-21-25; 104-457, eff. 6-1-26; revised 1-7-26.)

(70 ILCS 3615/4.01b)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 4.01b. System generated revenue recovery ratios.

(a) As used in this Section:

"Costs" includes all items properly included as operating costs consistent with generally accepted accounting principles incurred by the Authority and its Service Boards. "Costs" does not include costs related to providing ADA paratransit service.

"System generated revenue" includes passenger fares and ancillary revenue from sources such as the lease of space, advertising, and investment income.

(b) The Authority shall determine the ratio of system generated revenues for public transportation in the metropolitan region compared to the aggregate of all costs of providing public transportation.

(c) Until January 1, 2029, the Authority shall report its system generated revenue recovery ratio as part of the Authority's Annual Budget and 2-Year Financial Plan.

(1) The Annual Budget and 2-Year Financial Plan must show that the system generated revenue received in each fiscal year shall equal at least 25% of the costs of providing public transportation in that fiscal year. The Annual Budget and 2-Year Financial Plan must show that the level of fares charged and received in each fiscal year shall equal at least 5% of the aggregate of costs of providing ADA paratransit services.

(2) The Authority shall file a statement certifying that the Service Boards published the data described in this Section with the General Assembly and the Governor after adoption of the Annual Budget and 2-Year Financial Plan. If the Authority fails to file a statement certifying the system generated revenue recovery ratio as required in this Section, then the appropriations to the Department of Transportation for grants to the Authority intended to reimburse the Service Boards for providing free and reduced fares shall be withheld.

(3) If the system generated revenues are less than 25% of said costs, then the Board shall remit an amount equal to the amount of the deficit to the State. The Treasurer shall deposit any payment made under this paragraph in the Road Fund. However, due to the ongoing fiscal impact of the COVID-19 pandemic this requirement shall not apply to Fiscal Year 2026 <u>or Fiscal Year 2027</u>.

(d) Beginning January 1, 2029, the Authority shall report its system generated revenue recovery ratio within 6 months of the end of each fiscal year. If the Authority's system generated revenue recovery ratio falls below 20% for 2 consecutive years, then the Board of Directors shall:

(1) report this fact to the General Assembly and the Governor and provide a summary of fare adjustments made under Section 2.04;

(2) consider whether additional fare adjustments or other changes are necessary to increase system generated revenue, reduce costs, or both.

(e) Nothing in this Section shall diminish or impair the rights of any employee employed by the Authority or any Service Board or any organization of employees representing employees of the Authority or any Service Board.

(f) The Authority shall separately calculate a system generated revenue recovery ratio for ADA paratransit service. The Authority shall report this ratio in its annual certification under subsection (d) Section 2.02 and shall take the actions required under subsection (c) of this Section if the ADA paratransit service system generated recovery ratio falls below 5% for 2 consecutive years.

(g) The Authority shall document the system generated recovery ratio in the Authority's Annual Budget and 2-Year Financial Plan.

(h) Upon the request of the House of Representatives or the Senate, the Chair of the Board of the Authority, the chair of the board of a Service Board, or any other employee of the Authority or Service Board requested by the House of Representatives or Senate shall attend a hearing before the House of Representatives or Senate regarding the reported system generated revenue recovery ratios.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/4.03) (from Ch. 111 2/3, par. 704.03)

Sec. 4.03. Taxes.

(a) Except as provided in subsection (m), in order to carry out any of the powers or purposes of the Authority, the Board may, by ordinance approved by a supermajority vote, impose throughout the metropolitan region any or all of the taxes provided in this Section. Except as otherwise provided in this Act, taxes imposed under this Section and civil penalties imposed incident thereto shall be collected and enforced by the Department of Revenue. The Department shall have the power to administer and enforce the taxes and to determine all rights for refunds for erroneous payments of the taxes. Nothing in Public Act 95-708 is intended to invalidate any taxes currently imposed by the Authority. The increased vote requirements to impose a tax shall only apply to actions taken after January 1, 2008 (the effective date of Public Act 95-708).

(b) The Board may impose a public transportation tax upon all persons engaged in the metropolitan region in the business of selling at retail motor fuel for operation of motor vehicles upon public highways. The tax shall be at a rate not to exceed 5% of the gross receipts from the sales of motor fuel in the course of the business. As used in this Act, the term "motor fuel" shall have the same meaning as in the Motor Fuel Tax Law. The Board may provide for details of the tax. The provisions of any tax shall conform, as closely as may be practicable, to the provisions of the Municipal Retailers Occupation Tax Act, including, without limitation, conformity to penalties with respect to the tax imposed and as to the powers of the Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed, except that reference in the Act to any municipality shall refer to the Authority and the tax shall be imposed only with regard to receipts from sales of motor fuel in the metropolitan region, at rates as limited by this Section.

(c) In connection with the tax imposed under paragraph (b) of this Section, the Board may impose a tax upon the privilege of using in the metropolitan region motor fuel for the operation of a motor vehicle upon public highways, the tax to be at a rate not in excess of the rate of tax imposed under paragraph (b) of this Section. The Board may provide for details of the tax.

(d) The Board may impose a motor vehicle parking tax upon the privilege of parking motor vehicles at off-street parking facilities in the metropolitan region at which a fee is charged, and may provide for reasonable classifications in and exemptions to the tax, for administration and enforcement thereof and for civil penalties and refunds thereunder and may provide criminal penalties thereunder, the maximum penalties not to exceed the maximum criminal penalties provided in the Retailers' Occupation Tax Act. The Authority may collect and enforce the tax itself or by contract with any unit of local government. The Department of Revenue shall have no responsibility for the collection and enforcement unless the Department agrees with the Authority to undertake the collection and enforcement. As used in this paragraph, the term "parking facility" means a parking area or structure having parking spaces for more than 2 vehicles at which motor vehicles are permitted to park in return for an hourly, daily, or other periodic fee, whether publicly or privately owned, but does not include parking spaces on a public street, the use of which is regulated by parking meters.

(e) The Board may impose a Northern Illinois Transit Authority Retailers' Occupation Tax upon all persons engaged in the business of selling tangible personal property at retail in the metropolitan region. In Cook County, unless the tax rate is increased by the Board by ordinance, as provided in this Section, the tax rate shall be 1.25% of the gross receipts from sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption) and tangible personal property taxed at the 1% rate under the Retailers' Occupation Tax Act, and 1% of the gross receipts from other taxable sales made in the course of that business. In Cook County, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than 1.5% of the gross receipts from sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption) and tangible personal property taxed at the 1% rate under the Retailers' Occupation Tax Act, and 1.25% of the gross receipts from other taxable sales made in the course of that business. The Board shall take such a vote on whether to increase the tax rate no later than 60 days after the effective date of this Act. In DuPage, Kane, Lake, McHenry, and Will counties, unless the tax rate is increased by the Board by an ordinance as approved by this Section, the tax rate shall be 0.75% of the gross receipts from all taxable sales made in the course of that business, including sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption). In DuPage, Kane, Lake, McHenry, and Will counties, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than 1% of the gross receipts from all taxable sales made in the course of that business, including sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption). The rate of tax imposed in DuPage, Kane, Lake, McHenry, and Will counties under this Section on sales of aviation fuel on or after December 1, 2019 shall, however, be 0.25% unless the Authority in DuPage, Kane, Lake, McHenry, and Will counties has an "airport-related purpose" and the additional 0.50% of the 0.75% tax (or 0.75% of 1% tax if the tax rate is increased by the Board to 1%) on aviation fuel is expended for airport-related purposes. If there is no airport-related purpose to which aviation fuel tax revenue is dedicated, then aviation fuel is excluded from the additional tax. The tax imposed under this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department shall have full power to administer and enforce this Section; to collect all taxes and penalties so collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of, and compliance with this Section, the Department and persons who are subject to this Section shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d, 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions therein other than the State rate of tax and other than the exemption for food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption), which is taxed at the rate as provided in this subsection), 2c, 3 (except as to the disposition of taxes and penalties collected, and except that the retailer's discount is not allowed for taxes paid on aviation fuel that are subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133), 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7, 8, 9, 10, 11, 12, and 13 of the Retailers' Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

The Board and DuPage, Kane, Lake, McHenry, and Will counties must comply with the certification requirements for airport-related purposes under Section 2-22 of the Retailers' Occupation Tax Act. For purposes of this Section, "airport-related purposes" has the meaning ascribed in Section 6z-20.2 of the State Finance Act. This exclusion for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the Authority.

Persons subject to any tax imposed under the authority granted in this Section may reimburse themselves for their seller's tax liability hereunder by separately stating the tax as an additional charge, which charge may be stated in combination in a single amount with State taxes that sellers are required to collect under the Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department determines that a refund should be made under this Section to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named, in the notification from the Department. The refund shall be paid by the State Treasurer out of the Northern Illinois Transit Authority tax fund established under paragraph (n) of this Section or the Local Government Aviation Trust Fund, as appropriate.

If a tax is imposed under this subsection (e), a tax shall also be imposed under subsections (f) and (g) of this Section.

For the purpose of determining whether a tax authorized under this Section is applicable, a retail sale by a producer of coal or other mineral mined in Illinois, is a sale at retail at the place where the coal or other mineral mined in Illinois is extracted from the earth. This paragraph does not apply to coal or other mineral when it is delivered or shipped by the seller to the purchaser at a point outside Illinois so that the sale is exempt under the Federal Constitution as a sale in interstate or foreign commerce.

No tax shall be imposed or collected under this subsection on the sale of a motor vehicle in this State to a resident of another state if that motor vehicle will not be titled in this State.

Nothing in this Section shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by this State.

(f) If a tax has been imposed under paragraph (e), a Northern Illinois Transit Authority Service Occupation Tax shall also be imposed upon all persons engaged in the metropolitan region in the business of making sales of service who, as an incident to making the sales of service, transfer tangible personal property within the metropolitan region, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. In Cook County, unless the tax rate is increased by the Board by ordinance, as provided in this Section, the tax rate shall be: (1) 1.25% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity that is located in the metropolitan region and that is licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, the MC/DD Act, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act; (2) 1.25% of the selling price of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption) and tangible personal property taxed at the 1% rate under the Service Occupation Tax Act; and (3) 1% of the selling price from other taxable sales of tangible personal property transferred. In Cook County, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than: (1) 1.5% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity that is located in the metropolitan region and that is licensed under the Hospital

Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, the MC/DD Act, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act; (2) 1.5% of the selling price of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption) and tangible personal property taxed at the 1% rate under the Service Occupation Tax Act; and (3) 1.25% of the selling price from other taxable sales of tangible personal property transferred. In DuPage, Kane, Lake, McHenry, and Will counties, before the effective date of this amendatory Act of the 104th General Assembly, the rate shall be (1) 0.75% of the selling price of all tangible personal property transferred, including food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption); and (2) 0.75% of the serviceman's cost price of food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity that is located in the metropolitan region and that is licensed under the Hospital

Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act. In DuPage, Kane, Lake, McHenry, and Will counties, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than 1% of the selling price of all tangible personal property transferred. The rate of tax imposed in DuPage, Kane, Lake, McHenry, and Will counties under this Section on sales of aviation fuel on or after December 1, 2019 shall, however, be 0.25% unless the Authority in DuPage, Kane, Lake, McHenry, and Will counties has an "airport-related purpose" and the additional 0.50% of the 0.75% (or 0.75% of 1% tax if the tax rate is increased by the Board to 1%) tax on aviation fuel is expended for airport-related purposes. If there is no airport-related purpose to which aviation fuel tax revenue is dedicated, then aviation fuel is excluded from the additional tax.

The Board and DuPage, Kane, Lake, McHenry, and Will counties must comply with the certification requirements for airport-related purposes under Section 2-22 of the Retailers' Occupation Tax Act. For purposes of this Section, "airport-related purposes" has the meaning ascribed in Section 6z-20.2 of the State Finance Act. This exclusion for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the Authority.

The tax imposed under this paragraph and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Department of Revenue. The Department shall have full power to administer and enforce this paragraph; to collect all taxes and penalties due hereunder; to dispose of taxes and penalties collected in the manner hereinafter provided; and to determine all rights to credit memoranda arising on account of the erroneous payment of tax or penalty hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all provisions therein other than (i) the State rate of tax; (ii) the exemption for food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, candy, and food that has been prepared for immediate consumption), which is taxed at the rate as provided in this subsection; and (iii) the exemption for food prepared for immediate consumption and transferred incident to a sale of service subject to the service occupation tax by an entity that is licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act, which is taxed at the rate as provided in this subsection), 4 (except that the reference to the State shall be to the Authority), 5, 7, 8 (except that the jurisdiction to which the tax shall be a debt to the extent indicated in that Section 8 shall be the Authority), 9 (except as to the disposition of taxes and penalties collected, and except that the returned merchandise credit for this tax may not be taken against any State tax, and except that the retailer's discount is not allowed for taxes paid on aviation fuel that are subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133), 10, 11, 12 (except the reference therein to Section 2b of the Retailers' Occupation Tax Act), 13 (except that any reference to the State shall mean the Authority), the first paragraph of Section 15, 16, 17, 18, 19, and 20 of the Service Occupation Tax Act and Section 3-7 of the Uniform Penalty and Interest Act, as fully as if those provisions were set forth herein.

Persons subject to any tax imposed under the authority granted in this paragraph may reimburse themselves for their serviceman's tax liability hereunder by separately stating the tax as an additional charge, that charge may be stated in combination in a single amount with State tax that servicemen are authorized to collect under the Service Use Tax Act, under any bracket schedules the Department may prescribe.

Whenever the Department of Revenue determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department of Revenue shall notify the State Comptroller, who shall cause the warrant to be drawn for the amount specified, and to the person named in the notification from the Department of Revenue. The refund shall be paid by the State Treasurer out of the Northern Illinois Transit Authority tax fund established under paragraph (n) of this Section or the Local Government Aviation Trust Fund, as appropriate.

Nothing in this paragraph shall be construed to authorize the Authority to impose a tax upon the privilege of engaging in any business that under the Constitution of the United States may not be made the subject of taxation by the State.

(g) If a tax has been imposed under paragraph (e), a tax shall also be imposed upon the privilege of using in the metropolitan region, any item of tangible personal property that is purchased outside the metropolitan region at retail from a retailer, and that is titled or registered with an agency of this State's government. In Cook County, unless the tax rate is increased by the Board by ordinance, as provided in this Section, the tax rate shall be 1% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In Cook County, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than 1.25% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry, and Will counties, before the effective date of this amendatory Act of the 104th General Assembly, the tax rate shall be 0.75% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. In DuPage, Kane, Lake, McHenry, and Will counties, on and after the effective date of this amendatory Act of the 104th General Assembly, the Board may, by ordinance, increase the tax rate to not more than 1% of the selling price of the tangible personal property, as "selling price" is defined in the Use Tax Act. The tax shall be collected from persons whose Illinois address for titling or registration purposes is given as being in the metropolitan region. The tax shall be collected by the Department of Revenue for the Authority. The tax must be paid to the State, or an exemption determination must be obtained from the Department of Revenue, before the title or certificate of registration for the property may be issued. The tax or proof of exemption may be transmitted to the Department by way of the State agency with which, or the State officer with whom, the tangible personal property must be titled or registered if the Department and the State agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

The Department shall have full power to administer and enforce this paragraph; to collect all taxes, penalties, and interest due hereunder; to dispose of taxes, penalties, and interest collected in the manner hereinafter provided; and to determine all rights to credit memoranda or refunds arising on account of the erroneous payment of tax, penalty, or interest hereunder. In the administration of and compliance with this paragraph, the Department and persons who are subject to this paragraph shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, exclusions, exemptions, and definitions of terms and employ the same modes of procedure, as are prescribed in Sections 2 (except the definition of "retailer maintaining a place of business in this State"), 3 through 3-80 (except provisions pertaining to the State rate of tax, and except provisions concerning collection or refunding of the tax by retailers), 4, 11, 12, 12a, 14, 15, 19 (except the portions pertaining to claims by retailers and except the last paragraph concerning refunds), 20, 21, and 22 of the Use Tax Act, and are not inconsistent with this paragraph, as fully as if those provisions were set forth herein.

Whenever the Department determines that a refund should be made under this paragraph to a claimant instead of issuing a credit memorandum, the Department shall notify the State Comptroller, who shall cause the order to be drawn for the amount specified, and to the person named in the notification from the Department. The refund shall be paid by the State Treasurer out of the Northern Illinois Transit Authority tax fund established under paragraph (n) of this Section.

(g-5) If, on January 1, 2025, a unit of local government has in effect a tax under subsections (e), (f), and (g), or if, after January 1, 2025, a unit of local government imposes a tax under subsections (e), (f), and (g), then that tax applies to leases of tangible personal property in effect, entered into, or renewed on or after that date in the same manner as the tax under this Section and in accordance with the changes made by Public Act 103-592.

(h) The Authority may impose a replacement vehicle tax of $50 on any passenger car as defined in Section 1-157 of the Illinois Vehicle Code purchased within the metropolitan region by or on behalf of an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. The tax imposed may not become effective before the first day of the month following the passage of the ordinance imposing the tax and receipt of a certified copy of the ordinance by the Department of Revenue. The Department of Revenue shall collect the tax for the Authority in accordance with Sections 3-2002 and 3-2003 of the Illinois Vehicle Code.

The Department shall immediately pay over to the State Treasurer, ex officio, as trustee, all taxes collected hereunder.

As soon as possible after the first day of each month, beginning January 1, 2011, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, to the STAR Bonds Revenue Fund the local sales tax increment, as defined in the Innovation Development and Economy Act, collected under this Section during the second preceding calendar month for sales within a STAR bond district.

After the monthly transfer to the STAR Bonds Revenue Fund, on or before the 25th day of each calendar month, the Department shall prepare and certify to the Comptroller the disbursement of stated sums of money to the Authority. The amount to be paid to the Authority shall be the amount collected hereunder during the second preceding calendar month by the Department, less any amount determined by the Department to be necessary for the payment of refunds, and less any amounts that are transferred to the STAR Bonds Revenue Fund. Within 10 days after receipt by the Comptroller of the disbursement certification to the Authority provided for in this Section to be given to the Comptroller by the Department, the Comptroller shall cause the orders to be drawn for that amount in accordance with the directions contained in the certification.

(i) The Board may not impose any other taxes except as it may from time to time be authorized by law to impose.

(j) A certificate of registration issued by the Department of Revenue to a retailer under the Retailers' Occupation Tax Act or under the Service Occupation Tax Act shall permit the registrant to engage in a business that is taxed under the tax imposed under paragraphs (b), (e), (f) or (g) of this Section and no additional registration shall be required under the tax. A certificate issued under the Use Tax Act or the Service Use Tax Act shall be applicable with regard to any tax imposed under paragraph (c) of this Section.

(k) The provisions of any tax imposed under paragraph (c) of this Section shall conform as closely as may be practicable to the provisions of the Use Tax Act, including, without limitation, conformity as to penalties with respect to the tax imposed and as to the powers of the Department of Revenue to promulgate and enforce rules and regulations relating to the administration and enforcement of the provisions of the tax imposed. The taxes shall be imposed only on use within the metropolitan region and at rates as provided in the paragraph.

(l) The Board in imposing any tax as provided in paragraphs (b) and (c) of this Section, shall, after seeking the advice of the Department of Revenue, provide means for retailers, users or purchasers of motor fuel for purposes other than those with regard to which the taxes may be imposed as provided in those paragraphs to receive refunds of taxes improperly paid, which provisions may be at variance with the refund provisions as applicable under the Municipal Retailers Occupation Tax Act. The Department of Revenue may provide for certificates of registration for users or purchasers of motor fuel for purposes other than those with regard to which taxes may be imposed as provided in paragraphs (b) and (c) of this Section to facilitate the reporting and nontaxability of the exempt sales or uses.

(m) Any ordinance imposing or discontinuing any tax under this Section shall be adopted and a certified copy thereof filed with the Department on or before June 1, whereupon the Department of Revenue shall proceed to administer and enforce this Section on behalf of the Authority as of September 1 next following such adoption and filing. Beginning January 1, 1992, an ordinance or resolution imposing or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department on or before the first day of July, whereupon the Department shall proceed to administer and enforce this Section as of the first day of October next following such adoption and filing. Beginning January 1, 1993, an ordinance or resolution imposing, increasing, decreasing, or discontinuing the tax hereunder shall be adopted and a certified copy thereof filed with the Department, whereupon the Department shall proceed to administer and enforce this Section as of the first day of the first month to occur not less than 60 days following such adoption and filing. Any ordinance or resolution of the Authority imposing a tax under this Section and in effect on August 1, 2007 shall remain in full force and effect and shall be administered by the Department of Revenue under the terms and conditions and rates of tax established by such ordinance or resolution until the Department begins administering and enforcing an increased tax under this Section as authorized by Public Act 95-708. Any ordinance or resolution of the Authority imposing a tax under this Section and in effect on the effective date of this amendatory Act of the 104th General Assembly shall remain in full force and effect and shall be administered by the Department of Revenue under the terms and conditions and rates of tax established by such ordinance or resolution until the Department begins administering and enforcing an increased tax under this Section as authorized by this amendatory Act of the 104th General Assembly. The tax rates authorized by Public Act 95-708 are effective only if imposed by ordinance of the Authority. The tax rates authorized by this amendatory Act of the 104th General Assembly are effective only if an ordinance is approved by the Authority with the affirmative votes of a simple majority of its then Directors.

(n) Except as otherwise provided in this subsection (n), the Department of Revenue shall, upon collecting any taxes as provided in this Section, pay the taxes over to the State Treasurer as trustee for the Authority. The taxes shall be held in a trust fund outside the State treasury. If an airport-related purpose has been certified, taxes and penalties collected in DuPage, Kane, Lake, McHenry and Will counties on aviation fuel sold on or after December 1, 2019 from the 0.50% of the 0.75% rate shall be immediately paid over by the Department to the State Treasurer, ex officio, as trustee, for deposit into the Local Government Aviation Trust Fund. The Department shall only pay moneys into the Local Government Aviation Trust Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the Authority. On or before the 25th day of each calendar month, the Department of Revenue shall prepare and certify to the Comptroller of the State of Illinois and to the Authority (i) the amount of taxes collected in each county other than Cook County in the metropolitan region, (not including, if an airport-related purpose has been certified, the taxes and penalties collected from the 0.50% of the 0.75% rate on aviation fuel sold on or after December 1, 2019 that are deposited into the Local Government Aviation Trust Fund) (ii) the amount of taxes collected within the City of Chicago, and (iii) the amount collected in that portion of Cook County outside of Chicago, each amount less the amount necessary for the payment of refunds to taxpayers located in those areas described in items (i), (ii), and (iii), and less 1.5% of the remainder, which shall be transferred from the trust fund into the Tax

Compliance and Administration Fund. The Department, at the time of each monthly disbursement to the Authority, shall prepare and certify to the State Comptroller the amount to be transferred into the Tax Compliance and Administration Fund under this subsection. Within 10 days after receipt by the Comptroller of the certification of the amounts, the Comptroller shall cause an order to be drawn for the transfer of the amount certified into the Tax Compliance and Administration Fund and the payment of three-quarters ~~two-thirds~~ of the amounts certified in item (i) of this subsection to the Authority and one-quarter ~~one-third~~ of the amounts certified in item (i) of this subsection to the respective counties other than Cook County and the amount certified in items (ii) and (iii) of this subsection to the Authority.

In addition to the disbursement required by the preceding paragraph, an allocation shall be made in July 1991 and each year thereafter to the Authority. The allocation shall be made in an amount equal to the average monthly distribution during the preceding calendar year (excluding the 2 months of lowest receipts) and the allocation shall include the amount of average monthly distribution from the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund. The distribution made in July 1992 and each year thereafter under this paragraph and the preceding paragraph shall be reduced by the amount allocated and disbursed under this paragraph in the preceding calendar year. The Department of Revenue shall prepare and certify to the Comptroller for disbursement the allocations made in accordance with this paragraph.

(o) Failure to adopt a budget ordinance or otherwise to comply with Section 4.01 or to adopt a 5-Year Capital Program or otherwise to comply with paragraph (b) of Section 2.01 of this Act shall not affect the validity of any tax imposed by the Authority otherwise in conformity with law.

(p) At no time shall a public transportation tax or motor vehicle parking tax authorized under paragraphs (b), (c), and (d) of this Section be in effect at the same time as any retailers' occupation, use or service occupation tax authorized under paragraphs (e), (f), and (g) of this Section is in effect.

Any taxes imposed under the authority provided in paragraphs (b), (c), and (d) shall remain in effect only until the time as any tax authorized by paragraph (e), (f), or (g) of this Section is imposed and becomes effective. Once any tax authorized by paragraph (e), (f), or (g) is imposed the Board may not reimpose taxes as authorized in paragraphs (b), (c), and (d) of the Section unless any tax authorized by paragraph (e), (f), or (g) of this Section becomes ineffective by means other than an ordinance of the Board.

(q) Any existing rights, remedies and obligations (including enforcement by the Authority) arising under any tax imposed under paragraph (b), (c), or (d) of this Section shall not be affected by the imposition of a tax under paragraph (e), (f), or (g) of this Section.

(r) The Board shall hold a vote on whether to adopt an ordinance to increase the tax rate to the rates authorized by this amendatory Act of the 104th General Assembly within 60 days of the effective date of this amendatory Act of the 104th General Assembly.

(Source: P.A. 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-6, eff. 1-1-26; 104-417, eff. 8-15-25; 104-457, eff. 6-1-26.)

(70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

Sec. 4.04. Issuance and Pledge of Bonds and Notes.

(a) The Authority shall have the continuing power to borrow money and to issue its negotiable bonds or notes as provided in this Section. Unless otherwise indicated in this Section, the term "notes" also includes bond anticipation notes, which are notes which by their terms provide for their payment from the proceeds of bonds thereafter to be issued. Bonds or notes of the Authority may be issued for any or all of the following purposes: to pay costs to the Authority or a Service Board of constructing or acquiring any public transportation facilities (including funds and rights relating thereto, as provided in Section 2.05 of this Act); to repay advances to the Authority or a Service Board made for such purposes; to pay other expenses of the Authority or a Service

Board incident to or incurred in connection with such construction or acquisition; to provide funds for any Transportation Agency to pay principal of or interest or redemption premium on any bonds or notes, whether as such amounts become due or by earlier redemption, issued prior to the date of this amendatory Act by such Transportation Agency to construct or acquire public transportation facilities or to provide funds to purchase such bonds or notes; and to provide funds for any Transportation Agency to construct or acquire any public transportation facilities, to repay advances made for such purposes, and to pay other expenses incident to or incurred in connection with such construction or acquisition; and to provide funds for payment of obligations, including the funding of reserves, under any self-insurance plan or joint self-insurance pool or entity.

In addition to any other borrowing as may be authorized by this Section, the Authority may issue its notes, from time to time, in anticipation of tax receipts of the Authority or of other revenues or receipts of the Authority, in order to provide money for the Authority or the Service Boards to cover any cash flow deficit which the Authority or a Service Board anticipates incurring. Any such notes are referred to in this Section as "Working Cash Notes". No Working Cash Notes shall be issued for a term of longer than 24 months. Proceeds of Working Cash Notes may be used to pay day to day operating expenses of the Authority or the Service Boards, consisting of wages, salaries, and fringe benefits, professional and technical services (including legal, audit, engineering, and other consulting services), office rental, furniture, fixtures and equipment, insurance premiums, claims for self-insured amounts under insurance policies, public utility obligations for telephone, light, heat and similar items, travel expenses, office supplies, postage, dues, subscriptions, public hearings and information expenses, fuel purchases, and payments of grants and payments under purchase of service agreements for operations of Transportation Agencies, prior to the receipt by the Authority or a Service Board from time to time of funds for paying such expenses. In addition to any Working Cash Notes that the Board of the Authority may determine to issue, the Suburban Bus Board, the Commuter Rail Board or the Board of the Chicago Transit Authority may demand and direct that the Authority issue its Working Cash Notes in such amounts and having such maturities as the Service Board may determine.

Notwithstanding any other provision of this Act, any amounts necessary to pay principal of and interest on any Working Cash Notes issued at the demand and direction of a Service Board or any Working Cash Notes the proceeds of which were used for the direct benefit of a Service Board or any other Bonds or Notes of the Authority the proceeds of which were used for the direct benefit of a Service Board shall constitute a reduction of the amount of any other funds provided by the Authority to that Service Board. The Authority shall, after deducting any costs of issuance, tender the net proceeds of any Working Cash Notes issued at the demand and direction of a Service Board to such Service Board as soon as may be practicable after the proceeds are received. The Authority may also issue notes or bonds to pay, refund or redeem any of its notes and bonds, including to pay redemption premiums or accrued interest on such bonds or notes being renewed, paid or refunded, and other costs in connection therewith. The Authority may also utilize the proceeds of any such bonds or notes to pay the legal, financial, administrative and other expenses of such authorization, issuance, sale or delivery of bonds or notes or to provide or increase a debt service reserve fund with respect to any or all of its bonds or notes. The Authority may also issue and deliver its bonds or notes in exchange for any public transportation facilities, (including funds and rights relating thereto, as provided in Section 2.05 of this Act) or in exchange for outstanding bonds or notes of the Authority, including any accrued interest or redemption premium thereon, without advertising or submitting such notes or bonds for public bidding.

(b) The ordinance providing for the issuance of any such bonds or notes shall fix the date or dates of maturity, the dates on which interest is payable, any sinking fund account or reserve fund account provisions and all other details of such bonds or notes and may provide for such covenants or agreements necessary or desirable with regard to the issue, sale and security of such bonds or notes. The rate or rates of interest on its bonds or notes may be fixed or variable and the Authority shall determine or provide for the determination of the rate or rates of interest of its bonds or notes issued under this Act in an ordinance adopted by the Authority prior to the issuance thereof, none of which rates of interest shall exceed that permitted in the Bond Authorization Act. Interest may be payable at such times as are provided for by the Board. Bonds and notes issued under this Section may be issued as serial or term obligations, shall be of such denomination or denominations and form, including interest coupons to be attached thereto, be executed in such manner, shall be payable at such place or places and bear such date as the Authority shall fix by the ordinance authorizing such bond or note and shall mature at such time or times, within a period not to exceed forty years from the date of issue, and may be redeemable prior to maturity with or without premium, at the option of the Authority, upon such terms and conditions as the Authority shall fix by the ordinance authorizing the issuance of such bonds or notes. No bond anticipation note or any renewal thereof shall mature at any time or times exceeding 5 years from the date of the first issuance of such note. The Authority may provide for the registration of bonds or notes in the name of the owner as to the principal alone or as to both principal and interest, upon such terms and conditions as the Authority may determine. The ordinance authorizing bonds or notes may provide for the exchange of such bonds or notes which are fully registered, as to both principal and interest, with bonds or notes which are registerable as to principal only. All bonds or notes issued under this Section by the Authority other than those issued in exchange for property or for bonds or notes of the Authority shall be sold at a price which may be at a premium or discount but such that the interest cost (excluding any redemption premium) to the Authority of the proceeds of an issue of such bonds or notes, computed to stated maturity according to standard tables of bond values, shall not exceed that permitted in the Bond Authorization Act. The Authority shall notify the Governor's Office of Management and Budget and the State Comptroller at least 30 days before any bond sale and shall file with the Governor's Office of Management and Budget and the State Comptroller a certified copy of any ordinance authorizing the issuance of bonds at or before the issuance of the bonds. After December 31, 1994, any such bonds or notes shall be sold to the highest and best bidder on sealed bids as the Authority shall deem. As such bonds or notes are to be sold the Authority shall advertise for proposals to purchase the bonds or notes which advertisement shall be published at least once in a daily newspaper of general circulation published in the metropolitan region at least 10 days before the time set for the submission of bids. The Authority shall have the right to reject any or all bids. Notwithstanding any other provisions of this Section, Working Cash Notes or bonds or notes to provide funds for self-insurance or a joint self-insurance pool or entity may be sold either upon competitive bidding or by negotiated sale (without any requirement of publication of intention to negotiate the sale of such Notes), as the Board shall determine by ordinance adopted by a simple majority vote of the Directors ~~with the affirmative votes of at least 9 Directors~~. In case any officer whose signature appears on any bonds, notes or coupons authorized pursuant to this Section shall cease to be such officer before delivery of such bonds or notes, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery. Neither the Directors of the Authority nor any person executing any bonds or notes thereof shall be liable personally on any such bonds or notes or coupons by reason of the issuance thereof.

(c) All bonds or notes of the Authority issued pursuant to this Section shall be general obligations of the Authority to which shall be pledged the full faith and credit of the Authority, as provided in this Section. Such bonds or notes shall be secured as provided in the authorizing ordinance, which may, notwithstanding any other provision of this Act, include in addition to any other security, a specific pledge or assignment of and lien on or security interest in any or all tax receipts of the Authority and on any or all other revenues or moneys of the Authority from whatever source, which may by law be utilized for debt service purposes and a specific pledge or assignment of and lien on or security interest in any funds or accounts established or provided for by the ordinance of the Authority authorizing the issuance of such bonds or notes. Any such pledge, assignment, lien, or security interest for the benefit of holders of bonds or notes of the Authority shall be valid and binding from the time the bonds or notes are issued without any physical delivery or further act and shall be valid and binding as against and prior to the claims of all other parties having claims of any kind against the Authority or any other person irrespective of whether such other parties have notice of such pledge, assignment, lien, or security interest. The obligations of the Authority incurred pursuant to this Section shall be superior to and have priority over any other obligations of the Authority.

The Authority may provide in the ordinance authorizing the issuance of any bonds or notes issued pursuant to this Section for the creation of, deposits in, and regulation and disposition of sinking fund or reserve accounts relating to such bonds or notes. The ordinance authorizing the issuance of any bonds or notes pursuant to this Section may contain provisions as part of the contract with the holders of the bonds or notes, for the creation of a separate fund to provide for the payment of principal and interest on such bonds or notes and for the deposit in such fund from any or all the tax receipts of the Authority and from any or all such other moneys or revenues of the Authority from whatever source which may by law be utilized for debt service purposes, all as provided in such ordinance, of amounts to meet the debt service requirements on such bonds or notes, including principal and interest, and any sinking fund or reserve fund account requirements as may be provided by such ordinance, and all expenses incident to or in connection with such fund and accounts or the payment of such bonds or notes. Such ordinance may also provide limitations on the issuance of additional bonds or notes of the Authority. No such bonds or notes of the Authority shall constitute a debt of the State of Illinois. Nothing in this Act shall be construed to enable the Authority to impose any ad valorem tax on property.

(d) The ordinance of the Authority authorizing the issuance of any bonds or notes may provide additional security for such bonds or notes by providing for appointment of a corporate trustee (which may be any trust company or bank having the powers of a trust company within the state) with respect to such bonds or notes. The ordinance shall prescribe the rights, duties, and powers of the trustee to be exercised for the benefit of the Authority and the protection of the holders of such bonds or notes. The ordinance may provide for the trustee to hold in trust, invest, and use amounts in funds and accounts created as provided by the ordinance with respect to the bonds or notes. The ordinance may provide for the assignment and direct payment to the trustee of any or all amounts produced from the sources provided in Section 4.03 and Section 4.09 of this Act and provided in Section 6z-17 of the State Finance Act. Upon receipt of notice of any such assignment, the Department of Revenue and the Comptroller of the State of Illinois shall thereafter, notwithstanding the provisions of Section 4.03 and Section 4.09 of this Act and Section 6z-17 of the State Finance Act, provide for such assigned amounts to be paid directly to the trustee instead of the Authority, all in accordance with the terms of the ordinance making the assignment. The ordinance shall provide that amounts so paid to the trustee which are not required to be deposited, held or invested in funds and accounts created by the ordinance with respect to bonds or notes or used for paying bonds or notes to be paid by the trustee to the Authority.

(e) Any bonds or notes of the Authority issued pursuant to this Section shall constitute a contract between the Authority and the holders from time to time of such bonds or notes. In issuing any bond or note, the Authority may include in the ordinance authorizing such issue a covenant as part of the contract with the holders of the bonds or notes, that as long as such obligations are outstanding, it shall make such deposits, as provided in paragraph (c) of this Section. It may also so covenant that it shall impose and continue to impose taxes, as provided in Section 4.03 of this Act and in addition thereto as subsequently authorized by law, sufficient to make such deposits and pay the principal and interest and to meet other debt service requirements of such bonds or notes as they become due. A certified copy of the ordinance authorizing the issuance of any such obligations shall be filed at or prior to the issuance of such obligations with the Comptroller of the State of Illinois and the Illinois Department of Revenue.

(f) The State of Illinois pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the rights and powers vested in the Authority by this Act so as to impair the terms of any contract made by the Authority with such holders or in any way impair the rights and remedies of such holders until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged. In addition, the State pledges to and agrees with the holders of the bonds and notes of the Authority issued pursuant to this Section that the State will not limit or alter the basis on which State funds are to be paid to the Authority as provided in this Act, or the use of such funds, so as to impair the terms of any such contract. The Authority is authorized to include these pledges and agreements of the State in any contract with the holders of bonds or notes issued pursuant to this Section.

(g)(1) (Blank).

(2) In addition to the authority provided by paragraphs (1) and (3), the Authority is authorized to issue, sell, and deliver bonds or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$100,000,000 is authorized to be issued on or after January 1, 1990;

an additional $100,000,000 is authorized to be issued on or after January 1, 1991;

an additional $100,000,000 is authorized to be issued on or after January 1, 1992;

an additional $100,000,000 is authorized to be issued on or after January 1, 1993;

an additional $100,000,000 is authorized to be issued on or after January 1, 1994; and

the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects as of January 1, 1994, shall be $500,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement Projects under this subdivision (g)(2), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(3) In addition to the authority provided by paragraphs (1) and (2), the Authority is authorized to issue, sell, and deliver bonds or notes for Strategic Capital Improvement Projects approved pursuant to Section 4.13 as follows:

$260,000,000 is authorized to be issued on or after January 1, 2000;

an additional $260,000,000 is authorized to be issued on or after January 1, 2001;

an additional $260,000,000 is authorized to be issued on or after January 1, 2002;

an additional $260,000,000 is authorized to be issued on or after January 1, 2003;

an additional $260,000,000 is authorized to be issued on or after January 1, 2004; and

the aggregate total authorization of bonds and notes for Strategic Capital Improvement Projects pursuant to this paragraph (3) as of January 1, 2004 shall be $1,300,000,000.

The Authority is also authorized to issue, sell, and deliver bonds or notes in such amounts as are necessary to provide for the refunding or advance refunding of bonds or notes issued for Strategic Capital Improvement projects under this subdivision (g)(3), provided that no such refunding bond or note shall mature later than the final maturity date of the series of bonds or notes being refunded, and provided further that the debt service requirements for such refunding bonds or notes in the current or any future fiscal year shall not exceed the debt service requirements for that year on the refunded bonds or notes.

(4) The Authority may not issue, sell, and deliver bonds or notes for Strategic Capital Improvement Projects pursuant to paragraph (2) or (3) of subsection (g) of Section 4.04 on or after June 1, 2026. Any outstanding bonds or notes of the Authority issued for Strategic Capital Improvement Projects under paragraph (2) or (3) of subsection (g) of Section 4.04 shall remain in full force pursuant to the terms of the agreements with noteholders or bond holders relating to such bonds and notes.

(h) The Authority, subject to the terms of any agreements with noteholders or bond holders as may then exist, shall have power, out of any funds available therefor, to purchase notes or bonds of the Authority, which shall thereupon be cancelled.

(i) In addition to any other authority granted by law, the State Treasurer may, with the approval of the Governor, invest or reinvest, at a price not to exceed par, any State money in the State treasury which is not needed for current expenditures due or about to become due in Working Cash Notes. In the event of a default on a Working Cash Note issued by the Authority in which State money in the State treasury was invested, the Treasurer may, after giving notice to the Authority, certify to the Comptroller the amounts of the defaulted Working Cash Note, in accordance with any applicable rules of the Comptroller, and the Comptroller must deduct and remit to the State treasury the certified amounts or a portion of those amounts from the following proportions of payments of State funds to the Authority:

(1) in the first year after default, one-third of the total amount of any payments of State funds to the Authority;

(2) in the second year after default, two-thirds of the total amount of any payments of State funds to the Authority; and

(3) in the third year after default and for each year thereafter until the total invested amount is repaid, the total amount of any payments of State funds to the Authority.

(j) The Authority may establish a line of credit with a bank or other financial institution as may be evidenced by the issuance of notes or other obligations, secured by and payable from all tax receipts of the Authority and any or all other revenues or moneys of the Authority, in an amount not to exceed the limitations set forth in paragraph (1) of subsection (g). Money borrowed under this subsection (j) shall be used to provide money for the Authority or the Service Boards to cover any cash flow deficit that the Authority or a Service Board anticipates incurring and shall be repaid within 24 months.

Before establishing a line of credit under this subsection (j), the Authority shall authorize the line of credit by ordinance. The ordinance shall set forth facts demonstrating the need for the line of credit, state the amount to be borrowed, establish a maximum interest rate limit not to exceed the maximum rate authorized by the Bond Authorization Act, and provide a date by which the borrowed funds shall be repaid. The ordinance shall authorize and direct the relevant officials to make arrangements to set apart and hold, as applicable, the moneys that will be used to repay the borrowing. In addition, the ordinance may authorize the relevant officials to make partial repayments on the line of credit as the moneys become available and may contain any other terms, restrictions, or limitations desirable or necessary to give effect to this subsection (j).

The Authority shall notify the Governor's Office of Management and Budget and the State Comptroller at least 30 days before establishing a line of credit and shall file with the Governor's Office of Management and Budget and the State Comptroller a certified copy of any ordinance authorizing the establishment of a line of credit upon or before establishing the line of credit.

Moneys borrowed under a line of credit pursuant to this subsection (j) are general obligations of the Authority that are secured by the full faith and credit of the Authority.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/4.09)

Sec. 4.09. Public Transportation Fund and the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund.

(a)(1) Except as otherwise provided in paragraph (4), as soon as possible after the first day of each month, beginning July 1, 1984, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to a special fund in the State treasury to be known as the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the amounts deposited into the Northern Illinois Transit Authority tax fund created by Section 4.03 of this Act, from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act and 25% of the amounts deposited into the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act.

On the first day of the month following the date that the

Department receives revenues from increased taxes under Section 4.03(m) as authorized by Public Act 95-708 and until the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, in lieu of the transfers authorized in the preceding sentence, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 80% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and 25% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1, and 25% of the amounts deposited into the Northern Illinois Transit ~~Regional Transportation~~ Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 25% of the amounts deposited into the Northern Illinois Transit

~~Regional Transportation~~ Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act.

On the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, in lieu of the transfers authorized in the preceding sentences, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) two-thirds of the proceeds of any tax imposed by the Authority at a rate of 1.5% in Cook County, (ii) 60% of the proceeds of any tax imposed by the Authority at the rate of 1.25% in Cook County, and (iii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and 25% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1, and 25% of the amounts deposited into the Northern Illinois Transit Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 25% of the amounts deposited into the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act.

As used in this Section, net revenue realized for a month shall be the revenue collected by the State pursuant to Sections 4.03 and 4.03.1 during the previous month from within the metropolitan region, less the amount paid out during that same month as refunds to taxpayers for overpayment of liability in the metropolitan region under Sections 4.03 and 4.03.1.

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

(2) Except as otherwise provided in paragraph (4), on February 1, 2008 ~~2009~~ (the first day of the month following the effective date of Public Act 95-708) and each month thereafter and until the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, upon certification by the Department of Revenue, the Comptroller shall order transferred and the

Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 5% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and certified by the Department of Revenue under Section 4.03(n) of this Act to be paid to the Authority and 5% of the amounts deposited into the Northern Illinois Transit Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 5% of the amounts deposited into the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act, and 5% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

On the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the

Public Transportation Fund an amount equal to 5% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) five-sixths of the proceeds of any tax imposed by the Authority at a rate of 1.5% in Cook County, (ii) 80% of the proceeds of any tax imposed by the Authority at the rate of 1.25% in Cook County, and (iii) two-thirds of the proceeds of any tax imposed by the Authority at the rate of 1% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03 and certified by the Department of Revenue under Section 4.03(n) of this Act to be paid to the Authority, and 5% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1 and certified by the Department of Revenue under Section 4.03.1(d) of this Act to be paid to the Authority, and 5% of the amounts deposited into the Northern Illinois Transit Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 5% of the amounts deposited into the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act, and 5% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under

Section 8-3-19 of the Illinois Municipal Code.

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

(3) Except as otherwise provided in paragraph (4), as soon as possible after the first day of January, 2009 and each month thereafter and until the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, upon certification of the Department of Revenue with respect to the taxes collected under Section 4.03, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 20% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of

0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund (iv) an amount equal to 25% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

On the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by this amendatory Act of the 104th General Assembly, upon certification of the Department of Revenue with respect to the taxes collected under Section 4.03, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) one-sixth of the proceeds of any tax imposed by the Authority at a rate of 1.5% in Cook County, (ii) 20% of the proceeds of any tax imposed by the Authority at the rate of 1.25% in Cook County, and (iii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and the Comptroller shall order transferred and the

Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund (iv) an amount equal to 25% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (3) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(4) Notwithstanding any provision of law to the contrary, for the State fiscal year beginning July 1, 2024 and each State fiscal year thereafter, the first $150,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Road Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. For the State fiscal year beginning July 1, 2024, only, the next $75,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be

transferred from the Road Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The funds authorized and transferred pursuant to this amendatory Act of the 103rd General Assembly are not intended or planned for road construction projects. For the State fiscal year beginning July 1, 2024, only, the next $50,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Underground Storage Tank Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The remaining balance shall be deposited each State fiscal year as otherwise provided in paragraphs (1), (2), and (3) of this subsection (a).

(5) (Blank).

(6) (Blank).

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

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

(b)(1) All moneys deposited in the Public Transportation Fund and the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund, whether deposited pursuant to this Section or otherwise, are allocated to the Authority, except for amounts appropriated to the Office of the Executive Inspector General as authorized by subsection (h) of Section 4.03.3 and amounts transferred to the Audit Expense Fund pursuant to Section 6z-27 of the State Finance Act. The Comptroller, as soon as possible after each monthly transfer provided in this Section and after each deposit into the Public Transportation Fund, shall order the Treasurer to pay to the Authority out of the Public Transportation Fund the amount so transferred or deposited. Any Additional State Assistance and Additional Financial Assistance paid to the Authority under this Section shall be expended by the Authority for its purposes as provided in this Act. The balance of the amounts paid to the Authority from the Public Transportation Fund shall be expended by the Authority as provided in Section 4.03.3. The Comptroller, as soon as possible after each deposit into the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund provided in this Section, in Section 6z-17 of the State Finance Act, shall order the Treasurer to pay to the Authority out of the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund the amount so deposited. Such amounts paid to the Authority may be expended by it for its purposes as provided in this Act. The provisions directing the distributions from the Public Transportation Fund and the Northern Illinois Transit Authority Occupation and Use Tax Replacement Fund provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized and directed to make distributions as provided in this Section.

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

(3) For the purposes of this Section, beginning in Fiscal Year 2027, the General Assembly shall appropriate an amount from the Public Transportation Fund equal to the sum total of funds projected to be paid to the participants under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act. If the General Assembly fails to make appropriations sufficient to cover the amounts projected to be paid under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, then this Act shall constitute an irrevocable and

continuing appropriation from the Public Transportation Fund of all amounts necessary for those purposes.

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

1990	$5,000,000;
1991	$5,000,000;
1992	$10,000,000;
1993	$10,000,000;
1994	$20,000,000;
1995	$30,000,000;
1996	$40,000,000;
1997	$50,000,000;
1998	$55,000,000; and
each year thereafter	$55,000,000.

(c-5) The State shall provide financial assistance ("Additional Financial Assistance") in addition to the Additional State Assistance provided by subsection (c) and the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional

Financial Assistance provided by this subsection shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

2000	$0;
2001	$16,000,000;
2002	$35,000,000;
2003	$54,000,000;
2004	$73,000,000;
2005	$93,000,000; and
each year thereafter	$100,000,000.

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

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

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

State fiscal year.

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

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

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

Immediately upon the issuance of bonds for which an estimated schedule of debt service payments was prepared, the Authority shall file an amended certification with respect to item (2) above, to specify the actual schedule of debt service payments, including the date and amount of each payment, for the remainder of the State fiscal year.

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

(A) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(2) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

(B) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(3) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c-5) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

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

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

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

(g) (Blank). ~~, and 2026~~

(h) (Blank).

(Source: P.A. 103-281, eff. 1-1-24; 103-588, eff. 6-5-24; 104-434, eff. 11-21-25; 104-457, eff. 6-1-26; revised 1-7-26.)

(70 ILCS 3615/5.05) (from Ch. 111 2/3, par. 705.05)

Sec. 5.05. Opt out.

(a) Notwithstanding any other provision of this Act, if the County Board of the County of DuPage, Kane, Lake, McHenry, or Will by ordinance authorizes that such county shall elect to terminate the powers of the Authority and the Suburban Bus Division in that County, the Secretary of such County Board shall certify that proposition to the proper election officials, who shall submit such proposition at an election in accordance with the general election law to decide whether or not the County shall opt out; and if a majority of the voters voting upon the proposition is in favor of terminating the powers of the Authority and the Suburban Bus Division those powers shall be terminated.

The form of the ballot to be used at the referendum shall be substantially as follows:

Shall ..... County Terminate the

Powers of the <u>Northern Illinois</u> YES

<u>Transit</u> Authority and the Suburban Bus ----------------------

Division in .... County NO
on ..... (date)

If a majority of the voters vote in favor of terminating the powers of the Authority and the Suburban Bus Division then all of the powers of the Authority and the Suburban Bus Division shall terminate in such county except those powers and functions which the Authority determines to be necessary to exercise with regard to:

(i) public transportation by commuter rail, and related public transportation facilities;

(ii) public transportation other than by commuter rail which is required in order to comply with federal or State laws and regulations, and related public transportation facilities; and

(iii) public transportation other than by commuter rail provided by the Suburban Bus Division pursuant to contract with the County or other governmental entity therein, and related public transportation facilities.

(b) The termination of the powers of the Authority and the Suburban Bus Division referred to in paragraph (a) of this Section with respect to any County shall occur on approval of the referendum by the electors provided on or prior to the date of such termination, such County shall have:

(i) assumed the obligations of the Authority under all laws, federal or State, and all contracts with respect to public transportation or public transportation facilities in such County, which statutory or contractual obligations extend beyond the termination date provided for in accordance with paragraph (c) of this Section provided that such obligations shall not be deemed to include any indebtedness of the Authority for borrowed money;

(ii) agreed to indemnify and hold harmless the Authority against any and all claims, actions, and liabilities arising out of or in connection with the termination of the Authority's powers and functions pursuant to paragraph (a) of this Section; and

(iii) taken or caused to be taken all necessary actions and fulfilled or caused to be fulfilled all requirements under federal and State laws, rules and regulations with respect to such termination and any related transfers of assets or liabilities of the Authority. A County may, by mutual agreement with the Authority, permit the Authority to fulfill one or more contracts which by their terms extend beyond the termination date provided for in accordance with paragraph (c) of this Section, in which case the powers and functions of the Authority in that County shall survive only to the extent deemed necessary by the Authority to fulfill said contract or contracts. The satisfaction of the requirements provided for in this paragraph shall be evidenced in such manner as the Authority may require.

(c) Following an election to terminate the powers of the Authority and the Suburban Bus Division at a referendum held under paragraph (a) of this Section the County Board shall notify the Authority of the results of the referendum which notice shall specify a termination date, which is the last day of the calendar month, but no earlier than December 31, 1984. Unless the termination date is extended by mutual agreement between the County and the Authority, the termination of the powers and functions of the Authority in the County shall occur at midnight on the termination date, provided that the requirements of this Section have been met.

(d) The proceeds of taxes imposed by the Authority under Sections 4.03 and 4.03.1 collected after the termination date within a County wherein the powers of the Authority and the Suburban Bus Division have been terminated under this Section shall be provided by the Authority to the Commuter Rail Board to support services under the jurisdiction of the Commuter Rail Board which are attributable to that County, as determined by the Commuter Rail Board. Any proceeds which are in excess of that necessary to support such services shall be paid by the Authority to that County to be expended for general transportation purposes in accordance with law. If no services under the jurisdiction of the Commuter Rail Board are provided in a County wherein the powers of the Authority have been terminated under this Section, all proceeds of taxes imposed by the Authority in the County shall be paid by the Authority to the County to be expended for general transportation purposes in accordance with law. The Authority or the Suburban Bus Division has no obligation to see that the funds expended under this paragraph by the County are spent for general transportation purposes in accordance with law.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/6.01)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 6.01. Service standards.

(a) The Authority shall adopt service standards to guide the provision of public transportation throughout the metropolitan region.

(b) The service standards shall identify quantitative and qualitative attributes of quality public transit service using metrics drawn from the performance of high-quality transit systems in global metropolitan areas with populations and metropolitan economies comparable to the metropolitan region.

(c) The service standards shall include a framework that describes the appropriate characteristics for each type of service or mode. These characteristics include, but are not limited to, mode, frequency, time span, vehicle type, stop spacing, vehicle and stop amenities, network connectivity, route directness, route deviation, and coverage of service. Consideration shall be given to vehicle revenue hours, vehicle revenue miles, passenger miles traveled, and unlinked passenger trips.

(d) The service standards shall cover the entire metropolitan region and include the development of transit propensity thresholds for each type of service or mode. Transit propensity metrics shall include, but are not limited to, population density, employment density, low-income populations, disabled populations, zero-car households, intersection density, and the presence of sidewalks. The Authority shall develop weights for each metric and a scoring system to determine transit propensity.

(e) The service standards shall be adjusted as appropriate to accommodate the addition of modes of public transportation not currently being provided by the Authority, which may include, but are not limited to:

(1) streetcars;

(2) light rail;

(3) full-scale bus rapid transit;

(4) a transition from commuter rail to regional rail or a combination of commuter and regional rail; and

(5) electrified versions of current combustion engine vehicle systems.

(f) A unit of local government may petition the Authority to increase the level of transit service provided above what would otherwise be provided through the service standards. The Authority may develop plans and policies to assist units of local government in identifying corridors where additional service could be provided.

(g) The service standards shall include the transition of commuter rail in the metropolitan region to a regional rail service pattern or the retention of commuter rail with additional regional rail service.

(h) Service standards and transit propensity thresholds shall be developed, adopted by the board of directors, and implemented by December 31, 2027.

(1) The development of such standards shall be done cooperatively by staff of the Authority and the Service Boards, including input from the bus and train operators and train operating crews employed by the Service Boards.

(2) In developing and evaluating the service standards, consideration shall be given to limitations experienced by the Commuter Rail Division due to shared infrastructure with freight rail.

(3) After service standards are implemented, the Authority shall meet with each of the Service Boards at least quarterly each year to ensure operations are continuing effectively and to discuss issues or concerns related to the service standards.

(4) The Board shall review and make adjustments to the service standards in conjunction with its adoption of the Authority's Strategic Plan.

(i) Until December 31, 2030, this Section shall only apply to revenue generated by taxes under Section 4.03 and any funds distributed to the Service Boards based on Section 4.03.3.

(j) Until December 31, 2030, the amount of funding distributed to each Service Board under this Section shall be, at a minimum, equal to the amount of funding distributed in 2025 under Section 4.03.3 to each Service Board. If the revenue generated under Section 4.03.3 ~~4.03.03~~ in a year is below that of 2025, then the amount of funding distributed to each Service Board under this Section shall be reduced proportionally.

(k) Following the implementation of service standards, the Authority and the Service Boards, their chief executive officers, and other employees as required shall, upon request of the General Assembly, attend a minimum of one hearing annually before an appropriations committee and a substantive committee of the House of Representatives and an appropriations committee and a substantive committee of the Senate regarding the implementation and efficacy of service standards and other issues as requested. These hearings may be conducted in Chicago or Springfield or any other location selected by the General Assembly.

(l) The Authority shall compile and publish reports comparing the actual public transportation system performance measured against the service standards. The performance measures shall include customer-related performance data measured by line, route, or subregion, as determined by the

Authority, including, but not limited to:

(1) travel times and on-time performance;

(2) ridership data;

(3) equipment failure rates;

(4) employee and customer safety;

(5) crowding;

(6) cleanliness of vehicles and stations;

(7) service productivity; and

(8) customer satisfaction.

The Service Boards shall prepare and submit to the Authority the reports with regard to these performance measures in the frequency and form required by the Authority. The Authority shall compile and publish the reports on its website on a regular basis, no less than monthly. The Authority shall implement consistent data reporting standards.

(m) The service standards and performance measures shall not be used as a basis for disciplinary action against any employee of the Authority or a Service Board, except to the extent that the collective bargaining agreements and employment and disciplinary practices of the Authority or the relevant Service Board provide for the action.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/7.02)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 7.02. Transition.

(a) The Authority shall provide for an orderly transition of functions and responsibilities under this amendatory Act of the 104th General Assembly through the development of a transition plan. As soon as is reasonably feasible after the effective date of this amendatory Act of the 104th General Assembly and before September 1, 2026, the Department of Transportation shall enter into a contract with a third party to assist with the transition plan, including the transition of certain functions between the Service Boards and the Authority. This contract shall also include a study of the functions outlined in subsection (f) ~~(e)~~ to inform the optimum allocation of those functions to allow for the efficient exercise by the Authority of the powers under this Act and the Chicago Transit Authority Act, the Suburban Bus Division under Article 3A, the Commuter Rail Division under Article 3B, and the Chicago Transit Authority under the Chicago Transit Authority Act.

(b) To assist the contracted third party and the Authority, a Transition Working Group shall be established and supported by the Authority that shall be consulted throughout the transition process.

(1) The Transition Working Group shall be made up of 15 members, comprised of representatives from the Authority, each of the Service Boards, and at least one member from a statewide labor organization recognized

under the National Labor Relations Act or the Railway Labor Act, who reside ~~and resides~~ within the 6-county metropolitan region of the Authority.

(2) The Transition Working Group shall meet regularly with the Authority and the hired third party throughout the duration of the contract to provide insight into the workings of the Authority and Service Boards.

(3) As needed, the Transition Working Group shall convene and assemble other necessary staff of the Service Boards and the Authority to aid in the transition.

(4) The Authority shall appoint the members of the Transition Working Group by October 1, 2026.

(c) The Service Boards shall work closely with the Authority and provide all relevant data and information necessary to complete the transition plan. The Authority shall have access to and the right to examine and copy all books, documents, papers, records, or other source data of a Service Board relevant to any information submitted under this Section.

(d) The Authority shall evaluate and propose a transition plan for each of the following:

(1) Establishing a new process and coordination between the Authority and the Service Boards to create the 5-Year Capital Program. This process shall be established by January 1, 2027.

(2) The creation of a universal fare instrument and

necessary coordination between the Authority and the Service Boards. This process shall be established by July 1, 2027.

(3) The transition from the NITA Law Enforcement Task Force to a sworn law enforcement officer crime prevention program on public transportation and a crime prevention plan to protect public transportation employees and riders in the metropolitan region, as required by Section 2.11.10.

(e) As part of the development of the transition plan, the Authority and the hired third party shall evaluate the existing policy processes performed by the Authority and each of the Service Boards and develop a process for efficient and effective operations by both the Authority and the Service Boards.

(f) As part of the development of the transition plan, the hired third party shall evaluate:

(1) procurement, with special consideration given to the consolidation of bulk fuel purchases, information technology services, consulting contracts, and subscriptions;

(2) service planning;

(3) grant administration;

(4) marketing;

(5) lobbying;

(6) communications, media, and graphic design;

(7) governmental and legislative affairs; and

(8) information technology.

~~As part of the development of the transit plan, the hired third party shall evaluate procurement, with special consideration given to the consolidation of bulk fuel purchases, information technology services, consulting contracts, and subscriptions of:~~

~~(1) service planning;~~

~~(2) grant administration;~~

~~(3) marketing;~~

~~(4) lobbying;~~

~~(5) communications, media, and graphics design;~~

~~(6) governmental and legislative affairs; and~~

~~(7) information technology.~~

(g) The hired third party shall evaluate existing paratransit programs and produce recommendations for improved coordination and service. The recommendations may include, but are not limited to, improved coordination of paratransit and accessible mainline transportation services, and other measures to improve the customer and worker experience. These recommendations shall be brought to the Board by January 1, 2027 for review and approval. The Authority shall take action on these recommendations no later than April 1, 2027 and report back to the Board with progress by January 1, 2028.

(h) The Authority shall regularly report to the Board on the status of the transition effort and make recommendations for Board policies and actions. The Authority and the hired third party shall prepare and convey a summary of their ~~its~~ activities and produce a final report of the transition activities already performed, future recommendations, and relevant data for the General Assembly by July 1, 2027.

(i) The Authority shall implement the provisions of the transition plan by ordinance no later than September 30, 2027 ~~July 1, 2027~~, notwithstanding any deadlines provided in this Section, and the Service Boards shall take any corresponding actions required.

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/7.03)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 7.03. ADA Advisory Council.

(a) There is established an ADA Advisory Council. The Board shall appoint at least 5 and not more than 15 members to the ADA Advisory Council.

(b) The purpose of the ADA Advisory Council is to advise the Board of the Authority of the impact of Authority policies, programs, and public transportation services on disabled transit riders within the metropolitan region and to make recommendations for how to improve public transportation in the metropolitan region.

(c) The Board shall strive to assemble an ADA Advisory

Council that is reflective of the diversity of the metropolitan region, the users of the various modes of public transportation, and the interests of the residents of the region in a strong public transportation system.

(d) ADA Advisory Council members shall be appointed to terms of 5 years, may be reappointed to serve multiple terms, and may continue to serve after expiration of their terms until their successors are appointed.

(e) The members of the ADA Advisory Council shall elect a Chair, who shall preside over meetings, which shall occur monthly or on such other schedule as is set by vote of the ADA Advisory Council, and shall establish meeting agendas in consultation with fellow ADA Advisory Council members and the Authority.

(f) Meetings of the ADA Advisory Council shall be held in compliance with the Open Meetings Act, and the public shall be given an opportunity to attend and comment on matters pertaining to the work of the ADA Advisory Council.

(g) The Authority shall designate one or more staff liaisons to provide technical support for the ADA Advisory Council and to facilitate direct communication between the ADA Advisory Council and those in the Authority responsible for delivering public transportation services.

(h) The ADA Advisory Council shall:

(1) review and comment on proposed Authority budgets, financial plans, capital programs, fare policies, and

service standards;

(2) convey concerns pertaining to the quality, efficiency, safety, accessibility, and equity of mainline and paratransit public transportation services as they impact disabled riders;

(3) assess the efficacy of Authority initiatives to protect the safety of disabled riders on the public transportation system;

(4) prepare and convey recommendations to the Authority for how the Authority can improve the quality, efficiency, and equity of public transportation service for disabled riders in the metropolitan region;

(5) serve as a resource for connecting disabled riders and disability advocacy organizations with those in the Authority responsible for delivering public transportation services;

(6) advocate for funding, policies, and laws that shall improve public transportation in the metropolitan region; and

(7) serve as a resource for Authority staff to discuss proposed changes to services, policies, and technologies affecting disabled transit riders before those changes are implemented.

(i) The Authority shall provide adequate technical support so the ADA Advisory Council can function effectively, provide regular briefings ~~briefing~~ on service delivery issues and other topics of interest for transit riders, make staff responsible for delivery of public transportation services accessible to the ADA Advisory Council, give the ADA Advisory Council sufficient information and time to comment on proposed plans and policies, and take into account the comments and recommendations of the ADA Advisory Council before taking action on initiatives that impact public transit riders.

(j) The Authority shall establish an Office of Disability ~~of~~ Policy and Planning, whose initial responsibilities shall include developing ADA-related training standards, complaint and comment procedures, paratransit eligibility criteria, and a regional Transit Accessibility Plan in collaboration with the ADA Advisory Council ~~Committee~~.

(k) Members of the ADA Advisory Council shall serve without compensation but shall be entitled to reimbursement of reasonable and necessary costs incurred in the performance of their duties.

(l) (Blank). ~~ADA Advisory Council members are subject to public transportation usage requirements applicable to Directors.~~

(Source: P.A. 104-457, eff. 6-1-26.)

(70 ILCS 3615/7.04)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 7.04. Riders Advisory Council.

(a) There is established a Riders Advisory Council. The Board shall appoint at least 5 and not more than 15 members to the Riders Advisory Council.

(b) The purpose of the Riders Advisory Council is to advise the Board of the Authority on the impact of Authority policies, programs, and public transportation services on transit riders within the metropolitan region and to make recommendations for how to improve public transportation in the metropolitan region.

(c) The Board shall strive to assemble a Riders Advisory Council that is reflective of the diversity of the metropolitan region, the users of the various modes of public transportation, and the interests of the residents of the region in a strong public transportation system.

(d) Members of the Riders Advisory Council shall be appointed to terms of 5 years, may be reappointed to serve multiple terms, and may continue to serve after expiration of their terms until their successors are appointed.

(e) The members of the Riders Advisory Council shall elect a Chair, who shall preside over meetings, which shall occur monthly or on such other schedule as is set by vote of the Riders Advisory Council, and shall establish meeting agendas in consultation with fellow Riders Advisory Council members and the Authority.

(f) Meetings of the Riders Advisory Council shall be held in compliance with the Open Meetings Act, and the public shall be given an opportunity to attend and comment on matters pertaining to the work of the Riders Advisory Council.

(g) The Authority shall designate one or more staff liaisons to provide technical support for the Riders Advisory Council and to facilitate direct communication between the Riders Advisory Council and those in the Authority responsible for delivering public transportation services.

(h) The Riders Advisory Council shall:

(1) review and comment on proposed Authority budgets, financial plans, capital programs, fare policies, and service standards;

(2) convey rider concerns pertaining to the quality, efficiency, safety, accessibility, and equity of public transportation services;

(3) assess the efficacy of Authority initiatives to protect the safety of riders on the public transportation system;

(4) prepare and convey recommendations to the Authority for how the Authority can improve the quality, efficiency, and equity of public transportation service in the metropolitan region;

(5) serve as a resource for connecting riders and rider advocacy organizations with those in the Authority responsible for delivering public transportation services;

(6) advocate for funding, policies, and laws that shall improve public transportation in the metropolitan

region; and

(7) serve as a resource for Authority staff to discuss proposed changes to services, policies, and technologies affecting transit riders before those changes are implemented ~~Implemented~~.

(i) The Authority shall provide adequate technical support so the Riders Advisory Council can function effectively, provide regular briefings ~~briefing~~ on service delivery issues and other topics of interest for transit riders, make staff responsible for delivery of public transportation services accessible to the Riders Advisory Council, give the Riders Advisory Council sufficient information and time to comment on proposed plans and policies, and take into account the comments and recommendations of the Riders Advisory Council before taking action on initiatives that impact public transit riders.

(j) Members of the Riders Advisory Council shall serve without compensation but shall be entitled to reimbursement of reasonable and necessary costs incurred in the performance of their duties.

(k) (Blank). ~~Riders Advisory Council members are subject to public transportation system usage requirements applicable to Directors.~~

(Source: P.A. 104-457, eff. 6-1-26.)

Section 55. The Regional Transportation Authority Act is amended by adding Section 3.01.05 as follows:

(70 ILCS 3615/3.01.05 new)

Sec. 3.01.05. Board of Directors. Beginning September 1, 2026, the corporate authorities and governing and administrative body of the Authority shall be a Board consisting of 20 Directors appointed as follows:

(a) Five Directors appointed by the Mayor of the City of Chicago, with the advice and consent of the City Council of the City of Chicago. Each Director shall reside in the City of Chicago. Directors appointed under this subsection shall include:

(1) one Director with an initial term of 5 years who shall serve as a member of the Board of the Chicago Transit Authority;

(2) one Director with an initial term of 3 years who shall serve as a member of the Board of the Chicago Transit Authority;

(3) one Director with an initial term of 5 years who shall serve as a director of the Suburban Bus Board;

(4) one Director with an initial term of 3 years who shall serve as a director of the Commuter Rail Board; and

(5) one Director with an initial term of 5 years.

(a-5) Five Directors appointed by the Governor of the State of Illinois with the advice and consent of the Senate. Each Director appointed under this subsection shall reside in the metropolitan region. Directors appointed under this subsection shall include:

(1) one Director with an initial term of 5 years who shall serve as a member of the Board of the Chicago Transit Authority;

(2) one Director with an initial term of 3 years who shall serve as a director of the Suburban Bus Board;

(3) one Director appointed by the Governor, with the advice and consent of the Senate, with an initial term of 5 years who shall serve as a director of the Commuter Rail Board;

(4) one Director with an initial term of 5 years; and

(5) one Director with an initial term of 3 years.

(b) Five Directors appointed by the President of the Cook County Board of Commissioners, with the advice and consent of the Cook County Board of Commissioners, including:

(1) one Director representing those communities in Cook County that are outside of the City of Chicago and north of Devon Avenue who shall reside in the area the Director represents, serve an initial term of 3 years, and serve as a director of the Suburban Bus Board;

(2) one Director representing those communities in Cook County that are outside of the City of Chicago, south of Devon Avenue, and north of Interstate 55, and in addition the Village of Summit who shall reside in the area the Director represents, serve an initial term of 5

years, and serve as a director of the Suburban Bus Board;

(3) one Director representing those communities in Cook County that are outside of the City of Chicago, south of Interstate 55, and west of the Interstate 57, excluding the communities of Summit, Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park who shall reside in the area the Director represents, serve an initial term of 3 years, and serve as a director of the Commuter Rail Board;

(4) one Director representing those communities in Cook County that are outside of the City of Chicago and east of Interstate 57, and, in addition, the communities of Dixmoor, Posen, Robbins, Midlothian, Oak Forest, and Tinley Park who shall reside in the area the Director represents, serve an initial term of 5 years, and serve as a director of the Commuter Rail Board; and

(5) one Director with an initial term of 3 years who shall serve as a member of the Board of the Chicago Transit Authority.

(b-5) Five Directors appointed by the chairs of the county boards of Kane, Lake, McHenry, DuPage, and Will counties. Each chair shall appoint one Director for the chair's county, with the advice and consent of the chair's county board. Each Director shall reside in the county from which the Director is appointed. Directors appointed under this subsection shall include:

(1) one Director appointed by the Chairman of the DuPage County Board with an initial term of 5 years who shall serve as a director of the Suburban Bus Board;

(2) one Director appointed by the Chairman of the Kane County Board with an initial term of 3 years who shall serve as a director of the Suburban Bus Board;

(3) one Director appointed by the Chairman of the Lake County Board with an initial term of 3 years who shall serve as a director of the Commuter Rail Board;

(4) one Director appointed by the Chairman of the McHenry County Board with an initial term of 5 years who shall serve as a director of the Commuter Rail Board; and

(5) one Director appointed by the County Executive of Will County Board who shall reside in Will County, serve an initial term of 3 years, and serve as a director of the Suburban Bus Board.

(b-7) Initial appointments of members under subsection (a) must be made in time for the members to begin their terms on September 1, 2026.

(b-10) On September 1, 2026, the terms of all directors serving on the effective date of this amendatory Act of the 104th General Assembly and of any directors appointed to fill a vacancy shall immediately expire. If a vacancy on the Board occurs before September 1, 2026, then the vacancy shall be filled under Section 3.03. Directors serving on the effective date of this amendatory Act of the 104th General Assembly may be reappointed.

(b-15) Directors have been appointed when appointments are filed with and accepted by the Secretary of State in accordance with subsection (g). The initial Directors appointed after the effective date of this amendatory Act of the 104th General Assembly shall serve terms of office beginning on September 1, 2026. All appointments requiring advice and consent of the Senate shall comply with the appointment provisions of Section 9 of Article V of the Illinois Constitution, including the requirement that the Senate be given 60 session days after receipt of a nomination to confirm the appointment.

(b-20) On the first meeting of the Board of Directors after September 1, 2026, the Board of Directors shall, by majority vote, elect a Director to serve as Chair of the Board. All subsequent Chairs of the Board shall be elected by a majority vote by the Directors of the Board from among the Directors. Until September 1, 2030, the Chair of the Board must be confirmed by the Senate. Until September 1, 2030, if the Directors elect a Chair of the Board, then the elected Chair of the Board may serve as the acting Chair of the Board until confirmation. Until September 1, 2030, if the Senate votes against confirming the acting Chair of the Board, then the acting Chair of the Board must resign and the Directors must elect a new Chair of Board.

(b-25) The subsequent terms of each Director appointed after September 1, 2026 shall be 5 years.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(f) Except as otherwise provided by this Act, no Director shall, while serving as such, be an officer, member of the Board of Directors or Trustees, an employee of any Service Board or Transportation Agency, or an employee of the State, any department or agency of the State, or any municipality, county, or other unit of local government or receive any compensation from any elected or appointed office under the Constitution and laws of Illinois; except that a Director may be a member of a school board, a member of the National Guard, or, if the Director is also a member of the Suburban Bus Board, an elected officer of a municipality.

(g) Each appointment made under this Section and under Section 3.03 shall be certified by the appointing authority and filed with the Secretary of State and the Secretary of the Board. The Secretary of the Board shall maintain the certifications as part of the official records of the Authority.

(h) (Blank).

(i) Directors shall have diverse and substantial relevant experience and expertise for overseeing the planning, operation, and funding of a regional transportation system, including, but not limited to, backgrounds in urban and regional planning, management of large capital projects, labor and workforce development, business management, public administration, transportation, and community organizations.

(j) Those responsible for appointing Directors shall strive to assemble a set of Directors that, to the greatest extent possible, reflects the ethnic, cultural, economic, racial, and geographic diversity of the metropolitan region.

(70 ILCS 3615/3B.14.5 rep.)

Section 60. The Regional Transportation Authority Act is amended by repealing Section 3B.14.5.

Article 99.

Section 99-95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 99-99. Effective date. This Act takes effect June 1, 2026.