



Rep. Marcus C. Evans, Jr.

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LRB104 12004 RTM 23609 a

1 AMENDMENT TO HOUSE BILL 2963

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2963 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Illinois Road Usage Charge Act.

6 Section 5. Findings.

7 (a) The General Assembly finds and declares that an  
8 efficient and safe transportation system is critical for  
9 Illinois' economy and quality of life. The revenue currently  
10 available for highways and local roads is not adequate to  
11 preserve and maintain existing infrastructure and to provide  
12 funds for improvements that would incorporate safety factors,  
13 eliminate travel related injuries and fatalities, reduce  
14 congestion, and improve service.

15 (b) The General Assembly further recognizes that the gas  
16 tax is an ineffective mechanism for meeting Illinois'

1 long-term revenue needs because it will steadily generate less  
2 revenue as cars become more fuel efficient and alternative  
3 sources of fuel are identified.

4 (c) The General Assembly further recognizes that other  
5 states have begun to explore the potential for a road usage  
6 charge to replace traditional motor fuel taxes, including the  
7 State of Oregon, which established the first permanent road  
8 user charge program in the nation. Road usage charging is a  
9 policy whereby motorists pay for the use of the roadway  
10 network based on the distance they travel. Drivers pay the  
11 same rate per mile driven, regardless of what part of the  
12 roadway network they use.

13 (d) The General Assembly, therefore, finds that experience  
14 to date in other states across the nation demonstrates that  
15 mileage-based charges can be implemented in a way that ensures  
16 data security and maximum privacy protection for drivers. It  
17 is important that Illinois begins to explore alternative  
18 revenue sources that may be implemented in lieu of the  
19 antiquated motor fuel tax structure now in place.

20 Section 10. Definitions.

21 "Committee" means the Road Usage Charge Advisory  
22 Committee.

23 "Department" means the Department of Transportation.

24 "Pilot Program" means the Road Usage Charge Pilot Program.

1 Section 15. Road Usage Charge Advisory Committee.

2 (a) The Road Usage Charge Advisory Committee is  
3 established to guide the development and evaluation of the  
4 road usage charge pilot program to assess the potential for  
5 mileage-based revenue as an alternative to the current system  
6 of taxing highway use through motor fuel taxes.

7 (b) The Committee shall consist of 10 members as follows:

8 (1) the Secretary of Transportation or the Secretary's  
9 designee;

10 (2) the Executive Director of the Chicago Metropolitan  
11 Agency for Planning or the Executive Director's designee;

12 (3) one member appointed by the Senate President;

13 (4) one member appointed by the Speaker of the House  
14 of Representatives;

15 (5) one member appointed by the chair of the standing  
16 committee of the Senate having primary jurisdiction over  
17 transportation;

18 (6) one member appointed by the standing committee of  
19 the House of Representatives having primary jurisdiction  
20 over transportation; and

21 (7) four members appointed by the Governor.

22 (c) The Committee shall:

23 (1) conduct at least 3 public hearings to gather  
24 public comment on issues and concerns related to the pilot  
25 program;

26 (2) make recommendations to the Department to

1 establish the rules necessary for implementation of the  
2 pilot program, including a process for selecting  
3 volunteers, mileage reporting requirements, and privacy  
4 standards;

5 (3) make recommendations to the Department on the  
6 criteria to be used to evaluate the pilot program; and

7 (4) evaluate the pilot program.

8 (d) On request, the Department shall assist the Committee  
9 in implementing this Section.

10 Section 20. Pilot program.

11 (a) The Department, in consultation with the Secretary of  
12 State and based on the recommendations of the Committee, shall  
13 develop and implement a statewide pilot program by January 1,  
14 2026 to assess a user fee on owners of motor vehicles that is  
15 based on the number of miles traveled on public roadways in  
16 this State by those vehicles.

17 (b) The pilot program must:

18 (1) include at least 1,000 motor vehicles;

19 (2) analyze alternative means of collecting road usage  
20 data, including at least one alternative that does not  
21 rely on electronic vehicle location data;

22 (3) test the reliability, ease of use, cost, and  
23 public acceptance of technology and methods for:

24 (A) counting the number of miles traveled by motor  
25 vehicles;

1 (B) reporting the number of miles traveled by  
2 particular vehicles; and

3 (C) collecting payments from participants in the  
4 pilot program;

5 (4) analyze and evaluate the ability of different  
6 technologies and methods to:

7 (A) protect the integrity of data collected and  
8 reported;

9 (B) ensure operators' privacy; and

10 (C) vary pricing based on the time of driving and  
11 type of public highway;

12 (5) evaluate the enforceability of the road usage  
13 charge and opportunities for operators to evade or  
14 manipulate the fee;

15 (6) evaluate the impact of the road usage charge on  
16 equity; and

17 (7) provide special consideration for privacy,  
18 including:

19 (A) collecting a minimum amount of personal  
20 information, including location tracking information,  
21 necessary to implement the pilot program; and

22 (B) ensuring that processes for collecting,  
23 managing, storing, transmitting, and destroying data  
24 are in place to protect the integrity of the data and  
25 safeguard the privacy of drivers.

26 (c) The Department shall ensure that participants in the

1 pilot program:

2 (1) are included only on a voluntary basis; and

3 (2) represent a variety of motor vehicle operators,  
4 including operators of passenger vehicles, commercial  
5 motor vehicles, and electric vehicles.

6 (d) The pilot program may not last less than one year.

7 Section 25. Compensation of participants. The Department  
8 shall establish, by rule, a process to ensure that  
9 participants in the pilot program are not required to spend  
10 more on fees or taxes associated with road usage than if they  
11 had not participated in the program. A process adopted under  
12 this Section may include a refund of motor fuel taxes paid by  
13 the participant or other compensation.

14 Section 30. Report. Not later than 18 months after the  
15 implementation of the pilot program, the Department, working  
16 in conjunction with the Committee, shall submit to the General  
17 Assembly a report summarizing the results of the pilot  
18 program, including:

19 (1) the feasibility of permanently assessing a vehicle  
20 mileage user fee;

21 (2) the cost of the program;

22 (3) privacy concerns and perceptions;

23 (4) data collection technology, including a discussion  
24 of the advantages and disadvantages of various types of

1 data collection equipment and the privacy implications and  
2 consideration of the equipment;

3 (5) security and compliance, including a discussion of  
4 processes and security measures necessary to minimize  
5 fraud and tax evasion rates; and

6 (6) the Department's recommendations together with  
7 suggested legislation necessary to implement the  
8 recommendations.

9 Section 100. The Metropolitan Transit Authority Act is  
10 amended by changing Sections 12a, 12b, 12c, 19, 20, 22, 23,  
11 28a, and 34 as follows:

12 (70 ILCS 3605/12a) (from Ch. 111 2/3, par. 312a)

13 Sec. 12a. (a) In addition to other powers provided in  
14 Section 12b, the Authority may issue its notes from time to  
15 time, in anticipation of tax receipts of the Regional  
16 Transportation Authority allocated to the Authority or of  
17 other revenues or receipts of the Authority, in order to  
18 provide money for the Authority to cover any cash flow deficit  
19 which the Authority anticipates incurring. Provided, however,  
20 that no such notes may be issued unless the annual cost thereof  
21 is incorporated in a budget or revised budget of the Authority  
22 which has been approved by the Regional Transportation  
23 Authority. Any such notes are referred to as "Working Cash  
24 Notes". Provided further that, the board shall not issue and

1 have outstanding or demand and direct that the Board of the  
2 Regional Transportation Authority issue and have outstanding  
3 more than an aggregate of \$40,000,000 in Working Cash Notes.  
4 No Working Cash Notes shall be issued for a term of longer than  
5 18 months. Proceeds of Working Cash Notes may be used to pay  
6 day to day operating expenses of the Authority, consisting of  
7 wages, salaries and fringe benefits, professional and  
8 technical services (including legal, audit, engineering and  
9 other consulting services), office rental, furniture, fixtures  
10 and equipment, insurance premiums, claims for self-insured  
11 amounts under insurance policies, public utility obligations  
12 for telephone, light, heat and similar items, travel expenses,  
13 office supplies, postage, dues, subscriptions, public hearings  
14 and information expenses, fuel purchases, and payments of  
15 grants and payments under purchase of service agreements for  
16 operations of transportation agencies, prior to the receipt by  
17 the Authority from time to time of funds for paying such  
18 expenses. Proceeds of the Working Cash Notes shall not be used  
19 (i) to increase or provide a debt service reserve fund for any  
20 bonds or notes other than Working Cash Notes of the same  
21 Series, or (ii) to pay principal of or interest or redemption  
22 premium on any capital bonds or notes, whether as such amounts  
23 become due or by earlier redemption, issued by the Authority  
24 or a transportation agency to construct or acquire public  
25 transportation facilities, or to provide funds to purchase  
26 such capital bonds or notes.

1           (b) The ordinance providing for the issuance of any such  
2 notes shall fix the date or dates of maturity, the dates on  
3 which interest is payable, any sinking fund account or reserve  
4 fund account provisions and all other details of such notes  
5 and may provide for such covenants or agreements necessary or  
6 desirable with regard to the issue, sale and security of such  
7 notes. The Authority shall determine and fix the rate or rates  
8 of interest of its notes issued under this Act in an ordinance  
9 adopted by the Board prior to the issuance thereof, none of  
10 which rates of interest shall exceed that permitted in the  
11 Bond Authorization Act. Interest may be payable annually or  
12 semi-annually, or at such other times as determined by the  
13 Board. Notes issued under this Section may be issued as serial  
14 or term obligations, shall be of such denomination or  
15 denominations and form, including interest coupons to be  
16 attached thereto, be executed in such manner, shall be payable  
17 at such place or places and bear such date as the Board shall  
18 fix by the ordinance authorizing such note and shall mature at  
19 such time or times, within a period not to exceed 18 months  
20 from the date of issue, and may be redeemable prior to maturity  
21 with or without premium, at the option of the Board, upon such  
22 terms and conditions as the Board shall fix by the ordinance  
23 authorizing the issuance of such notes. The Board may provide  
24 for the registration of notes in the name of the owner as to  
25 the principal alone or as to both principal and interest, upon  
26 such terms and conditions as the Board may determine. The

1 ordinance authorizing notes may provide for the exchange of  
2 such notes which are fully registered, as to both principal  
3 and interest, with notes which are registerable as to  
4 principal only. All notes issued under this Section by the  
5 Board shall be sold at a price which may be at a premium or  
6 discount but such that the interest cost (excluding any  
7 redemption premium) to the Board of the proceeds of an issue of  
8 such notes, computed to stated maturity according to standard  
9 tables of bond values, shall not exceed that permitted in the  
10 Bond Authorization Act. Such notes shall be sold at such time  
11 or times as the Board shall determine. The notes may be sold  
12 either upon competitive bidding or by negotiated sale (without  
13 any requirement of publication of intention to negotiate the  
14 sale of such notes), as the Board shall determine by ordinance  
15 adopted with the affirmative votes of at least 4 Directors,  
16 prior to February 1, 2026, and with the affirmative votes of at  
17 least 5 Directors, beginning February 1, 2026. In case any  
18 officer whose signature appears on any notes or coupons  
19 authorized pursuant to this Section shall cease to be such  
20 officer before delivery of such notes, such signature shall  
21 nevertheless be valid and sufficient for all purposes, the  
22 same as if such officer had remained in office until such  
23 delivery. Neither the Directors of the Regional Transportation  
24 Authority, the Directors of the Authority nor any person  
25 executing any bonds or notes thereof shall be liable  
26 personally on any such bonds or notes or coupons by reason of

1 the issuance thereof.

2 (c) All notes of the Authority issued pursuant to this  
3 Section shall be general obligations of the Authority to which  
4 shall be pledged the full faith and credit of the Authority, as  
5 provided in this Section. Such notes shall be secured as  
6 provided in the authorizing ordinance, which may,  
7 notwithstanding any other provision of this Act, include in  
8 addition to any other security, a specific pledge or  
9 assignment of and lien on or security interest in any or all  
10 tax receipts of the Regional Transportation Authority  
11 allocated to the Authority and on any or all other revenues or  
12 moneys of the Authority from whatever source which may by law  
13 be utilized for debt service purposes and a specific pledge or  
14 assignment of and lien on or security interest in any funds or  
15 accounts established or provided for by the ordinance of the  
16 Board authorizing the issuance of such notes. Any such pledge,  
17 assignment, lien or security interest for the benefit of  
18 holders of notes of the Authority shall be valid and binding  
19 from the time the notes are issued without any physical  
20 delivery or further act, and shall be valid and binding as  
21 against and prior to the claims of all other parties having  
22 claims of any kind against the Authority or any other person  
23 irrespective of whether such other parties have notice of such  
24 pledge, assignment, lien or security interest. The obligations  
25 of the Authority incurred pursuant to this Section shall be  
26 superior to and have priority over any other obligations of

1 the Authority except for obligations under Section 12. The  
2 Board may provide in the ordinance authorizing the issuance of  
3 any notes issued pursuant to this Section for the creation of,  
4 deposits in, and regulation and disposition of sinking fund or  
5 reserve accounts relating to such notes. The ordinance  
6 authorizing the issuance of any notes pursuant to this Section  
7 may contain provisions as part of the contract with the  
8 holders of the notes, for the creation of a separate fund to  
9 provide for the payment of principal and interest on such  
10 notes and for the deposit in such fund from any or all the tax  
11 receipts of the Regional Transportation Authority allocated to  
12 the Authority and from any or all such other moneys or revenues  
13 of the Authority from whatever source which may by law be  
14 utilized for debt service purposes, all as provided in such  
15 ordinance, of amounts to meet the debt service requirements on  
16 such notes, including principal and interest, and any sinking  
17 fund or reserve fund account requirements as may be provided  
18 by such ordinance, and all expenses incident to or in  
19 connection with such fund and accounts or the payment of such  
20 notes. Such ordinance may also provide limitations on the  
21 issuance of additional notes of the Authority. No such notes  
22 of the Authority shall constitute a debt of the State of  
23 Illinois.

24 (d) The ordinance of the Board authorizing the issuance of  
25 any notes may provide additional security for such notes by  
26 providing for appointment of a corporate trustee (which may be

1 any trust company or bank having the powers of a trust company  
2 within the State) with respect to such notes. The ordinance  
3 shall prescribe the rights, duties and powers of the trustee  
4 to be exercised for the benefit of the Authority and the  
5 protection of the holders of such notes. The ordinance may  
6 provide for the trustee to hold in trust, invest and use  
7 amounts in funds and accounts created as provided by the  
8 ordinance with respect to the notes. The ordinance shall  
9 provide that amounts so paid to the trustee which are not  
10 required to be deposited, held or invested in funds and  
11 accounts created by the ordinance with respect to notes or  
12 used for paying notes to be paid by the trustee to the  
13 Authority.

14 (e) Any notes of the Authority issued pursuant to this  
15 Section shall constitute a contract between the Authority and  
16 the holders from time to time of such notes. In issuing any  
17 note, the Board may include in the ordinance authorizing such  
18 issue a covenant as part of the contract with the holders of  
19 the notes, that as long as such obligations are outstanding,  
20 it shall make such deposits, as provided in paragraph (c) of  
21 this Section. A certified copy of the ordinance authorizing  
22 the issuance of any such obligations shall be filed at or prior  
23 to the issuance of such obligations with the Regional  
24 Transportation Authority, Comptroller of the State of Illinois  
25 and the Illinois Department of Revenue.

26 (f) The State of Illinois pledges to and agrees with the

1 holders of the notes of the Authority issued pursuant to this  
2 Section that the State will not limit or alter the rights and  
3 powers vested in the Authority by this Act or in the Regional  
4 Transportation Authority by the Regional Transportation  
5 Authority Act so as to impair the terms of any contract made by  
6 the Authority with such holders or in any way impair the rights  
7 and remedies of such holders until such notes, together with  
8 interest thereon, with interest on any unpaid installments of  
9 interest, and all costs and expenses in connection with any  
10 action or proceedings by or on behalf of such holders, are  
11 fully met and discharged. In addition, the State pledges to  
12 and agrees with the holders of the notes of the Authority  
13 issued pursuant to this Section that the State will not limit  
14 or alter the basis on which State funds are to be paid to the  
15 Authority as provided in the Regional Transportation Authority  
16 Act, or the use of such funds, so as to impair the terms of any  
17 such contract. The Board is authorized to include these  
18 pledges and agreements of the State in any contract with the  
19 holders of bonds or notes issued pursuant to this Section.

20 (g) The Board shall not at any time issue, sell or deliver  
21 any Interim Financing Notes pursuant to this Section which  
22 will cause it to have issued and outstanding at any time in  
23 excess of \$40,000,000 of Working Cash Notes. Notes which are  
24 being paid or retired by such issuance, sale or delivery of  
25 notes, and notes for which sufficient funds have been  
26 deposited with the paying agency of such notes to provide for

1 payment of principal and interest thereon or to provide for  
2 the redemption thereof, all pursuant to the ordinance  
3 authorizing the issuance of such notes, shall not be  
4 considered to be outstanding for the purposes of this  
5 paragraph.

6 (h) The Board, subject to the terms of any agreements with  
7 noteholders as may then exist, shall have power, out of any  
8 funds available therefor, to purchase notes of the Authority  
9 which shall thereupon be cancelled.

10 (i) In addition to any other authority granted by law, the  
11 State Treasurer may, with the approval of the Governor, invest  
12 or reinvest, at a price not to exceed par, any State money in  
13 the State Treasury which is not needed for current  
14 expenditures due or about to become due in Interim Financing  
15 Notes. In the event of a default on an interim financing note  
16 issued by the Chicago Transit Authority in which State money  
17 in the State treasury was invested, the Treasurer may, after  
18 giving notice to the Authority, certify to the Comptroller the  
19 amounts of the defaulted interim financing note, in accordance  
20 with any applicable rules of the Comptroller, and the  
21 Comptroller must deduct and remit to the State treasury the  
22 certified amounts or a portion of those amounts from the  
23 following proportions of payments of State funds to the  
24 Authority:

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

1 Authority;

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

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

9 (Source: P.A. 100-201, eff. 8-18-17; 101-485, eff. 8-23-19.)

10 (70 ILCS 3605/12b) (from Ch. 111 2/3, par. 312b)

11 Sec. 12b. Working Cash Borrowing. In addition to the  
12 powers provided in Section 12a, the Board with the affirmative  
13 vote of 5 of its Directors, prior to February 1, 2026, and with  
14 the affirmative vote of at least 6 of its Directors, beginning  
15 February 1, 2026, may demand and direct the Board of the  
16 Regional Transportation Authority to issue Working Cash Notes  
17 at such time and in such amounts and having such maturities as  
18 the Authority deems proper, provided however any such  
19 borrowing shall have been specifically identified in the  
20 budget of the Authority as approved by the Board of the  
21 Regional Transportation Authority. Provided further, that the  
22 Board may not issue and have outstanding or demand and direct  
23 the Board of the Regional Transportation Authority to issue  
24 and have outstanding more than an aggregate of \$40,000,000 in  
25 Working Cash Notes.

1 (Source: P.A. 83-885; 83-886.)

2 (70 ILCS 3605/12c)

3 Sec. 12c. Retiree Benefits Bonds and Notes.

4 (a) In addition to all other bonds or notes that it is  
5 authorized to issue, the Authority is authorized to issue its  
6 bonds or notes for the purposes of providing funds for the  
7 Authority to make the deposits described in Section 12c(b) (1)  
8 and (2), for refunding any bonds authorized to be issued under  
9 this Section, as well as for the purposes of paying costs of  
10 issuance, obtaining bond insurance or other credit enhancement  
11 or liquidity facilities, paying costs of obtaining related  
12 swaps as authorized in the Bond Authorization Act ("Swaps"),  
13 providing a debt service reserve fund, paying Debt Service (as  
14 defined in paragraph (i) of this Section 12c), and paying all  
15 other costs related to any such bonds or notes.

16 (b) (1) After its receipt of a certified copy of a report of  
17 the Auditor General of the State of Illinois meeting the  
18 requirements of Section 3-2.3 of the Illinois State Auditing  
19 Act, the Authority may issue \$1,348,550,000 aggregate original  
20 principal amount of bonds and notes. After payment of the  
21 costs of issuance and necessary deposits to funds and accounts  
22 established with respect to debt service, the net proceeds of  
23 such bonds or notes shall be deposited only in the Retirement  
24 Plan for Chicago Transit Authority Employees and used only for  
25 the purposes required by Section 22-101 of the Illinois

1 Pension Code. Provided that no less than \$1,110,500,000 has  
2 been deposited in the Retirement Plan, remaining proceeds of  
3 bonds issued under this subparagraph (b)(1) may be used to pay  
4 costs of issuance and make necessary deposits to funds and  
5 accounts with respect to debt service for bonds and notes  
6 issued under this subparagraph or subparagraph (b)(2).

7 (2) After its receipt of a certified copy of a report of  
8 the Auditor General of the State of Illinois meeting the  
9 requirements of Section 3-2.3 of the Illinois State Auditing  
10 Act, the Authority may issue \$639,680,000 aggregate original  
11 principal amount of bonds and notes. After payment of the  
12 costs of issuance and necessary deposits to funds and accounts  
13 established with respect to debt service, the net proceeds of  
14 such bonds or notes shall be deposited only in the Retiree  
15 Health Care Trust and used only for the purposes required by  
16 Section 22-101B of the Illinois Pension Code. Provided that no  
17 less than \$528,800,000 has been deposited in the Retiree  
18 Health Care Trust, remaining proceeds of bonds issued under  
19 this subparagraph (b)(2) may be used to pay costs of issuance  
20 and make necessary deposits to funds and accounts with respect  
21 to debt service for bonds and notes issued under this  
22 subparagraph or subparagraph (b)(1).

23 (3) In addition, refunding bonds are authorized to be  
24 issued for the purpose of refunding outstanding bonds or notes  
25 issued under this Section 12c.

26 (4) The bonds or notes issued under 12c(b)(1) shall be

1 issued as soon as practicable after the Auditor General issues  
2 the report provided in Section 3-2.3(b) of the Illinois State  
3 Auditing Act. The bonds or notes issued under 12c(b)(2) shall  
4 be issued as soon as practicable after the Auditor General  
5 issues the report provided in Section 3-2.3(c) of the Illinois  
6 State Auditing Act.

7 (5) With respect to bonds and notes issued under  
8 subparagraph (b), scheduled aggregate annual payments of  
9 interest or deposits into funds and accounts established for  
10 the purpose of such payment shall commence within one year  
11 after the bonds and notes are issued. With respect to  
12 principal and interest, scheduled aggregate annual payments of  
13 principal and interest or deposits into funds and accounts  
14 established for the purpose of such payment shall be not less  
15 than 70% in 2009, 80% in 2010, and 90% in 2011, respectively,  
16 of scheduled payments or deposits of principal and interest in  
17 2012 and shall be substantially equal beginning in 2012 and  
18 each year thereafter. For purposes of this subparagraph (b),  
19 "substantially equal" means that debt service in any full year  
20 after calendar year 2011 is not more than 115% of debt service  
21 in any other full year after calendar year 2011 during the term  
22 of the bonds or notes. For the purposes of this subsection (b),  
23 with respect to bonds and notes that bear interest at a  
24 variable rate, interest shall be assumed at a rate equal to the  
25 rate for United States Treasury Securities - State and Local  
26 Government Series for the same maturity, plus 75 basis points.

1 If the Authority enters into a Swap with a counterparty  
2 requiring the Authority to pay a fixed interest rate on a  
3 notional amount, and the Authority has made a determination  
4 that such Swap was entered into for the purpose of providing  
5 substitute interest payments for variable interest rate bonds  
6 or notes of a particular maturity or maturities in a principal  
7 amount equal to the notional amount of the Swap, then during  
8 the term of the Swap for purposes of any calculation of  
9 interest payable on such bonds or notes, the interest rate on  
10 the bonds or notes of such maturity or maturities shall be  
11 determined as if such bonds or notes bore interest at the fixed  
12 interest rate payable by the Authority under such Swap.

13 (6) No bond or note issued under this Section 12c shall  
14 mature later than December 31, 2040.

15 (c) The Chicago Transit Board shall provide for the  
16 issuance of bonds or notes as authorized in this Section 12c by  
17 the adoption of an ordinance. The ordinance, together with the  
18 bonds or notes, shall constitute a contract among the  
19 Authority, the owners from time to time of the bonds or notes,  
20 any bond trustee with respect to the bonds or notes, any  
21 related credit enhancer and any provider of any related Swaps.

22 (d) The Authority is authorized to cause the proceeds of  
23 the bonds or notes, and any interest or investment earnings on  
24 the bonds or notes, and of any Swaps, to be invested until the  
25 proceeds and any interest or investment earnings have been  
26 deposited with the Retirement Plan or the Retiree Health Care

1 Trust.

2 (e) Bonds or notes issued pursuant to this Section 12c may  
3 be general obligations of the Authority, to which shall be  
4 pledged the full faith and credit of the Authority, or may be  
5 obligations payable solely from particular sources of funds  
6 all as may be provided in the authorizing ordinance. The  
7 authorizing ordinance for the bonds and notes, whether or not  
8 general obligations of the Authority, may provide for the Debt  
9 Service (as defined in paragraph (i) of this Section 12c) to  
10 have a claim for payment from particular sources of funds,  
11 including, without limitation, amounts to be paid to the  
12 Authority or a bond trustee. The authorizing ordinance may  
13 provide for the means by which the bonds or notes (and any  
14 related Swaps) may be secured, which may include, a pledge of  
15 any revenues or funds of the Authority from whatever source  
16 which may by law be utilized for paying Debt Service. In  
17 addition to any other security, upon the written approval of  
18 the Regional Transportation Authority by the affirmative vote  
19 of 12 of its then Directors, prior to February 1, 2026, and the  
20 affirmative vote of at least 14 of its then Directors,  
21 beginning February 1, 2026, the ordinance may provide a  
22 specific pledge or assignment of and lien on or security  
23 interest in amounts to be paid to the Authority by the Regional  
24 Transportation Authority and direct payment thereof to the  
25 bond trustee for payment of Debt Service with respect to the  
26 bonds or notes, subject to the provisions of existing lease

1 agreements of the Authority with any public building  
2 commission. The authorizing ordinance may also provide a  
3 specific pledge or assignment of and lien on or security  
4 interest in and direct payment to the trustee of all or a  
5 portion of the moneys otherwise payable to the Authority from  
6 the City of Chicago pursuant to an intergovernmental agreement  
7 with the Authority to provide financial assistance to the  
8 Authority. Any such pledge, assignment, lien or security  
9 interest for the benefit of owners of bonds or notes shall be  
10 valid and binding from the time the bonds or notes are issued,  
11 without any physical delivery or further act, and shall be  
12 valid and binding as against and prior to the claims of all  
13 other parties having claims of any kind against the Authority  
14 or any other person, irrespective of whether such other  
15 parties have notice of such pledge, assignment, lien or  
16 security interest, all as provided in the Local Government  
17 Debt Reform Act, as it may be amended from time to time. The  
18 bonds or notes of the Authority issued pursuant to this  
19 Section 12c shall have such priority of payment and as to their  
20 claim for payment from particular sources of funds, including  
21 their priority with respect to obligations of the Authority  
22 issued under other Sections of this Act, all as shall be  
23 provided in the ordinances authorizing the issuance of the  
24 bonds or notes. The ordinance authorizing the issuance of any  
25 bonds or notes under this Section may provide for the creation  
26 of, deposits in, and regulation and disposition of sinking

1 fund or reserve accounts relating to those bonds or notes and  
2 related agreements. The ordinance authorizing the issuance of  
3 any such bonds or notes authorized under this Section 12c may  
4 contain provisions for the creation of a separate fund to  
5 provide for the payment of principal of and interest on those  
6 bonds or notes and related agreements. The ordinance may also  
7 provide limitations on the issuance of additional bonds or  
8 notes of the Authority.

9 (f) Bonds or notes issued under this Section 12c shall not  
10 constitute an indebtedness of the Regional Transportation  
11 Authority, the State of Illinois, or of any other political  
12 subdivision of or municipality within the State, except the  
13 Authority.

14 (g) The ordinance of the Chicago Transit Board authorizing  
15 the issuance of bonds or notes pursuant to this Section 12c may  
16 provide for the appointment of a corporate trustee (which may  
17 be any trust company or bank having the powers of a trust  
18 company within Illinois) with respect to bonds or notes issued  
19 pursuant to this Section 12c. The ordinance shall prescribe  
20 the rights, duties, and powers of the trustee to be exercised  
21 for the benefit of the Authority and the protection of the  
22 owners of bonds or notes issued pursuant to this Section 12c.  
23 The ordinance may provide for the trustee to hold in trust,  
24 invest and use amounts in funds and accounts created as  
25 provided by the ordinance with respect to the bonds or notes in  
26 accordance with this Section 12c. The Authority may apply, as

1 it shall determine, any amounts received upon the sale of the  
2 bonds or notes to pay any Debt Service on the bonds or notes.  
3 The ordinance may provide for a trust indenture to set forth  
4 terms of, sources of payment for and security for the bonds and  
5 notes.

6 (h) The State of Illinois pledges to and agrees with the  
7 owners of the bonds or notes issued pursuant to Section 12c  
8 that the State of Illinois will not limit the powers vested in  
9 the Authority by this Act to pledge and assign its revenues and  
10 funds as security for the payment of the bonds or notes, or  
11 vested in the Regional Transportation Authority by the  
12 Regional Transportation Authority Act or this Act, so as to  
13 materially impair the payment obligations of the Authority  
14 under the terms of any contract made by the Authority with  
15 those owners or to materially impair the rights and remedies  
16 of those owners until those bonds or notes, together with  
17 interest and any redemption premium, and all costs and  
18 expenses in connection with any action or proceedings by or on  
19 behalf of such owners are fully met and discharged. The  
20 Authority is authorized to include these pledges and  
21 agreements of the State of Illinois in any contract with  
22 owners of bonds or notes issued pursuant to this Section 12c.

23 (i) For purposes of this Section, "Debt Service" with  
24 respect to bonds or notes includes, without limitation,  
25 principal (at maturity or upon mandatory redemption),  
26 redemption premium, interest, periodic, upfront, and

1 termination payments on Swaps, fees for bond insurance or  
2 other credit enhancement, liquidity facilities, the funding of  
3 bond or note reserves, bond trustee fees, and all other costs  
4 of providing for the security or payment of the bonds or notes.

5 (j) The Authority shall adopt a procurement program with  
6 respect to contracts relating to the following service  
7 providers in connection with the issuance of debt for the  
8 benefit of the Retirement Plan for Chicago Transit Authority  
9 Employees: underwriters, bond counsel, financial advisors, and  
10 accountants. The program shall include goals for the payment  
11 of not less than 30% of the total dollar value of the fees from  
12 these contracts to minority-owned businesses and women-owned  
13 businesses as defined in the Business Enterprise for  
14 Minorities, Women, and Persons with Disabilities Act. The  
15 Authority shall conduct outreach to minority-owned businesses  
16 and women-owned businesses. Outreach shall include, but is not  
17 limited to, advertisements in periodicals and newspapers,  
18 mailings, and other appropriate media. The Authority shall  
19 submit to the General Assembly a comprehensive report that  
20 shall include, at a minimum, the details of the procurement  
21 plan, outreach efforts, and the results of the efforts to  
22 achieve goals for the payment of fees. The service providers  
23 selected by the Authority pursuant to such program shall not  
24 be subject to approval by the Regional Transportation  
25 Authority, and the Regional Transportation Authority's  
26 approval pursuant to subsection (e) of this Section 12c

1 related to the issuance of debt shall not be based in any way  
2 on the service providers selected by the Authority pursuant to  
3 this Section.

4 (k) No person holding an elective office in this State,  
5 holding a seat in the General Assembly, serving as a director,  
6 trustee, officer, or employee of the Regional Transportation  
7 Authority or the Chicago Transit Authority, including the  
8 spouse or minor child of that person, may receive a legal,  
9 banking, consulting, or other fee related to the issuance of  
10 any bond issued by the Chicago Transit Authority pursuant to  
11 this Section.

12 (Source: P.A. 100-391, eff. 8-25-17.)

13 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

14 Sec. 19. Chicago Transit Board.

15 (a) Until February 1, 2026, the ~~The~~ governing and  
16 administrative body of the Authority shall be a board  
17 consisting of 7 ~~seven~~ members, to be known as Chicago Transit  
18 Board.

19 (b) On and after February 1, 2026, the governing and  
20 administrative body of the authority shall be a board  
21 consisting of 8 members, to be known as the Chicago Transit  
22 Board.

23 (1) 6 members shall be appointed by the Mayor of the  
24 City of Chicago with the advice and consent of the City  
25 Council of the City of Chicago. The members appointed

1       under this paragraph (1) shall reside within the City of  
2       Chicago and one of these members shall be a representative  
3       of organized labor.

4       The member representing organized labor shall be  
5       selected from a list of 3 persons recommended by the  
6       president of a countywide labor council body representing  
7       more than 30 labor organizations recognized under the  
8       National Labor Relations Act or the Railway Labor Act  
9       located within a county with a population of at least  
10      3,000,000 inhabitants. If such a member has not been  
11      appointed within 60 days for the initial term, or  
12      appointed within 60 days of the expiration of a term or a  
13      vacancy in the office, the first person on the list  
14      provided to the Mayor will automatically assume the  
15      office.

16      (2) 2 members shall be appointed by the President of  
17      the Cook County Board of Commissioners with the advice and  
18      consent of the members of the Cook County Board of  
19      Commissioners. The members appointed under this paragraph  
20      (2) shall reside in the part of Cook County outside the  
21      City of Chicago.

22      (c) To implement the changes in appointing authority under  
23      subsection (b) of this Section, the following provisions  
24      apply:

25      (1) Members who are appointed to the Chicago Transit  
26      Board by the Mayor of Chicago under subsection (a) of

1       Section 20 and who are serving on the Board on the  
2       effective date of this amendatory Act of the 104th General  
3       Assembly shall retain their offices until January 31, 2026  
4       or until the expiration of a term of office or a vacancy in  
5       their respective office. Upon expiration of a term of  
6       office or vacancy prior to January 31, 2028, these offices  
7       shall be filled under subsection (a) of Section 20.

8           (2) The Mayor of Chicago shall appoint 6 members to  
9       the Chicago Transit Board under paragraph (1) of  
10       subsection (b) of this Section, to begin their terms of  
11       office on February 1, 2026, and their appointments shall  
12       be made in time to begin their terms of office on February  
13       1, 2026. A member serving as a member on January 31, 2026  
14       may be reappointed to the Board. Of the members appointed  
15       to begin their terms of office on February 1, 2026, the  
16       Mayor of Chicago shall appoint 3 members with 4-year terms  
17       and 3 members with 2-year terms. Subsequent terms of  
18       office for all members shall be 4 years.

19           (3) Members who are appointed to the Chicago Transit  
20       Board by the Governor under subsection (a) of Section 20  
21       and who were serving on Board on the effective date of this  
22       amendatory Act of the 104th General Assembly shall retain  
23       their offices until January 31, 2026. Upon the expiration  
24       of a term of office or a vacancy prior to January 31, 2026,  
25       these offices shall be filled under subsection (a) of  
26       Section 20.

1           (4) Members appointed to the Chicago Transit Board  
2           under paragraph (2) of subsection (b) of this Section will  
3           begin their terms of office on February 1, 2026, and their  
4           appointments shall be made in time to begin their terms of  
5           office on February 1, 2026. Of the members appointed to  
6           begin their terms on February 1, 2026, the President of  
7           the Cook County Board shall appoint one member with a  
8           4-year term and one member with a 2-year term. Subsequent  
9           terms of office of all members shall be 4 years.

10          (d) Members of the Board shall be residents of the  
11          metropolitan area and persons of recognized business ability.  
12          Members shall have diverse and substantial relevant experience  
13          and expertise in overseeing the planning, operation, and  
14          funding of a public transportation system, including, but not  
15          limited to, backgrounds in urban and regional planning,  
16          management of large capital projects, labor and workforce  
17          development, business management, public administration,  
18          transportation, and transit and ridership advocacy. No member  
19          ~~of the Board of the Authority shall hold any other office or~~  
20          ~~employment under the Federal, State or any County or any~~  
21          ~~municipal government, or any other unit of local government,~~  
22          ~~except an honorary office without compensation or an office in~~  
23          ~~the National Guard. No employee of the Authority shall hold~~  
24          ~~any other office or employment under the Federal, State or any~~  
25          ~~County or any municipal government, or any other unit of local~~  
26          ~~government, except an office with compensation not exceeding~~

1 ~~\$15,000 annually or a position in the National Guard or the~~  
2 ~~United States military reserves. Provided, however, that the~~  
3 ~~Chairman may be a member of the Board of the Regional~~  
4 ~~Transportation Authority.~~ No member of the Board or employee  
5 of the Authority shall have any private financial interest,  
6 profit or benefit in any contract, work or business of the  
7 Authority nor in the sale or lease of any property to or from  
8 the Authority. The salary of each member of the initial Board  
9 shall be \$15,000.00 per annum, and such salary shall not be  
10 increased or diminished during his or her term of office. The  
11 salaries of successor members of the Board shall be fixed by  
12 the Board and shall not be increased or diminished during  
13 their respective terms of office. No Board member shall be  
14 allowed any fees, perquisites or emoluments, reward or  
15 compensation for his or her services as a member or officer of  
16 the Authority aside from his or her salary or pension, but he  
17 or she shall be reimbursed for actual expenses incurred by him  
18 or her in the performance of his or her duties.

19 (Source: P.A. 98-709, eff. 7-16-14.)

20 (70 ILCS 3605/20) (from Ch. 111 2/3, par. 320)

21 Sec. 20. Terms; vacancies.

22 (a) Until February 1, 2026 ~~Within sixty (60) days after~~  
23 ~~the adoption of this Act by the electors of one or more cities,~~  
24 ~~villages and incorporated towns within the metropolitan area~~  
25 ~~having a population in the aggregate of at least 100,000~~

1 ~~according to the Federal census of 1940~~, the Governor, by and  
2 with the advice and consent of the Senate, shall appoint three  
3 members of the Board for initial terms expiring September  
4 first of the years 1947, 1948 and 1949, respectively, at least  
5 one of which members shall be a resident of that portion of the  
6 metropolitan area which is outside the corporate limits of the  
7 City of Chicago, and the Mayor, with advice and consent of the  
8 City Council of the City of Chicago, shall appoint 4 ~~four~~  
9 members of the Board for initial terms expiring September  
10 first of the years 1946, 1950, 1951 and 1952, respectively. At  
11 the expiration of the term of any member appointed by the  
12 Governor his successor shall be appointed by the Governor, and  
13 at the expiration of the term of any member appointed by the  
14 Mayor his successor shall be appointed by the Mayor in like  
15 manner, and with like regard as to the place of residence of  
16 the appointee, as appointments for the initial terms. All  
17 successors shall hold office for the term of 7 ~~seven~~ years from  
18 the first day of September of the year in which they are  
19 appointed, except in case of an appointment to fill a vacancy.  
20 In case of vacancy in the office of any member appointed by the  
21 Governor during the recess of the Senate, the Governor shall  
22 make a temporary appointment until the next meeting of the  
23 Senate when he shall nominate some person to fill such office;  
24 and any person so nominated, who is confirmed by the Senate,  
25 shall hold his office during the remainder of the term and  
26 until his successor shall be appointed and qualified. If the

1 Senate is not in session at the time this Act takes effect, the  
2 Governor shall make temporary appointments as in case of  
3 vacancies. Each appointment by the Governor shall be subject  
4 to approval by the Mayor, and each appointment by the Mayor  
5 shall be subject to approval by the Governor and, when so  
6 approved, the Governor and the Mayor shall certify their  
7 respective appointments and approvals to the Secretary of  
8 State. If the Governor or the Mayor does not approve or  
9 disapprove the appointment by the Mayor or the Governor,  
10 respectively, within 15 days after receipt thereof, the person  
11 is appointed. Within 30 ~~thirty~~ days after certification and  
12 approval of his appointment, and before entering upon the  
13 duties of his office, each member of the Board shall take and  
14 subscribe the constitutional oath of office and file it in the  
15 office of the Secretary of State.

16 (b) Beginning February 1, 2026, each board member shall  
17 hold office for a term of 4 years and until the member's  
18 successor has been appointed and has qualified. A vacancy  
19 shall occur upon resignation, death, conviction of a felony,  
20 or removal from office. Any member may be removed from office  
21 (i) upon concurrence vote of 6 of the then-serving board  
22 members, on a formal finding of incompetence, neglect of duty,  
23 or malfeasance in office or (ii) by the Governor in response to  
24 a summary report received from the Executive Inspector General  
25 in accordance with Section 10-50 of the State Officials and  
26 Employees Ethics Act, provided the member has an opportunity

1 to be publicly heard in person or by counsel before removal.  
2 Within 30 days after the office of any member becomes vacant  
3 for any reason, the appointing authorities of the member shall  
4 make an appointment to fill the vacancy. A vacancy shall be  
5 filled for the unexpired term of the member.

6 (Source: P.A. 79-938.)

7 (70 ILCS 3605/22) (from Ch. 111 2/3, par. 322)

8 Sec. 22. As soon as possible after the appointment of the  
9 initial members, the board shall organize for the transaction  
10 of business, select a chairman and a temporary secretary from  
11 its own number, and adopt by-laws, rules and regulations to  
12 govern its proceedings. The initial chairman and successors  
13 shall be elected by the Board from time to time for the term of  
14 his office as a member of the Board or for the term of three  
15 years, whichever is shorter.

16 As soon as possible after the appointment of the members  
17 of the Board on February 1, 2026, the board shall organize for  
18 the transaction of business and select a chairman and a  
19 temporary secretary from its own number. The Board shall fix  
20 the salary of the chairman in addition to his salary as a  
21 member of the Board, which shall not be increased or  
22 diminished during his term of office as chairman. But if the  
23 chairman is engaged in any other business or employment during  
24 his term as chairman, his annual salary shall be not more than  
25 \$25,000.

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

2 (70 ILCS 3605/23) (from Ch. 111 2/3, par. 323)

3 Sec. 23. Regular meetings of the Board shall be held at  
4 least once in each calendar month, the time and place of such  
5 meetings to be fixed by the Board. Until February 1, 2026, 4  
6 ~~Four~~ members of the Board shall constitute a quorum for the  
7 transaction of business and, beginning February 1, 2026, 5  
8 members of the Board shall constitute a quorum. All action of  
9 the Board shall be by ordinance or resolution, and the  
10 affirmative vote of at least 4 ~~four~~ members, prior to February  
11 1, 2026, or at least 5 members, beginning February 1, 2026,  
12 shall be necessary for the adoption of any ordinance or  
13 resolution. All such ordinances and resolutions before taking  
14 effect shall be approved by the chairman of the Board, and if  
15 he shall approve thereof he shall sign the same, and such as he  
16 shall not approve he shall return to the Board with his  
17 objections thereto in writing at the next regular meeting of  
18 the Board occurring after the passage thereof. But in case the  
19 chairman shall fail to return any ordinance or resolution with  
20 his objections thereto by the time aforesaid, he shall be  
21 deemed to have approved the same and it shall take effect  
22 accordingly. Upon the return of any ordinance or resolution by  
23 the chairman with his objections, the vote by which the same  
24 was passed shall be reconsidered by the Board, and if upon such  
25 reconsideration said ordinance or resolution is passed by the

1 affirmative vote of at least 5 ~~five~~ members, prior to February  
2 1, 2026, and at least 6 members, beginning February 1, 2026, it  
3 shall go into effect notwithstanding the veto of the chairman.  
4 All ordinances, resolutions and all proceedings of the  
5 Authority and all documents and records in its possession  
6 shall be public records, and open to public inspection, except  
7 such documents and records as shall be kept or prepared by the  
8 Board for use in negotiations, action or proceedings to which  
9 the Authority is a party.

10 Open meetings of the Board shall be broadcast to the  
11 public and maintained in real-time on the Board's website  
12 using a high-speed Internet connection. Recordings of each  
13 meeting broadcast shall be posted to the Board's website  
14 within a reasonable time after the meeting and shall be  
15 maintained as public records to the extent practicable, as  
16 determined by the Board. Compliance with the provisions of  
17 this amendatory Act of the 98th General Assembly does not  
18 relieve the Board of its obligations under the Open Meetings  
19 Act.

20 (Source: P.A. 98-1139, eff. 6-1-15.)

21 (70 ILCS 3605/28a) (from Ch. 111 2/3, par. 328a)

22 Sec. 28a. (a) The Board may deal with and enter into  
23 written contracts with the employees of the Authority through  
24 accredited representatives of such employees or  
25 representatives of any labor organization authorized to act

1 for such employees, concerning wages, salaries, hours, working  
2 conditions and pension or retirement provisions; provided,  
3 nothing herein shall be construed to permit hours of labor in  
4 excess of those provided by law or to permit working  
5 conditions prohibited by law. In case of dispute over wages,  
6 salaries, hours, working conditions, or pension or retirement  
7 provisions the Board may arbitrate any question or questions  
8 and may agree with such accredited representatives or labor  
9 organization that the decision of a majority of any  
10 arbitration board shall be final, provided each party shall  
11 agree in advance to pay half of the expense of such  
12 arbitration.

13 No contract or agreement shall be made with any labor  
14 organization, association, group or individual for the  
15 employment of members of such organization, association, group  
16 or individual for the construction, improvement, maintenance,  
17 operation or administration of any property, plant or  
18 facilities under the jurisdiction of the Authority, where such  
19 organization, association, group or individual denies on the  
20 ground of race, creed, color, sex, religion, physical or  
21 mental disability unrelated to ability, or national origin  
22 membership and equal opportunities for employment to any  
23 citizen of Illinois.

24 (b)(1) The provisions of this paragraph (b) apply to  
25 collective bargaining agreements (including extensions and  
26 amendments of existing agreements) entered into on or after

1 January 1, 1984.

2 (2) The Board shall deal with and enter into written  
3 contracts with their employees, through accredited  
4 representatives of such employees authorized to act for such  
5 employees concerning wages, salaries, hours, working  
6 conditions, and pension or retirement provisions about which a  
7 collective bargaining agreement has been entered prior to the  
8 effective date of this amendatory Act of 1983. Any such  
9 agreement of the Authority shall provide that the agreement  
10 may be reopened if the amended budget submitted pursuant to  
11 Section 2.18a of the Regional Transportation Authority Act is  
12 not approved by the Board of the Regional Transportation  
13 Authority. The agreement may not include a provision requiring  
14 the payment of wage increases based on changes in the Consumer  
15 Price Index. The Board shall not have the authority to enter  
16 into collective bargaining agreements with respect to inherent  
17 management rights, which include such areas of discretion or  
18 policy as the functions of the employer, standards of  
19 services, its overall budget, the organizational structure and  
20 selection of new employees and direction of personnel.  
21 Employers, however, shall be required to bargain collectively  
22 with regard to policy matters directly affecting wages, hours  
23 and terms and conditions of employment, as well as the impact  
24 thereon upon request by employee representatives. To preserve  
25 the rights of employers and exclusive representatives which  
26 have established collective bargaining relationships or

1 negotiated collective bargaining agreements prior to the  
2 effective date of this amendatory Act of 1983, employers shall  
3 be required to bargain collectively with regard to any matter  
4 concerning wages, hours or conditions of employment about  
5 which they have bargained prior to the effective date of this  
6 amendatory Act of 1983.

7 (3) The collective bargaining agreement may not include a  
8 prohibition on the use of part-time operators on any service  
9 operated by or funded by the Board, except where prohibited by  
10 federal law.

11 (4) Within 30 days of the signing of any such collective  
12 bargaining agreement, the Board shall determine the costs of  
13 each provision of the agreement, prepare an amended budget  
14 incorporating the costs of the agreement, and present the  
15 amended budget to the Board of the Regional Transportation  
16 Authority for its approval under Section 4.11 of the Regional  
17 Transportation Authority Act. The Board of the Regional  
18 Transportation Authority may approve the amended budget by an  
19 affirmative vote of 12 of its then Directors, prior to  
20 February 1, 2026, and by an affirmative vote of at least 14  
21 Directors, beginning February 1, 2026. If the budget is not  
22 approved by the Board of the Regional Transportation  
23 Authority, the agreement may be reopened and its terms may be  
24 renegotiated. Any amended budget which may be prepared  
25 following renegotiation shall be presented to the Board of the  
26 Regional Transportation Authority for its approval in like

1 manner.

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

3 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

4 Sec. 34. Budget and Program. The Authority, subject to the  
5 powers of the Regional Transportation Authority in Section  
6 4.11 of the Regional Transportation Authority Act, shall  
7 control the finances of the Authority. It shall by ordinance  
8 appropriate money to perform the Authority's purposes and  
9 provide for payment of debts and expenses of the Authority.  
10 Each year the Authority shall prepare and publish a  
11 comprehensive annual budget and five-year capital program  
12 document, and a financial plan for the 2 years thereafter  
13 describing the state of the Authority and presenting for the  
14 forthcoming fiscal year and the two following years the  
15 Authority's plans for such operations and capital expenditures  
16 as it intends to undertake and the means by which it intends to  
17 finance them. The proposed budget, financial plan, and  
18 five-year capital program shall be based on the Regional  
19 Transportation Authority's estimate of funds to be made  
20 available to the Authority by or through the Regional  
21 Transportation Authority and shall conform in all respects to  
22 the requirements established by the Regional Transportation  
23 Authority. The proposed budget, financial plan, and five-year  
24 capital program shall contain a statement of the funds  
25 estimated to be on hand at the beginning of the fiscal year,

1 the funds estimated to be received from all sources for such  
2 year and the funds estimated to be on hand at the end of such  
3 year. The proposed budget, financial plan, and five-year  
4 capital program shall be available at no cost for public  
5 inspection at the Authority's main office and at the Regional  
6 Transportation Authority's main office at least 3 weeks prior  
7 to any public hearing. Before the proposed budget, financial  
8 plan, and five-year capital program are submitted to the  
9 Regional Transportation Authority, the Authority shall hold at  
10 least one public hearing thereon in each of the counties in  
11 which the Authority provides service. All Board members of the  
12 Authority shall attend a majority of the public hearings  
13 unless reasonable cause is given for their absence. After the  
14 public hearings, the Board of the Authority shall hold at  
15 least one meeting for consideration of the proposed program  
16 and budget with the Cook County Board. Prior to the capital  
17 program being submitted to the Regional Transportation  
18 Authority, the Authority shall hold at least one meeting for  
19 consideration of the proposed 5-year capital program with  
20 representatives of labor organizations that have a collective  
21 bargaining agreement with the Authority. After conducting such  
22 hearings and holding such meetings and after making such  
23 changes in the proposed budget, financial plan, and five-year  
24 capital program as the Board deems appropriate, it shall adopt  
25 an annual budget ordinance at least by November 15th preceding  
26 the beginning of each fiscal year. The budget, financial plan,

1 and five-year capital program shall then be submitted to the  
2 Regional Transportation Authority as provided in Section 4.11  
3 of the Regional Transportation Authority Act. In the event  
4 that the Board of the Regional Transportation Authority  
5 determines that the budget, financial plan, and five-year  
6 capital program do not meet the standards of said Section  
7 4.11, the Board of the Authority shall make such changes as are  
8 necessary to meet such requirements and adopt an amended  
9 budget ordinance. The amended budget ordinance shall be  
10 resubmitted to the Regional Transportation Authority pursuant  
11 to said Section 4.11. The ordinance shall appropriate such  
12 sums of money as are deemed necessary to defray all necessary  
13 expenses and obligations of the Authority, specifying purposes  
14 and the objects or programs for which appropriations are made  
15 and the amount appropriated for each object or program.  
16 Additional appropriations, transfers between items and other  
17 changes in such ordinance which do not alter the basis upon  
18 which the balanced budget determination was made by the  
19 Regional Transportation Authority may be made from time to  
20 time by the Board.

21 The budget shall:

22 (i) show a balance between (A) anticipated revenues  
23 from all sources including operating subsidies and (B) the  
24 costs of providing the services specified and of funding  
25 any operating deficits or encumbrances incurred in prior  
26 periods, including provision for payment when due of

1 principal and interest on outstanding indebtedness;

2 (ii) show cash balances including the proceeds of any  
3 anticipated cash flow borrowing sufficient to pay with  
4 reasonable promptness all costs and expenses as incurred;

5 (iii) provide for a level of fares or charges and  
6 operating or administrative costs for the public  
7 transportation provided by or subject to the jurisdiction  
8 of the Board sufficient to allow the Board to meet its  
9 required system generated revenue recovery ratio as  
10 determined in accordance with subsection (a) of Section  
11 4.11 of the Regional Transportation Authority Act;

12 (iv) be based upon and employ assumptions and  
13 projections which are reasonable and prudent;

14 (v) have been prepared in accordance with sound  
15 financial practices as determined by the Board of the  
16 Regional Transportation Authority;

17 (vi) meet such other financial, budgetary, or fiscal  
18 requirements that the Board of the Regional Transportation  
19 Authority may by rule or regulation establish; and

20 (vii) be consistent with the goals and objectives  
21 adopted by the Regional Transportation Authority in the  
22 Strategic Plan.

23 The Board shall establish a fiscal operating year. At  
24 least 30 ~~thirty~~ days prior to the beginning of the first full  
25 fiscal year after the creation of the Authority, and annually  
26 thereafter, the Board shall cause to be prepared a tentative

1 budget which shall include all operation and maintenance  
2 expense for the ensuing fiscal year. The tentative budget  
3 shall be considered by the Board and, subject to any revision  
4 and amendments as may be determined, shall be adopted prior to  
5 the first day of the ensuing fiscal year as the budget for that  
6 year. No expenditures for operations and maintenance in excess  
7 of the budget shall be made during any fiscal year except by  
8 the affirmative vote of at least 5 ~~five~~ members of the Board,  
9 prior to February 1, 2026, and by the affirmative vote of at  
10 least 6 members, beginning February 1, 2026. It shall not be  
11 necessary to include in the annual budget any statement of  
12 necessary expenditures for pensions or retirement annuities,  
13 or for interest or principal payments on bonds or  
14 certificates, or for capital outlays, but it shall be the duty  
15 of the Board to make provision for payment of same from  
16 appropriate funds. The Board may not alter its fiscal year  
17 without the prior approval of the Board of the Regional  
18 Transportation Authority.

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

20 (70 ILCS 3605/21 rep.)

21 Section 101. The Metropolitan Transit Authority Act is  
22 amended by repealing Section 21.

23 Section 105. The Regional Transportation Authority Act is  
24 amended by changing Sections 2.01, 2.01a, 2.01b, 2.01c, 2.04,

1 2.05, 2.08, 2.12b, 2.14, 2.18a, 2.30, 2.45, 3.01, 3.03, 3.05,  
2 3A.02, 3A.09, 3A.10, 3A.14, 3B.02, 3B.09, 3B.10, 3B.13, 4.01,  
3 4.03, 4.03.3, 4.04, 4.09, 4.11, 4.13, and 4.14 and by adding  
4 Sections 2.08a, 2.43, and 2.44 as follows:

5 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

6 Sec. 2.01. General Allocation of Responsibility for Public  
7 Transportation.

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

12 (i) adopt plans that implement the public policy of  
13 the State to provide adequate, efficient, geographically  
14 equitable and coordinated public transportation throughout  
15 the metropolitan region;

16 (ii) set goals, objectives, and standards for the  
17 Authority, the Service Boards, and transportation  
18 agencies;

19 (iii) develop performance measures to inform the  
20 public about the extent to which the provision of public  
21 transportation in the metropolitan region meets those  
22 goals, objectives, and standards;

23 (iv) allocate operating and capital funds made  
24 available to support public transportation in the  
25 metropolitan region;

1 (v) provide financial oversight of the Service Boards;  
2 and

3 (vi) coordinate the provision of public transportation  
4 and the investment in public transportation facilities to  
5 enhance the integration of public transportation  
6 throughout the metropolitan region, all as provided in  
7 this Act.

8 The Service Boards shall, on a continuing basis determine  
9 the level, nature and kind of public transportation which  
10 should be provided for the metropolitan region in order to  
11 meet the plans, goals, objectives, and standards adopted by  
12 the Authority. The Service Boards may provide public  
13 transportation by purchasing such service from transportation  
14 agencies through purchase of service agreements, by grants to  
15 such agencies or by operating such service, all pursuant to  
16 this Act and the "Metropolitan Transit Authority Act", as now  
17 or hereafter amended. Certain of its actions to implement the  
18 responsibilities allocated to the Authority in this subsection  
19 (a) shall be taken in 3 public documents adopted by the  
20 affirmative vote of at least 12 of its then Directors, prior to  
21 February 1, 2026, and by the affirmative vote of at least 14 of  
22 its then Directors, beginning February 1, 2026: A Strategic  
23 Plan; a Five-Year Capital Program; and an Annual Budget and  
24 Two-Year Financial Plan.

25 (b) The Authority shall subject the operating and capital  
26 plans and expenditures of the Service Boards in the

1 metropolitan region with regard to public transportation to  
2 continuing review so that the Authority may budget and expend  
3 its funds with maximum effectiveness and efficiency. The  
4 Authority shall conduct audits of each of the Service Boards  
5 no less than every 5 years. Such audits may include  
6 management, performance, financial, and infrastructure  
7 condition audits. The Authority may conduct management,  
8 performance, financial, and infrastructure condition audits of  
9 transportation agencies that receive funds from the Authority.  
10 The Authority may direct a Service Board to conduct any such  
11 audit of a transportation agency that receives funds from such  
12 Service Board, and the Service Board shall comply with such  
13 request to the extent it has the right to do so. These audits  
14 of the Service Boards or transportation agencies may be  
15 project or service specific audits to evaluate their  
16 achievement of the goals and objectives of that project or  
17 service and their compliance with any applicable requirements.  
18 (Source: P.A. 98-1027, eff. 1-1-15.)

19 (70 ILCS 3615/2.01a)

20 Sec. 2.01a. Strategic Plan.

21 (a) By the affirmative vote of at least 12 of its then  
22 Directors, prior to February 1, 2026, and by the affirmative  
23 vote of at least 14 Directors, beginning February 1, 2026, the  
24 Authority shall adopt a Strategic Plan, no less than every 5  
25 years, after consultation with the Service Boards and after

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

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

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

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

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

26 (iv) improvements in public transportation facilities

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

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

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

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

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

23 (c) The Strategic Plan shall establish the process and  
24 criteria by which proposals for capital improvements by a  
25 Service Board or a transportation agency will be evaluated by  
26 the Authority for inclusion in the Five-Year Capital Program,

1 which may include criteria for:

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

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

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

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

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

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

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

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

24 (ii) ridership data;

25 (iii) equipment failure rates;

26 (iv) employee and customer safety; and

1 (v) customer satisfaction.

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

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

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

1 capital purposes and issuance of debt, the availability of  
2 working capital, and the resources needed to achieve the goals  
3 and objectives described in the Strategic Plan.

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

19 (h) The Authority may adopt, by the affirmative vote of at  
20 least 12 of its then Directors, prior to February 1, 2026, and  
21 by the affirmative vote of at least 14 of its then Directors,  
22 beginning February 1, 2026, sub-regional or corridor plans for  
23 specific geographic areas of the metropolitan region in order  
24 to improve the adequacy, efficiency, geographic equity and  
25 coordination of existing, or the delivery of new, public  
26 transportation. Such plans may also address areas outside the

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

10 (i) If the Authority determines, by the affirmative vote  
11 of at least 12 of its then Directors, prior to February 1,  
12 2026, and by the affirmative vote of at least 14 of its then  
13 Directors, beginning February 1, 2026, that, with respect to  
14 any proposed new public transportation service or facility,  
15 (i) multiple Service Boards or transportation agencies are  
16 potential service providers and (ii) the public transportation  
17 facilities to be constructed or purchased to provide that  
18 service have an expected construction cost of more than  
19 \$25,000,000, the Authority shall have sole responsibility for  
20 conducting any alternatives analysis and preliminary  
21 environmental assessment required by federal or State law.  
22 Nothing in this subparagraph (i) shall prohibit a Service  
23 Board from undertaking alternatives analysis and preliminary  
24 environmental assessment for any public transportation service  
25 or facility identified in items (i) and (ii) above that is  
26 included in the Five-Year Capital Program as of the effective

1 date of this amendatory Act of the 95th General Assembly;  
2 however, any expenditure related to any such public  
3 transportation service or facility must be included in a  
4 Five-Year Capital Program under the requirements of Sections  
5 2.01b and 4.02 of this Act.

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

7 (70 ILCS 3615/2.01b)

8 Sec. 2.01b. The Five-Year Capital Program. By the  
9 affirmative vote of at least 12 of its then Directors, prior to  
10 February 1, 2026, and by the affirmative vote of at least 14 of  
11 its then Directors, beginning February 1, 2026, the Authority,  
12 after consultation with the Service Boards and after holding a  
13 minimum of 3 public hearings in Cook County and one public  
14 hearing in each of the other counties in the metropolitan  
15 region, shall each year adopt a Five-Year Capital Program that  
16 shall include each capital improvement to be undertaken by or  
17 on behalf of a Service Board provided that the Authority finds  
18 that the improvement meets any criteria for capital  
19 improvements contained in the Strategic Plan, is not  
20 inconsistent with any sub-regional or corridor plan adopted by  
21 the Authority, and can be funded within amounts available with  
22 respect to the capital and operating costs of such  
23 improvement. In reviewing proposals for improvements to be  
24 included in a Five-Year Capital Program, the Authority may  
25 give priority to improvements that are intended to bring

1 public transportation facilities into a state of good repair.  
2 The Five-Year Capital Program shall also identify capital  
3 improvements to be undertaken by a Service Board, a  
4 transportation agency, or a unit of local government and  
5 funded by the Authority from amounts in the Innovation,  
6 Coordination, and Enhancement Fund, provided that no  
7 improvement that is included in the Five-Year Capital Program  
8 as of the effective date of this amendatory Act of the 95th  
9 General Assembly may receive funding from the Innovation,  
10 Coordination, and Enhancement Fund. Before adopting a  
11 Five-Year Capital Program, the Authority shall consult with  
12 the Chicago Metropolitan Agency for Planning regarding the  
13 consistency of the Five-Year Capital Program with the Regional  
14 Comprehensive Plan adopted pursuant to the Regional Planning  
15 Act.

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

17 (70 ILCS 3615/2.01c)

18 Sec. 2.01c. Innovation, Coordination, and Enhancement  
19 Fund.

20 (a) The Authority shall establish an Innovation,  
21 Coordination, and Enhancement Fund and deposit into the Fund  
22 an amount equal to \$10,000,000 in 2008, and, each year  
23 thereafter, an amount equal to the amount deposited in the  
24 previous year increased or decreased by the percentage growth  
25 or decline in revenues received by the Authority from taxes

1 imposed under Section 4.03 in the previous year. Amounts on  
2 deposit in such Fund and interest and other earnings on those  
3 amounts may be used by the Authority, upon the affirmative  
4 vote of 12 of its then Directors, prior to February 1, 2026,  
5 and by the affirmative vote of at least 14 of its then  
6 Directors beginning February 1, 2026, and after a public  
7 participation process, for operating or capital grants or  
8 loans to Service Boards, transportation agencies, or units of  
9 local government that advance the goals and objectives  
10 identified by the Authority in its Strategic Plan, provided  
11 that no improvement that has been included in a Five-Year  
12 Capital Program as of the effective date of this amendatory  
13 Act of the 95th General Assembly may receive any funding from  
14 the Innovation, Coordination, and Enhancement Fund. Unless the  
15 Board has determined, by a vote of 12 of its then Directors,  
16 prior to February 1, 2026, and by the affirmative vote of at  
17 least 14 of its then Directors beginning February 1, 2026,  
18 that an emergency exists requiring the use of some or all of  
19 the funds then in the Innovation, Coordination, and  
20 Enhancement Fund, such funds may only be used to enhance the  
21 coordination and integration of public transportation and  
22 develop and implement innovations to improve the quality and  
23 delivery of public transportation.

24 (b) Any grantee that receives funds from the Innovation,  
25 Coordination, and Enhancement Fund for the operation of  
26 eligible programs must (i) implement such programs within one

1 year of receipt of such funds and (ii) within 2 years following  
2 commencement of any program utilizing such funds, determine  
3 whether it is desirable to continue the program, and upon such  
4 a determination, either incorporate such program into its  
5 annual operating budget and capital program or discontinue  
6 such program. No additional funds from the Innovation,  
7 Coordination, and Enhancement Fund may be distributed to a  
8 grantee for any individual program beyond 2 years unless the  
9 Authority, by the affirmative vote of at least 12 of its then  
10 Directors, prior to February 1, 2026, and by the affirmative  
11 vote of at least 14 of its then Directors, beginning February  
12 1, 2026, waives this limitation. Any such waiver will be with  
13 regard to an individual program and with regard to a one-year  
14 period ~~one-year period~~, and any further waivers for such  
15 individual program require a subsequent vote of the Board.

16 (Source: P.A. 97-399, eff. 8-16-11.)

17 (70 ILCS 3615/2.04) (from Ch. 111 2/3, par. 702.04)

18 Sec. 2.04. Fares and Nature of Service.

19 (a) Whenever a Service Board provides any public  
20 transportation by operating public transportation facilities,  
21 the Service Board shall provide for the level and nature of  
22 fares or charges to be made for such services, and the nature  
23 and standards of public transportation to be so provided that  
24 meet the goals and objectives adopted by the Authority in the  
25 Strategic Plan. Provided, however that if the Board adopts a

1 budget and financial plan for a Service Board in accordance  
2 with the provisions in Section 4.11(b)(5), the Board may  
3 consistent with the terms of any purchase of service contract  
4 provide for the level and nature of fares to be made for such  
5 services under the jurisdiction of that Service Board, and the  
6 nature and standards of public transportation to be so  
7 provided.

8 (b) Whenever a Service Board provides any public  
9 transportation pursuant to grants made after June 30, 1975, to  
10 transportation agencies for operating expenses (other than  
11 with regard to experimental programs) or pursuant to any  
12 purchase of service agreement, the purchase of service  
13 agreement or grant contract shall provide for the level and  
14 nature of fares or charges to be made for such services, and  
15 the nature and standards of public transportation to be so  
16 provided. A Service Board shall require all transportation  
17 agencies with which it contracts, or from which it purchases  
18 transportation services or to which it makes grants to provide  
19 half fare transportation for their student riders if any of  
20 such agencies provide for half fare transportation to their  
21 student riders.

22 (c) In so providing for the fares or charges and the nature  
23 and standards of public transportation, any purchase of  
24 service agreements or grant contracts shall provide, among  
25 other matters, for the terms or cost of transfers or  
26 interconnections between different modes of transportation and

1 different public transportation agencies, schedules or routes  
2 of such service, changes which may be made in such service, the  
3 nature and condition of the facilities used in providing  
4 service, the manner of collection and disposition of fares or  
5 charges, the records and reports to be kept and made  
6 concerning such service, for interchangeable tickets or other  
7 coordinated or uniform methods of collection of charges, and  
8 shall further require that the transportation agency comply  
9 with any determination made by the Board of the Authority  
10 under and subject to the provisions of Section 2.12b of this  
11 Act. In regard to any such service, the Authority and the  
12 Service Boards shall give attention to and may undertake  
13 programs to promote use of public transportation and to  
14 provide coordinated ticket sales and passenger information. In  
15 the case of a grant to a transportation agency which remains  
16 subject to Illinois Commerce Commission supervision and  
17 regulation, the Service Boards shall exercise the powers set  
18 forth in this Section in a manner consistent with such  
19 supervision and regulation by the Illinois Commerce  
20 Commission.

21 (d) By January 1, 2013, the Authority, in consultation  
22 with the Service Boards and the general public, must develop a  
23 policy regarding transfer fares on all fixed-route public  
24 transportation services provided by the Service Boards. The  
25 policy shall also set forth the fare sharing agreements  
26 between the Service Boards that apply to interagency fare

1 passes and tickets. The policy established by the Authority  
2 shall be submitted to each of the Service Boards for its  
3 approval or comments and objection. After receiving the  
4 policy, the Service Boards have 90 days to approve or take  
5 other action regarding the policy. If all of the Service  
6 Boards agree to the policy, then a regional agreement shall be  
7 created and signed by each of the Service Boards. The terms of  
8 the agreement may be changed upon petition by any of the  
9 Service Boards and by agreement of the other Service Boards.

10 (e) By January 1, 2015, the Authority must develop and  
11 implement a regional fare payment system. The regional fare  
12 payment system must use and conform with established  
13 information security industry standards and requirements of  
14 the financial industry. The system must allow consumers to use  
15 contactless credit cards, debit cards, and prepaid cards to  
16 pay for all fixed-route public transportation services.  
17 Beginning in 2012 and each year thereafter until 2015, the  
18 Authority must submit an annual report to the Governor and  
19 General Assembly describing the progress of the Authority and  
20 each of the Service Boards in implementing the regional fare  
21 payment system. The Authority must adopt rules to implement  
22 the requirements set forth in this Section.

23 (f) Beginning July 1, 2026, the Authority shall be the  
24 sole agency responsible for the management and oversight of  
25 the fare collection systems used on all public transportation  
26 provided by the Service Boards. In that capacity, the

1 Authority shall develop and implement a regionally coordinated  
2 and consolidated fare collection system to go into effect by  
3 July 1, 2027. The Authority must develop and make available  
4 for use by riders a universal fare instrument that may be used  
5 interchangeably on all public transportation funded by the  
6 Authority. The Authority and Service Boards must adopt rules  
7 to implement the requirement set forth in this Section.

8 The Service Boards shall retain their own authority to set  
9 fare rates under Sections 3A.10 and 3B.10 of this Act and  
10 Section 30 of the Metropolitan Transit Authority Act. Any  
11 change to fares proposed by a Service Board must be submitted  
12 to the Authority for the Authority's consideration. The  
13 Authority may disapprove of any proposed fare rate changes by  
14 the Service Boards in whole or may propose a different fare  
15 rate, within 30 days after the fare rate change was proposed by  
16 an affirmative vote of at least 14 members of the Board.

17 Beginning January 1, 2026, at least once every 2 years,  
18 the Authority shall assess the need to make fare adjustments  
19 for public transportation provided by all Service Boards in  
20 light of inflation, budgetary needs, and other relevant policy  
21 considerations. The Authority shall perform the first  
22 assessment beginning March 1, 2026. The Board shall submit  
23 proposed fare changes to each Service Board for the Service  
24 Board's consideration. The Service Boards shall adopt or  
25 disapprove of any proposed fare rate changes within 30 days  
26 after the Authority submitted the proposal by a simple

1 majority vote of each Service Board.

2 (g) By July 1, 2026, the Authority shall implement:

3 (1) an income-based reduced fare program; and

4 (2) fare-capping for individual services and across  
5 public transportation service providers. Fare-capping  
6 means the action of no longer charging a rider for any  
7 additional fares for the duration of a daily, weekly,  
8 monthly, or 30-day pass once the rider has purchased  
9 enough regular one-way fares to reach the cost of the  
10 applicable pass.

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

16 (Source: P.A. 97-85, eff. 7-7-11.)

17 (70 ILCS 3615/2.05) (from Ch. 111 2/3, par. 702.05)

18 Sec. 2.05. Centralized Services; Acquisition and  
19 Construction.

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

24 (b) The Authority may at the request of two or more Service  
25 Boards perform other centralized services such as ridership

1 information and transfers between services under the  
2 jurisdiction of the Service Boards where such centralized  
3 services financially benefit the region as a whole. Provided,  
4 however, that the Board may require transfers only upon an  
5 affirmative vote of 12 of its then Directors, prior to  
6 February 1, 2026, and by the affirmative vote of at least 14 of  
7 its then Directors, beginning February 1, 2026.

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

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

24 (d) The Authority shall, after consulting with the Service  
25 Boards, develop regionally coordinated and consolidated sales,  
26 marketing, advertising, and public information programs that

1 promote the use and coordination of, and transfers among,  
2 public transportation services in the metropolitan region. The  
3 Authority shall develop and adopt, with the affirmative vote  
4 of at least 12 of its then Directors, prior to February 1,  
5 2026, and with the affirmative vote of at least 14 of its then  
6 Directors, beginning February 1, 2026, rules and regulations  
7 for the Authority and the Service Boards regarding such  
8 programs to ensure that the Service Boards' independent  
9 programs conform with the Authority's regional programs.

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

11 (70 ILCS 3615/2.08) (from Ch. 111 2/3, par. 702.08)

12 Sec. 2.08. Protection Against Crime. The Authority shall  
13 cooperate with the various State, municipal, sheriff's and  
14 transportation agency police forces in the metropolitan region  
15 for the protection of employees and consumers of public  
16 transportation services and public transportation facilities  
17 against crime. By July 1, 2026, the ~~The~~ Authority shall  
18 establish ~~may provide by ordinance for~~ an Authority police  
19 force to aid, coordinate, and supplement other police forces  
20 in protecting persons and property and reducing the threats of  
21 crime with regard to public transportation provided by all  
22 Service Boards. The Authority police force shall have the  
23 authority to police its transit property, vehicles, and  
24 stations along all routes of the 3 Service Boards, carry out  
25 investigations, and make arrests. Such police shall have the

1 same powers with regard to such protection of persons and  
2 property as those exercised by police of municipalities and  
3 may include members of other police forces in the metropolitan  
4 region. The Authority shall establish minimum standards for  
5 selection and training of members of such police force  
6 employed by it. Training shall be accomplished at schools  
7 certified by the Illinois Law Enforcement Training Standards  
8 Board established pursuant to the Illinois Police Training  
9 Act. Such training shall be subject to the rules and standards  
10 adopted pursuant to Section 7 of that Act. The Authority may  
11 participate in any training program conducted under that Act.  
12 The Authority may provide for the coordination or  
13 consolidation of security services and police forces  
14 maintained with regard to public transportation services and  
15 facilities by various transportation agencies and may contract  
16 with any municipality or county in the metropolitan region to  
17 provide protection of persons or property with regard to  
18 public transportation. The Authority police force shall work  
19 in tandem with the Metra police force, supplementing their  
20 services as needed. Employees of the Authority or of any  
21 transportation agency affected by any action of the Authority  
22 under this Section shall be provided the protection set forth  
23 in Section 2.16. Neither the Authority, the Suburban Bus  
24 Division, the Commuter Rail Division, nor any of their  
25 Directors, officers or employees shall be held liable for  
26 failure to provide a security or police force or, if a security

1 or police force is provided, for failure to provide adequate  
2 police protection or security, failure to prevent the  
3 commission of crimes by fellow passengers or other third  
4 persons or for the failure to apprehend criminals.

5 The Authority shall provide regular reports to the  
6 Governor and General Assembly on progress made in implementing  
7 the changes made by this amendatory Act of the 104th General  
8 Assembly under this Section as outlined under Section 2.44.  
9 These reports shall include the organizational structure of  
10 the police force, number of officers, detectives, and other  
11 staff employed, future employment plans, coordination and  
12 partnerships with existing police forces, training  
13 accomplishments, technology advancements, and a summary of  
14 data on number of incidents of crime and code of conduct  
15 violations on the system and other performance measures used  
16 to evaluate the effectiveness of the police force.

17 (Source: P.A. 91-357, eff. 7-29-99.)

18 (70 ILCS 3615/2.08a new)

19 Sec. 2.08a. Transit Ambassador Program.

20 (a) By July 1, 2026, 2 separate Transit Ambassador  
21 Programs shall be implemented to cover services provided by  
22 the Chicago Transit Authority and the Suburban Bus Division.  
23 The Chicago Transit Authority and the Suburban Bus Division  
24 shall each implement a Transit Ambassador Program, comprised  
25 of employees of each respective Service Board.

1       (b) The purpose of the Transit Ambassador Programs shall  
2 be to ensure the safety of transit system passengers and  
3 personnel, provide assistance to passengers, and promote  
4 compliance with system rules and governing laws.

5       (c) The Service Boards that have Transit Ambassador  
6 Programs shall bargain with the unions with which it has  
7 collective bargaining relationships to determine the initial  
8 unit placement, hours, duties, qualifications, training,  
9 compensation, and benefits of any positions created or  
10 modified through or because of the Transit Ambassador Program.

11 Such duties may include:

12           (1) monitoring passenger activity and compliance with  
13 laws and rules;

14           (2) inspecting passenger fares;

15           (3) providing navigational and other passenger  
16 assistance; and

17           (4) liaising with law enforcement and social services  
18 to address unsafe conditions, violations of rules,  
19 regulations, and laws by passengers and to connect persons  
20 with relevant social, medical, and other services.

21       (d) Employees hired to perform Transit Ambassador duties  
22 shall be full-time employees of the Service Board establishing  
23 the program.

24       (e) Those employed by the Chicago Transit Authority as  
25 Customer Service Assistants shall be offered the positions  
26 established pursuant to the Chicago Transit Authority Transit

1 Ambassador Program prior to hiring any other personnel for the  
2 positions.

3 (70 ILCS 3615/2.12b)

4 Sec. 2.12b. Coordination of Fares and Service. Upon the  
5 request of a Service Board, the Executive Director of the  
6 Authority may, upon the affirmative vote of 9 of the then  
7 Directors of the Authority, prior to February 1, 2026, and by  
8 the affirmative vote of at least 11 of its then Directors,  
9 beginning February 1, 2026, intervene in any matter involving  
10 (i) a dispute between Service Boards or a Service Board and a  
11 transportation agency providing service on behalf of a Service  
12 Board with respect to the terms of transfer between, and the  
13 allocation of revenues from fares and charges for,  
14 transportation services provided by the parties or (ii) a  
15 dispute between 2 Service Boards with respect to coordination  
16 of service, route duplication, or a change in service. Any  
17 Service Board or transportation agency involved in such  
18 dispute shall meet with the Executive Director, cooperate in  
19 good faith to attempt to resolve the dispute, and provide any  
20 books, records, and other information requested by the  
21 Executive Director. If the Executive Director is unable to  
22 mediate a resolution of any dispute, he or she may provide a  
23 written determination recommending a change in the fares or  
24 charges or the allocation of revenues for such service or  
25 directing a change in the nature or provider of service that is

1 the subject of the dispute. The Executive Director shall base  
2 such determination upon the goals and objectives of the  
3 Strategic Plan established pursuant to Section 2.01a(b). Such  
4 determination shall be presented to the Board of the Authority  
5 and, if approved, by the affirmative vote of at least 9 of the  
6 then Directors of the Authority, prior to February 1, 2026,  
7 and by the affirmative vote of at least 11 of its then  
8 Directors, beginning February 1, 2026, shall be final and  
9 shall be implemented by any affected Service Board and  
10 transportation agency within the time frame required by the  
11 determination.

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

13 (70 ILCS 3615/2.14) (from Ch. 111 2/3, par. 702.14)

14 Sec. 2.14. Appointment of Officers and Employees. The  
15 Authority may appoint, retain and employ officers, attorneys,  
16 agents, engineers and employees. The officers shall include an  
17 Executive Director, who shall be the chief executive officer  
18 of the Authority, appointed by the Chairman with the  
19 concurrence of 11 of the other then Directors of the Board,  
20 prior to February 1, 2026, and by the concurrence of at least  
21 13 Directors, beginning February 1, 2026. The Executive  
22 Director shall organize the staff of the Authority, shall  
23 allocate their functions and duties, shall transfer such staff  
24 to the Suburban Bus Division and the Commuter Rail Division as  
25 is sufficient to meet their purposes, shall fix compensation

1 and conditions of employment of the staff of the Authority,  
2 and consistent with the policies of and direction from the  
3 Board, take all actions necessary to achieve its purposes,  
4 fulfill its responsibilities and carry out its powers, and  
5 shall have such other powers and responsibilities as the Board  
6 shall determine. The Executive Director must be an individual  
7 of proven transportation and management skills and may not be  
8 a member of the Board. The Authority may employ its own  
9 professional management personnel to provide professional and  
10 technical expertise concerning its purposes and powers and to  
11 assist it in assessing the performance of the Service Boards  
12 in the metropolitan region.

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

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

25 The Authority shall be subject to the "Illinois Human  
26 Rights Act", as now or hereafter amended, and the remedies and

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

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

11 (70 ILCS 3615/2.18a) (from Ch. 111 2/3, par. 702.18a)

12 Sec. 2.18a. (a) The provisions of this Section apply to  
13 collective bargaining agreements (including extensions and  
14 amendments to existing agreements) between Service Boards or  
15 transportation agencies subject to the jurisdiction of Service  
16 Boards and their employees, which are entered into after  
17 January 1, 1984.

18 (b) The Authority shall approve amended budgets prepared  
19 by Service Boards which incorporate the costs of collective  
20 bargaining agreements between Service Boards and their  
21 employees. The Authority shall approve such an amended budget  
22 provided that it determines, by the affirmative vote of 12 of  
23 its then members, prior to February 1, 2026, and by the  
24 affirmative vote of at least 14 of its then members, beginning  
25 February 1, 2026, that the amended budget meets the standards

1 established in Section 4.11.

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

3 (70 ILCS 3615/2.30)

4 Sec. 2.30. Paratransit services.

5 (a) For purposes of this Act, "ADA paratransit services"  
6 shall mean those comparable or specialized transportation  
7 services provided by, or under grant or purchase of service  
8 contracts of, the Service Boards to individuals with  
9 disabilities who are unable to use fixed-route ~~fixed-route~~  
10 transportation systems and who are determined to be eligible,  
11 for some or all of their trips, for such services under the  
12 Americans with Disabilities Act of 1990 and its implementing  
13 regulations.

14 (b) Beginning July 1, 2005, the Authority is responsible  
15 for the funding, from amounts on deposit in the ADA  
16 Paratransit Fund established under Section 2.01d of this Act,  
17 financial review and oversight of all ADA paratransit services  
18 that are provided by the Authority or by any of the Service  
19 Boards. The Suburban Bus Board shall operate or provide for  
20 the operation of all ADA paratransit services by no later than  
21 July 1, 2006, except that this date may be extended to the  
22 extent necessary to obtain approval from the Federal Transit  
23 Administration of the plan prepared pursuant to subsection  
24 (c).

25 (c) No later than January 1, 2006, the Authority, in

1 collaboration with the Suburban Bus Board and the Chicago  
2 Transit Authority, shall develop a plan for the provision of  
3 ADA paratransit services and submit such plan to the Federal  
4 Transit Administration for approval. Approval of such plan by  
5 the Authority shall require the affirmative votes of 12 of the  
6 then Directors, prior to February 1, 2026, and the affirmative  
7 votes of at least 14 of its then Directors, beginning February  
8 1, 2026. The Suburban Bus Board, the Chicago Transit Authority  
9 and the Authority shall comply with the requirements of the  
10 Americans with Disabilities Act of 1990 and its implementing  
11 regulations in developing and approving such plan including,  
12 without limitation, consulting with individuals with  
13 disabilities and groups representing them in the community,  
14 and providing adequate opportunity for public comment and  
15 public hearings. The plan shall include the contents required  
16 for a paratransit plan pursuant to the Americans with  
17 Disabilities Act of 1990 and its implementing regulations. The  
18 plan shall also include, without limitation, provisions to:

19 (1) maintain, at a minimum, the levels of ADA  
20 paratransit service that are required to be provided by  
21 the Service Boards pursuant to the Americans with  
22 Disabilities Act of 1990 and its implementing regulations;

23 (2) transfer the appropriate ADA paratransit services,  
24 management, personnel, service contracts and assets from  
25 the Chicago Transit Authority to the Authority or the  
26 Suburban Bus Board, as necessary, by no later than July 1,

1           2006, except that this date may be extended to the extent  
2           necessary to obtain approval from the Federal Transit  
3           Administration of the plan prepared pursuant to this  
4           subsection (c);

5           (3) provide for consistent policies throughout the  
6           metropolitan region for scheduling of ADA paratransit  
7           service trips to and from destinations, with consideration  
8           of scheduling of return trips on a "will-call" open-ended  
9           basis upon request of the rider, if practicable, and with  
10          consideration of an increased number of trips available by  
11          subscription service than are available as of the  
12          effective date of this amendatory Act;

13          (4) provide that service contracts and rates, entered  
14          into or set after the approval by the Federal Transit  
15          Administration of the plan prepared pursuant to subsection  
16          (c) of this Section, with private carriers and taxicabs  
17          for ADA paratransit service are procured by means of an  
18          open procurement process;

19          (5) provide for fares, fare collection and billing  
20          procedures for ADA paratransit services throughout the  
21          metropolitan region;

22          (6) provide for performance standards for all ADA  
23          paratransit service transportation carriers, with  
24          consideration of door-to-door service;

25          (7) provide, in cooperation with the Illinois  
26          Department of Transportation, the Illinois Department of

1 Public Aid and other appropriate public agencies and  
2 private entities, for the application and receipt of  
3 grants, including, without limitation, reimbursement from  
4 Medicaid or other programs for ADA paratransit services;

5 (8) provide for a system of dispatch of ADA  
6 paratransit services transportation carriers throughout  
7 the metropolitan region, with consideration of  
8 county-based dispatch systems already in place as of the  
9 effective date of this amendatory Act;

10 (9) provide for a process of determining eligibility  
11 for ADA paratransit services that complies with the  
12 Americans with Disabilities Act of 1990 and its  
13 implementing regulations;

14 (10) provide for consideration of innovative methods  
15 to provide and fund ADA paratransit services; and

16 (11) provide for the creation of one or more ADA  
17 advisory boards, or the reconstitution of the existing ADA  
18 advisory boards for the Service Boards, to represent the  
19 diversity of individuals with disabilities in the  
20 metropolitan region and to provide appropriate ongoing  
21 input from individuals with disabilities into the  
22 operation of ADA paratransit services.

23 (d) All revisions and annual updates to the ADA  
24 paratransit services plan developed pursuant to subsection (c)  
25 of this Section, or certifications of continued compliance in  
26 lieu of plan updates, that are required to be provided to the

1 Federal Transit Administration shall be developed by the  
2 Authority, in collaboration with the Suburban Bus Board and  
3 the Chicago Transit Authority, and the Authority shall submit  
4 such revision, update or certification to the Federal Transit  
5 Administration for approval. Approval of such revisions,  
6 updates or certifications by the Authority shall require the  
7 affirmative votes of 12 of the then Directors, prior to  
8 February 1, 2026, and the affirmative votes of at least 14 of  
9 the then Directors, beginning February 1, 2026.

10 (e) The Illinois Department of Transportation, the  
11 Illinois Department of Public Aid, the Authority, the Suburban  
12 Bus Board and the Chicago Transit Authority shall enter into  
13 intergovernmental agreements as may be necessary to provide  
14 funding and accountability for, and implementation of, the  
15 requirements of this Section.

16 (f) By no later than April 1, 2007, the Authority shall  
17 develop and submit to the General Assembly and the Governor a  
18 funding plan for ADA paratransit services. Approval of such  
19 plan by the Authority shall require the affirmative votes of  
20 12 of the then Directors, prior to February 1, 2026, and by the  
21 affirmative vote of at least 14 of its then Directors,  
22 beginning February 1, 2026. The funding plan shall, at a  
23 minimum, contain an analysis of the current costs of providing  
24 ADA paratransit services, projections of the long-term costs  
25 of providing ADA paratransit services, identification of and  
26 recommendations for possible cost efficiencies in providing

1 ADA paratransit services, and identification of and  
2 recommendations for possible funding sources for providing ADA  
3 paratransit services. The Illinois Department of  
4 Transportation, the Illinois Department of Public Aid, the  
5 Suburban Bus Board, the Chicago Transit Authority and other  
6 State and local public agencies as appropriate shall cooperate  
7 with the Authority in the preparation of such funding plan.

8 (g) Any funds derived from the federal Medicaid program  
9 for reimbursement of the costs of providing ADA paratransit  
10 services within the metropolitan region shall be directed to  
11 the Authority and shall be used to pay for or reimburse the  
12 costs of providing such services.

13 (h) Nothing in this amendatory Act shall be construed to  
14 conflict with the requirements of the Americans with  
15 Disabilities Act of 1990 and its implementing regulations.

16 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)

17 (70 ILCS 3615/2.43 new)

18 Sec. 2.43. Comprehensive metropolitan region transit plan.

19 (a) By July 1, 2027, the Authority shall complete a plan  
20 for the purpose of evaluating the metropolitan region's  
21 existing public transportation funding and policy processes  
22 and developing alternative solutions. The Authority shall  
23 evaluate and consider the following topics and produce a final  
24 report of the data, findings, and recommendations to the  
25 General Assembly that:

1           (1) evaluates the existing governance of the  
2 metropolitan region's public transportation system,  
3 including roles and responsibilities for each of the  
4 Service Boards, the Authority, and the State;

5           (2) evaluates functions performed by the Authority and  
6 each of the Service Boards that may be considered for  
7 consolidation to be performed under the Authority,  
8 including, but not limited to, procurement and purchasing,  
9 accounting, grant management, communications, labor  
10 relations, and human resources;

11           (3) evaluates existing planning processes, including  
12 strategic plans, capital programming, and budgeting  
13 performed by the Authority and each Service Board and  
14 considers the implementation of a streamlined planning  
15 process under the Authority;

16           (4) evaluates existing funding formulas for each of  
17 the Service Boards and the Authority and considers  
18 alternate funding distribution processes to be managed by  
19 the Authority;

20           (5) evaluates existing coordination processes used  
21 between the Service Boards regarding service routes and  
22 connection between different services and considers the  
23 development and implementation of a new, streamlined  
24 approach to improve service connections;

25           (6) evaluates existing last-mile service options  
26 through the service territory and considers the addition

1 of region-wide services; and

2 (7) outlines a feasible consolidation process for  
3 functions evaluated in this Section.

4 (b) By April 1, 2026, the Authority shall enter into a  
5 contract with a third party to assist the Authority in  
6 producing a document that evaluates the topics described in  
7 this Section and outlines formal recommendations that can be  
8 acted upon by the General Assembly. The Authority shall  
9 prepare a summary of its activities and produce a final report  
10 of the data, findings, and recommendations for the General  
11 Assembly by July 1, 2027. The final report shall include  
12 specific, actionable recommendations for legislation and  
13 organizational adjustments.

14 (c) Throughout the development of the study, the Authority  
15 and the third party performing the study shall coordinate with  
16 labor organizations whose members are employed by the  
17 Authority or the Service Boards. The Authority and third party  
18 shall conduct, at a minimum, 2 meetings with these labor  
19 organizations, with one occurring during the development and  
20 fact-finding stage of the study and one occurring after the  
21 completion of a draft but before the draft's consideration by  
22 the Board.

23 (d) The Service Boards shall work closely with the  
24 Authority and provide all relevant data and information  
25 necessary to complete this plan. The Authority shall have  
26 access to and the right to examine and copy all books,

1 documents, papers, record or other source data of a Service  
2 Board relevant to any information submitted pursuant to this  
3 Section.

4 (e) This plan shall maintain the 3 Service Boards and  
5 separate Authority and in no way shall consider consolidation  
6 into one public transportation organization.

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

11 (70 ILCS 3615/2.44 new)

12 Sec. 2.44. Authority and Service Board accountability. To  
13 ensure the changes made by this amendatory Act of the 104th  
14 General Assembly are actively pursued and implemented in a  
15 timely manner, the following accountability measures shall  
16 apply to the Authority and Service Boards:

17 (1) In fiscal year 2026 and each fiscal year  
18 thereafter, the Authority shall submit 2 reports to the  
19 Governor and General Assembly reporting progress made on  
20 reforms adopted under Sections 2.04, 2.08, 2.08a, 2.43,  
21 3A.10, 3B.10, 4.01, and 4.09 of this Act. The reports  
22 shall be submitted by September 15 and March 15 of each  
23 year, beginning on September 15, 2025.

24 (2) The Service Boards shall work closely with the  
25 Authority and provide all relevant data and information

1       necessary to implement the changes made by this amendatory  
2       Act of the 104th General Assembly.

3               (A) In fiscal year 2026 and each fiscal year  
4               thereafter, the Service Boards shall submit quarterly  
5               reports to the Authority reporting or progress made  
6               under Sections 2.04, 2.08, 2.08a, 2.43, 3A.10, 3B.10,  
7               4.01, and 4.09 of this Act. The reports shall be  
8               submitted by January 31, April 30, July 31, and  
9               October 31 of each year, beginning on October 31,  
10              2025.

11              (B) If the Executive Director certifies that a  
12              Service Board has not submitted data or documents as  
13              requested by the Authority or has not been willing to  
14              actively communicate and coordinate as requested by  
15              the Authority concerning changes to Sections 2.04,  
16              2.08, 2.08a, 2.43, 2.44, 3A.10, 3B.10, 4.01, and 4.09  
17              of this Act by this amendatory Act of the 104th General  
18              Assembly and if that certification is accepted by the  
19              affirmative vote of at least 14 of the then Directors  
20              of the Authority, then the Authority shall reduce the  
21              distribution of funds for operating purposes to that  
22              Service Board by 10% of the cash proceeds of taxes  
23              imposed by the Authority under Section 4.03 and  
24              Section 4.03.1 and 10% of the amounts transferred to  
25              the Authority from the Public Transportation Fund  
26              under subsection (a) of Section 4.09. Such reduction

1           shall apply the first month following an affirmative  
2           vote of the Directors. Such funding shall be released  
3           to the Service Board only upon proof of cooperation by  
4           the Service Boards, to be decided by the affirmative  
5           vote of at least 14 of then Directors of the Authority.

6           (70 ILCS 3615/2.45 new)

7           Sec. 2.45. Illinois Jobs Plan.

8           (a) As used in this Section:

9           "Covered transportation agency" means the Chicago Transit  
10          Authority, the Commuter Rail Division and the Suburban Bus  
11          Division of the Regional Transportation Authority, the  
12          Regional Transportation Authority, and all of their  
13          subsidiaries and affiliates.

14          "Covered transportation contract" means a contract for the  
15          acquisition of public transportation equipment, including, but  
16          not limited to, rolling stock, locomotives, and buses with a  
17          base-buy value of \$10,000,000 or more.

18          "Illinois Jobs Plan" means a component of an application  
19          submitted by applicants for covered transportation contracts  
20          where bidders are required to state, at a minimum, all of the  
21          following:

22                (1) The minimum number of full-time equivalent jobs  
23                that will be retained and created if awarded the contract.

24                (2) The minimum wage and benefit amounts by job  
25                classification for nonsupervisory workers on the contract.

1           (3) The minimum number of jobs that will be  
2           specifically retained and created for disadvantaged  
3           workers as defined in Section 15-10 of the Community  
4           Energy, Climate, and Jobs Planning Act, if awarded the  
5           contract.

6           (4) Detailed description of and proposed amounts for  
7           worker training by job classification.

8           (b) Notwithstanding any law requiring a government entity  
9           to award contracts to the lowest responsible bidder, beginning  
10          January 1, 2026, covered transportation agencies shall award  
11          all covered transportation contracts using a competitive  
12          best-value procurement process and shall require bidders to  
13          submit an Illinois Jobs Plan for itself and any participating  
14          subcontractor as part of their solicitation responses.

15          (c) Covered transportation agencies shall adopt and  
16          publish procedures and guidelines for evaluating bidder  
17          qualifications in accordance with this Section. Solicitation  
18          documents shall disclose the minimum qualification  
19          requirements and specify the criteria that will be assigned a  
20          weighted value. The evaluation process shall use a scoring  
21          method based on those factors, including the Illinois Jobs  
22          Plan, and the contract price. The Illinois Jobs Plan shall be  
23          scored as part of the overall proposal and incorporated as  
24          material terms of the final contract.

25          (d) Contractors and participating subcontractors on  
26          covered transportation contracts shall be required to submit

1 annual Illinois Jobs Plan reports to covered transportation  
2 agencies demonstrating compliance with their Illinois Jobs  
3 Plan commitments. The Illinois Jobs Plan and annual compliance  
4 reports shall be made available to the public and not be  
5 considered trade secret, confidential, privileged, or  
6 otherwise exempt from disclosure under paragraph (g) of  
7 subsection (1) of Section 7 of the Freedom of Information Act.

8 (e) This Section does not apply to a contract awarded  
9 based on a solicitation issued before January 1, 2026.

10 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

11 Sec. 3.01. Board of Directors. The corporate authorities  
12 and governing body of the Authority shall be a Board  
13 consisting of 13 Directors until April 1, 2008, ~~and~~ 16  
14 Directors until February 1, 2026, and 21 Directors thereafter,  
15 appointed as follows:

16 (a) Before February 1, 2026, 4 ~~Four~~ Directors appointed by  
17 the Mayor of the City of Chicago, with the advice and consent  
18 of the City Council of the City of Chicago, and, only until  
19 April 1, 2008, a fifth director who shall be the Chairman of  
20 the Chicago Transit Authority. After April 1, 2008 and until  
21 February 1, 2026, the Mayor of the City of Chicago, with the  
22 advice and consent of the City Council of the City of Chicago,  
23 shall appoint a fifth Director. After February 1, 2026, the  
24 Mayor of the City of Chicago, with the advice and consent of  
25 the City Council of the City of Chicago, shall appoint 5

1 Directors. The Directors appointed by the Mayor of the City of  
2 Chicago shall not be the Chairman or a Director of the Chicago  
3 Transit Authority. Each such Director shall reside in the City  
4 of Chicago.

5 (b) Before February 1, 2026, 4 ~~Four~~ Directors appointed by  
6 the votes of a majority of the members of the Cook County Board  
7 elected from districts, a majority of the electors of which  
8 reside outside Chicago. After April 1, 2008, a fifth Director  
9 appointed by the President of the Cook County Board with the  
10 advice and consent of the members of the Cook County Board.  
11 After February 1, 2026, 5 Directors appointed by the President  
12 of the Cook County Board with the advice and consent of the  
13 members of the Cook County Board. At least 3 Directors ~~Each~~  
14 ~~Director~~ appointed under this subsection ~~subparagraph~~ shall  
15 reside in that part of Cook County outside Chicago.

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

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

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

5           (d) After April 1, 2008 and continuing after February 1,  
6 2026, 5 Directors appointed by the Chairmen of the County  
7 Boards of DuPage, Kane, Lake and McHenry Counties and the  
8 County Executive of Will County, as follows:

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

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

15           (iii) One Director appointed by the Chairman of the  
16 DuPage County Board with the advice and consent of the  
17 DuPage County Board. Such Director shall reside in DuPage  
18 County.

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

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

26           (vi) (Blank). ~~To implement the changes in appointing~~

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

11 (e) Beginning February 1, 2026, 5 Directors appointed by  
12 the Governor, with the advice and consent of the Senate. One  
13 Director shall represent organized labor, one Director shall  
14 represent the business community of the Chicago region, and  
15 one Director shall represent a public transportation advocacy  
16 organization. The Directors shall be appointed by February 1,  
17 2026, and their terms shall begin at that time.

18 The Director representing organized labor shall reside  
19 within the 6-county region of the Authority. The Director  
20 shall be selected from a list of 3 persons recommended by the  
21 president of a statewide labor organization representing labor  
22 organizations recognized under the National Labor Relations  
23 Act or the Railway Labor Act. If such a Director has not been  
24 appointed within 60 days for the initial term, or appointed  
25 within 60 days of the expiration of a term or a vacancy, then  
26 the first person on the list provided to the Governor will

1 automatically assume such office.

2 (f) The Chairperson serving on the effective date of this  
3 amendatory Act of the 104th General Assembly shall continue to  
4 serve as Chairperson until February 1, 2026 or until a  
5 successor is appointed and qualified or a vacancy occurs in  
6 the office. As soon as possible after the Board of Directors  
7 convenes following the appointments on February 1, 2026, as  
8 outlined in subsection (g) of this Section, a new Chairman  
9 shall be appointed. The Chairperson shall be appointed by the  
10 other Directors, by the affirmative vote of at least 13 of the  
11 then Directors with at least 2 affirmative votes from  
12 Directors who reside in the City of Chicago, at least 2  
13 affirmative votes from Directors who reside in Cook County  
14 outside the City of Chicago, and at least 2 affirmative votes  
15 from Directors who reside in DuPage County, Lake County, Will  
16 County, Kane County, or McHenry County. The Chairperson shall  
17 not be appointed from among the other Directors. The chairman  
18 shall be a resident of the metropolitan region.

19 (g) A new Board of Directors shall be appointed as  
20 directed under this Section to begin their terms of office on  
21 February 1, 2026, and their appointments shall be made in time  
22 to begin their terms on February 1, 2026. All Directors  
23 serving on the effective date of this amendatory Act of the  
24 104th General Assembly shall retain their offices until  
25 February 1, 2026. In the event of the expiration of a term of  
26 office or a vacancy occurs prior to February 1, 2026, a new

1 Director shall be appointed as directed in statute. A Director  
2 servng in this position on January 31, 2026 may be  
3 reappointed.

4 (1) Of the new Directors appointed under subsection  
5 (a) of this Section on February 1, 2026, the Mayor of  
6 Chicago shall appoint 2 Directors with 4-year terms and 3  
7 Directors with 2-year terms. Subsequent terms of all  
8 Directors shall be 4 years.

9 (2) Of the new Directors appointed under subsection  
10 (b) of this Section on February 1, 2026, the President of  
11 the Cook County Board shall appoint 3 Directors with  
12 4-year terms and 2 Directors with 2-year terms. Subsequent  
13 terms of all Directors shall be 4 years.

14 (3) Of the new Directors appointed under subsection  
15 (d) of this Section on February 1, 2026, the Chairmen of  
16 the County Boards of DuPage, Kane, and Lake Counties shall  
17 appoint Directors with 2-year terms. Of the new Directors  
18 appointed under subsection (d) of this Section on February  
19 1, 2026, the Chairmen of the County Board of McHenry  
20 County and the County Executive of Will County shall  
21 appoint Directors with 4-year terms. Subsequent terms of  
22 all Directors shall be 4 years.

23 (4) Of the new Directors appointed under subsection  
24 (e) of this Section on February 1, 2026, the Governor  
25 shall appoint 2 Directors with 4-year terms and one  
26 Director with a 2-year term. Subsequent terms of all

1       Directors shall be 4 years.

2       (h) Directors shall have diverse and substantial relevant  
3 experience and expertise in overseeing the planning,  
4 operation, and funding of a public transportation system,  
5 including, but not limited to, backgrounds in urban and  
6 regional planning, management of large capital projects, labor  
7 and workforce development, business management, public  
8 administration, transportation, and transit and ridership  
9 advocacy. ~~The Chairman serving on the effective date of this~~  
10 ~~amendatory Act of the 95th General Assembly shall continue to~~  
11 ~~serve as Chairman until the expiration of his or her term of~~  
12 ~~office and until his or her successor is appointed and~~  
13 ~~qualified or a vacancy occurs in the office. Upon the~~  
14 ~~expiration or vacancy of the term of the Chairman then serving~~  
15 ~~upon the effective date of this amendatory Act of the 95th~~  
16 ~~General Assembly, the Chairman shall be appointed by the other~~  
17 ~~Directors, by the affirmative vote of at least 11 of the then~~  
18 ~~Directors with at least 2 affirmative votes from Directors who~~  
19 ~~reside in the City of Chicago, at least 2 affirmative votes~~  
20 ~~from Directors who reside in Cook County outside the City of~~  
21 ~~Chicago, and at least 2 affirmative votes from Directors who~~  
22 ~~reside in the Counties of DuPage, Lake, Will, Kane, or~~  
23 ~~McHenry. The chairman shall not be appointed from among the~~  
24 ~~other Directors. The chairman shall be a resident of the~~  
25 ~~metropolitan region.~~

26       ~~(f) Except as otherwise provided by this Act no Director~~

1 ~~shall, while serving as such, be an officer, a member of the~~  
2 ~~Board of Directors or Trustees or an employee of any Service~~  
3 ~~Board or transportation agency, or be an employee of the State~~  
4 ~~of Illinois or any department or agency thereof, or of any~~  
5 ~~municipality, county, or any other unit of local government or~~  
6 ~~receive any compensation from any elected or appointed office~~  
7 ~~under the Constitution and laws of Illinois; except that a~~  
8 ~~Director may be a member of a school board.~~

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

13       ~~(h) (Blank).~~

14 (Source: P.A. 98-709, eff. 7-16-14.)

15       (70 ILCS 3615/3.03) (from Ch. 111 2/3, par. 703.03)

16       Sec. 3.03. Terms, vacancies. Prior to February 1, 2026,  
17 ~~each~~ ~~Each~~ Director shall hold office for a term of 5 years, and  
18 until his successor has been appointed and has qualified. A  
19 vacancy shall occur upon resignation, death, conviction of a  
20 felony, or removal from office of a Director. Any Director may  
21 be removed from office (i) upon concurrence of not less than 11  
22 Directors, on a formal finding of incompetence, neglect of  
23 duty, or malfeasance in office or (ii) by the Governor in  
24 response to a summary report received from the Executive  
25 Inspector General in accordance with Section 20-50 of the

1 State Officials and Employees Ethics Act, provided he or she  
2 has an opportunity to be publicly heard in person or by counsel  
3 prior to removal. Within 30 days after the office of any member  
4 becomes vacant for any reason, the appointing authorities of  
5 such member shall make an appointment to fill the vacancy. A  
6 vacancy shall be filled for the unexpired term.

7 Beginning February 1, 2026, each Director shall hold  
8 office for a term of 4 years and until the Director's successor  
9 has been appointed and has qualified. A vacancy shall occur  
10 upon resignation, death, conviction of a felony, or removal  
11 from office of a Director. Any Director may be removed from  
12 office (i) upon concurrence of at least 14 of the current  
13 Directors, on a formal finding of incompetence, neglect of  
14 duty, or malfeasance in office or (ii) by the Governor in  
15 response to a summary report received from the Executive  
16 Inspector General in accordance with Section 20-50 of the  
17 State Officials and Employees Ethics Act, provided the  
18 Director has an opportunity to be publicly heard in person or  
19 by counsel before removal. Within 30 days after the office of  
20 any Director becomes vacant for any reason, the appointing  
21 authorities of the Director shall make an appointment to fill  
22 the vacancy. A vacancy shall be filled for the unexpired term.

23 Whenever a vacancy for a Director, except as to the  
24 Chairman or those Directors appointed by the Mayor of the City  
25 of Chicago, exists for longer than 4 months, the new Director  
26 shall be chosen by election by all legislative members in the

1 General Assembly representing the affected area. In order to  
2 qualify as a voting legislative member in this matter, the  
3 affected area must be more than 50% of the geographic area of  
4 the legislative district.

5 (Source: P.A. 95-708, eff. 1-18-08; 96-1528, eff. 7-1-11.)

6 (70 ILCS 3615/3.05) (from Ch. 111 2/3, par. 703.05)

7 Sec. 3.05. Meetings. The Board shall prescribe the times  
8 and places for meetings and the manner in which special  
9 meetings may be called. The Board shall comply in all respects  
10 with the "Open Meetings Act", approved July 11, 1957, as now or  
11 hereafter amended. All records, documents and papers of the  
12 Authority, other than those relating to matters concerning  
13 which closed sessions of the Board may be held, shall be  
14 available for public examination, subject to such reasonable  
15 regulations as the Board may adopt.

16 A majority of the Directors holding office shall  
17 constitute a quorum for the conduct of business. Except as  
18 otherwise provided in this Act, the affirmative votes of at  
19 least 9 Directors, prior to February 1, 2026, and by the  
20 affirmative vote of at least 11 Directors, beginning February  
21 1, 2026, shall be necessary for approving any contract or  
22 agreement, adopting any rule or regulation, and any other  
23 action required by this Act to be taken by resolution or  
24 ordinance.

25 The Board shall meet with the Regional Citizens Advisory

1 Board at least once every 4 months.

2 Open meetings of the Board shall be broadcast to the  
3 public and maintained in real-time on the Board's website  
4 using a high-speed Internet connection. Recordings of each  
5 meeting broadcast shall be posted to the Board's website  
6 within a reasonable time after the meeting and shall be  
7 maintained as public records to the extent practicable, as  
8 determined by the Board. Compliance with the provisions of  
9 this amendatory Act of the 98th General Assembly does not  
10 relieve the Board of its obligations under the Open Meetings  
11 Act.

12 (Source: P.A. 98-1139, eff. 6-1-15.)

13 (70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

14 Sec. 3A.02. Suburban Bus Board. Beginning February 1,  
15 2026, the ~~The~~ governing body of the Suburban Bus Division  
16 shall be a board consisting of 12 ~~13~~ directors appointed as  
17 follows:

18 (a) Until February 1, 2026, 6 ~~Six~~ Directors appointed  
19 by the members of the Cook County Board elected from that  
20 part of Cook County outside of Chicago, or in the event  
21 such Board of Commissioners becomes elected from single  
22 member districts, by those Commissioners elected from  
23 districts, a majority of the residents of which reside  
24 outside of Chicago from the chief executive officers of  
25 the municipalities, of that portion of Cook County outside

1 of Chicago. On and after February 1, 2026, a total of 6  
2 Directors appointed by the President of the Cook County  
3 Board of Commissioners with the advice and consent of the  
4 members of the Cook County Board of Commissioners. The  
5 members shall reside in the part of Cook County outside  
6 the City of Chicago, except ~~Provided however,~~ that:

7 (1) One of the Directors shall be a representative  
8 of organized labor. The Director shall reside within  
9 the 6-county region of the Authority. The Director  
10 shall be selected from a list of 3 persons recommended  
11 by the president of a statewide labor organization  
12 representing labor organizations recognized under the  
13 National Labor Relations Act or the Railway Labor Act.  
14 If the Director has not been appointed within 60 days  
15 for the initial term, or appointed within 60 days of  
16 the expiration of a term of office or a vacancy, the  
17 first person on the list provided to the President of  
18 Cook County shall automatically assume the office;

19 (2) One of the Directors shall be a representative  
20 of a senior advocacy organization and shall reside  
21 within Cook County;

22 (3) One of the Directors shall be a representative  
23 of the disability rights community and shall reside in  
24 the part of Cook County outside the City of Chicago;  
25 and

26 (4) Three of the Directors shall be at-large

1           Directors and shall reside in the part of Cook County  
2           outside of the City of Chicago;

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

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

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

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

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

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

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

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

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

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

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

10 (g) The Commissioner of the Mayor's Office for People  
11 with Disabilities, from the City of Chicago, ~~who shall~~  
12 ~~serve as an ex officio member;~~ and

13 (h) The Chairperson serving on the effective date of  
14 this amendatory Act of the 104th General Assembly shall  
15 continue to serve as Chairperson until February 1, 2026 or  
16 until a successor is appointed and qualified or until a  
17 vacancy occurs in the office. As soon as possible after  
18 the Suburban Bus Board convenes following the appointments  
19 on February 1, 2026 as outlined in subsections (i) and (j)  
20 of this Section, a new Chairperson shall be appointed. The  
21 Chairperson shall be appointed from among the other  
22 Directors by the affirmative vote of at least 8 of the then  
23 Directors ~~Chairman by the Governor for the initial term,~~  
24 ~~and thereafter by a majority of the Chairmen of the~~  
25 ~~DuPage, Kane, Lake, McHenry and Will County Boards and the~~  
26 ~~members of the Cook County Board elected from that part of~~

1 ~~Cook County outside of Chicago, or in the event such Board~~  
2 ~~of Commissioners is elected from single member districts,~~  
3 ~~by those Commissioners elected from districts, a majority~~  
4 ~~of the electors of which reside outside of Chicago; and~~  
5 ~~who after the effective date of this amendatory Act of the~~  
6 ~~95th General Assembly may not be a resident of the City of~~  
7 ~~Chicago.~~

8 (i) To implement the changes in appointing authority under  
9 subsection (a) of this Section all existing Directors serving  
10 on the effective date of this amendatory Act of the 104th  
11 General Assembly shall retain their offices until the  
12 expiration or vacancy of their respective terms of office or  
13 until February 1, 2026, whichever occurs first. In the event  
14 of the expiration of the term of office or a vacancy of these  
15 offices occurs before February 1, 2026, a new Director shall  
16 be appointed as directed in statute. New Directors shall be  
17 appointed in accordance with subsection (a) of this Section  
18 will begin their terms of office on February 1, 2026 and the  
19 appointment shall be made in due time to begin their terms at  
20 this time. Of the Directors to be appointed on February 1,  
21 2026, the President of the Cook County Board shall appoint 3  
22 Directors with a 4-year term and 3 Directors with a 2-year  
23 term. Subsequent terms of all Directors shall be 4-years. A  
24 Director serving in this position on January 31, 2026 may be  
25 reappointed if so chosen.

26 (j) All existing Directors appointed under subsections

1 (b), (c), (d), (e), and (f) of this Section serving on the  
2 effective date of this amendatory Act of the 104th General  
3 Assembly will retain their offices until the expiration or  
4 vacancy of their respective term of office or until February  
5 1, 2026, whichever occurs first. In the event of the  
6 expiration of the term or a vacancy of these offices occurs  
7 prior to February 1, 2026, a new Director shall be appointed as  
8 directed in statute. New Directors shall be appointed in  
9 accordance with subsections (b), (c), (d), (e), and (f) of  
10 this Section to begin their terms on February 1, 2026 and the  
11 appointment shall be made in time to begin their terms on  
12 February 1, 2026. Of the new Directors appointed under  
13 paragraphs (b), (c), (d), (e), and (f) of this Section on  
14 February 1, 2026, the Chairmen of the County Boards of DuPage,  
15 Kane, and Lake Counties will appoint Directors with 4-year  
16 terms. Of the new Directors appointed under subsection (d) of  
17 this Section on February 1, 2026, the Chairmen of the County  
18 Board of McHenry County and the County Executive of Will  
19 County will appoint Directors with 2-year terms. Subsequent  
20 terms of all Directors will be 4 years. A Director serving in  
21 this position on January 31, 2026 may be reappointed if so  
22 chosen.

23 (k) Directors shall have diverse and substantial relevant  
24 experience and expertise in overseeing the planning,  
25 operation, and funding of a public transportation system,  
26 including, but not limited to, backgrounds in urban and

1 regional planning, management of large capital projects, labor  
2 and workforce development, business management, public  
3 administration, transportation, and transit and ridership  
4 advocacy.

5 (1) Each appointment made under subsections ~~paragraphs~~ (a)  
6 through (g) and under Section 3A.03 shall be certified by the  
7 appointing authority to the Suburban Bus Board which shall  
8 maintain the certifications as part of the official records of  
9 the Suburban Bus Board; provided that the initial appointments  
10 shall be certified to the Secretary of State, who shall  
11 transmit the certifications to the Suburban Bus Board  
12 following its organization.

13 For the purposes of this Section, "chief executive officer  
14 of a municipality" includes a former chief executive officer  
15 of a municipality within the specified Region or County,  
16 provided that the former officer continues to reside within  
17 such Region or County.

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

19 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

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

25 (a) to cooperate with the Regional Transportation

1 Authority in the exercise by the Regional Transportation  
2 Authority of all the powers granted it by such Act;

3 (b) to receive funds from the Regional Transportation  
4 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and  
5 4.10 of the Regional Transportation Authority Act, all as  
6 provided in the Regional Transportation Authority Act;

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

16 (d) to perform all functions necessary for the  
17 provision of paratransit services under Section 2.30 of  
18 this Act;

19 (e) to borrow money for the purposes of: (i)  
20 constructing a new garage in the northwestern Cook County  
21 suburbs, (ii) converting the South Cook garage in Markham  
22 to a Compressed Natural Gas facility, (iii) constructing a  
23 new paratransit garage in DuPage County, (iv) expanding  
24 the North Shore garage in Evanston to accommodate  
25 additional indoor bus parking, and (v) purchasing new  
26 transit buses. For the purpose of evidencing the

1 obligation of the Suburban Bus Board to repay any money  
2 borrowed as provided in this subsection, the Suburban Bus  
3 Board may issue revenue bonds from time to time pursuant  
4 to ordinance adopted by the Suburban Bus Board, subject to  
5 the approval of the Regional Transportation Authority of  
6 each such issuance by the affirmative vote of 12 of its  
7 then Directors, prior to February 1, 2026, and by the  
8 affirmative vote of at least 14 members, beginning  
9 February 1, 2026; provided that the Suburban Bus Board may  
10 not issue bonds for the purpose of financing the  
11 acquisition, construction, or improvement of any facility  
12 other than those listed in this subsection (e). All such  
13 bonds shall be payable solely from the revenues or income  
14 or any other funds that the Suburban Bus Board may  
15 receive, provided that the Suburban Bus Board may not  
16 pledge as security for such bonds the moneys, if any, that  
17 the Suburban Bus Board receives from the Regional  
18 Transportation Authority pursuant to Section 4.03.3(f) of  
19 the Regional Transportation Authority Act. The bonds shall  
20 bear interest at a rate not to exceed the maximum rate  
21 authorized by the Bond Authorization Act and shall mature  
22 at such time or times not exceeding 25 years from their  
23 respective dates. Bonds issued pursuant to this paragraph  
24 must be issued with scheduled principal or mandatory  
25 redemption payments in equal amounts in each fiscal year  
26 over the term of the bonds, with the first principal or

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

1           instituted. Under no circumstances shall any bonds issued  
2           by the Suburban Bus Board or any other obligation of the  
3           Suburban Bus Board in connection with the issuance of such  
4           bonds be or become an indebtedness or obligation of the  
5           State of Illinois, the Regional Transportation Authority,  
6           or any other political subdivision of or municipality  
7           within the State, nor shall any such bonds or obligations  
8           be or become an indebtedness of the Suburban Bus Board  
9           within the purview of any constitutional limitation or  
10          provision, and it shall be plainly stated on the face of  
11          each bond that it does not constitute such an indebtedness  
12          or obligation but is payable solely from the revenues or  
13          income as aforesaid; and

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

22         (Source: P.A. 103-281, eff. 1-1-24.)

23                 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)  
24                 Sec. 3A.10. Budget and Program. The Suburban Bus Board,  
25                 subject to the powers of the Authority in Section 4.11, shall

1 control the finances of the Division. It shall by ordinance  
2 appropriate money to perform the Division's purposes and  
3 provide for payment of debts and expenses of the Division.  
4 Each year the Suburban Bus Board shall prepare and publish a  
5 comprehensive annual budget and proposed five-year capital  
6 program document, and a financial plan for the 2 years  
7 thereafter describing the state of the Division and presenting  
8 for the forthcoming fiscal year and the 2 following years the  
9 Suburban Bus Board's plans for such operations and capital  
10 expenditures as it intends to undertake and the means by which  
11 it intends to finance them. The proposed budget, financial  
12 plan, and five-year capital program shall be based on the  
13 Authority's estimate of funds to be made available to the  
14 Suburban Bus Board by or through the Authority and shall  
15 conform in all respects to the requirements established by the  
16 Authority. The proposed budget, financial plan, and five-year  
17 capital program shall contain a statement of the funds  
18 estimated to be on hand at the beginning of the fiscal year,  
19 the funds estimated to be received from all sources for such  
20 year and the funds estimated to be on hand at the end of such  
21 year. The fiscal year of the Division shall be the same as the  
22 fiscal year of the Authority. Before the proposed budget,  
23 financial plan, and five-year capital program are submitted to  
24 the Authority, the Suburban Bus Board shall hold at least one  
25 public hearing thereon in each of the counties in the  
26 metropolitan region in which the Division provides service.

1 The Suburban Bus Board shall hold at least one meeting for  
2 consideration of the proposed budget, financial plan, and  
3 five-year capital program with the county board of each of the  
4 several counties in the metropolitan region in which the  
5 Division provides service. Prior to the capital program being  
6 submitted to the Authority, the Suburban Bus Board shall hold  
7 at least one meeting for consideration of the proposed 5-year  
8 capital program with representatives of labor organizations  
9 that have a collective bargaining agreement with the Suburban  
10 Bus Board. After conducting such hearings and holding such  
11 meetings and after making such changes in the proposed budget,  
12 financial plan, and five-year capital program as the Suburban  
13 Bus Board deems appropriate, it shall adopt an annual budget  
14 ordinance at least by November 15 next preceding the beginning  
15 of each fiscal year. The budget, financial plan, and five-year  
16 capital program shall then be submitted to the Authority as  
17 provided in Section 4.11. In the event that the Board of the  
18 Authority determines that the budget and financial plan do not  
19 meet the standards of Section 4.11, the Suburban Bus Board  
20 shall make such changes as are necessary to meet such  
21 requirements and adopt an amended budget ordinance. The  
22 amended budget ordinance shall be resubmitted to the Authority  
23 pursuant to Section 4.11. The ordinance shall appropriate such  
24 sums of money as are deemed necessary to defray all necessary  
25 expenses and obligations of the Division, specifying purposes  
26 and the objects or programs for which appropriations are made

1 and the amount appropriated for each object or program.  
2 Additional appropriations, transfers between items and other  
3 changes in such ordinance which do not alter the basis upon  
4 which the balanced budget determination was made by the Board  
5 of the Authority may be made from time to time by the Suburban  
6 Bus Board.

7 The budget shall:

8 (i) show a balance between (A) anticipated revenues  
9 from all sources including operating subsidies and (B) the  
10 costs of providing the services specified and of funding  
11 any operating deficits or encumbrances incurred in prior  
12 periods, including provision for payment when due of  
13 principal and interest on outstanding indebtedness;

14 (ii) show cash balances including the proceeds of any  
15 anticipated cash flow borrowing sufficient to pay with  
16 reasonable promptness all costs and expenses as incurred;

17 (iii) provide for a level of fares or charges and  
18 operating or administrative costs for the public  
19 transportation provided by or subject to the jurisdiction  
20 of the Suburban Bus Board sufficient to allow the Suburban  
21 Bus Board to meet its required system generated revenues  
22 recovery ratio and, beginning with the 2007 fiscal year,  
23 its system generated ADA paratransit services revenue  
24 recovery ratio;

25 (iv) be based upon and employ assumptions and  
26 projections which are reasonable and prudent;

1           (v) have been prepared in accordance with sound  
2 financial practices as determined by the Board of the  
3 Authority;

4           (vi) meet such other uniform financial, budgetary, or  
5 fiscal requirements that the Board of the Authority may by  
6 rule or regulation establish; and

7           (vii) be consistent with the goals and objectives  
8 adopted by the Regional Transportation Authority in the  
9 Strategic Plan.

10 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)

11           (70 ILCS 3615/3A.14) (from Ch. 111 2/3, par. 703A.14)  
12 Sec. 3A.14. Labor.

13           (a) The provisions of this Section apply to collective  
14 bargaining agreements (including extensions and amendments of  
15 existing agreements) entered into on or after January 1, 1984.

16           (b) The Suburban Bus Board shall deal with and enter into  
17 written contracts with their employees, through accredited  
18 representatives of such employees authorized to act for such  
19 employees concerning wages, salaries, hours, working  
20 conditions, and pension or retirement provisions about which a  
21 collective bargaining agreement has been entered prior to the  
22 effective date of this amendatory Act of 1983. Any such  
23 agreement of the Suburban Bus Board shall provide that the  
24 agreement may be reopened if the amended budget submitted  
25 pursuant to Section 2.18a of this Act is not approved by the

1 Board of the Authority. The agreement may not include a  
2 provision requiring the payment of wage increases based on  
3 changes in the Consumer Price Index. The Suburban Bus Board  
4 shall not have the authority to enter collective bargaining  
5 agreements with respect to inherent management rights, which  
6 include such areas of discretion or policy as the functions of  
7 the employer, standards of services, its overall budget, the  
8 organizational structure and selection of new employees and  
9 direction of personnel. Employers, however, shall be required  
10 to bargain collectively with regard to policy matters directly  
11 affecting wages, hours and terms and conditions of employment,  
12 as well as the impact thereon, upon request by employee  
13 representatives. To preserve the rights of employers and  
14 exclusive representatives which have established collective  
15 bargaining relationships or negotiated collective bargaining  
16 agreements prior to the effective date of this amendatory Act  
17 of 1983, employers shall be required to bargain collectively  
18 with regard to any matter concerning wages, hours or  
19 conditions of employment about which they have bargained prior  
20 to the effective date of this amendatory Act of 1983.

21 (c) The collective bargaining agreement may not include a  
22 prohibition on the use of part-time operators on any service  
23 operated by the Suburban Bus Board except where prohibited by  
24 federal law.

25 (d) Within 30 days of the signing of any such collective  
26 bargaining agreement, the Suburban Bus Board shall determine

1 the costs of each provision of the agreement, prepare an  
2 amended budget incorporating the costs of the agreement, and  
3 present the amended budget to the Board of the Authority for  
4 its approval under Section 4.11. The Board may approve the  
5 amended budget by an affirmative vote of 12 of its then  
6 Directors, prior to February 1, 2026, and by the affirmative  
7 vote of at least 14 members, beginning February 1, 2026. If the  
8 budget is not approved by the Board of the Authority, the  
9 agreement may be reopened and its terms may be renegotiated.  
10 Any amended budget which may be prepared following  
11 renegotiation shall be presented to the Board of the Authority  
12 for its approval in like manner.

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

14 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

15 Sec. 3B.02. Commuter Rail Board.

16 (a) Until April 1, 2008, the governing body of the  
17 Commuter Rail Division shall be a board consisting of 7  
18 directors appointed pursuant to Sections 3B.03 and 3B.04, as  
19 follows:

20 (1) One director shall be appointed by the Chairman of  
21 the Board of DuPage County with the advice and consent of  
22 the County Board of DuPage County and shall reside in  
23 DuPage County.

24 (2) Two directors appointed by the Chairmen of the  
25 County Boards of Kane, Lake, McHenry and Will Counties

1 with the concurrence of not less than a majority of the  
2 chairmen from such counties, from nominees by the  
3 Chairmen. Each such chairman may nominate not more than  
4 two persons for each position. Each such director shall  
5 reside in a county in the metropolitan region other than  
6 Cook or DuPage County.

7 (3) Three directors appointed by the members of the  
8 Cook County Board elected from that part of Cook County  
9 outside of Chicago, or, in the event such Board of  
10 Commissioners becomes elected from single member  
11 districts, by those Commissioners elected from districts,  
12 a majority of the residents of which reside outside  
13 Chicago. In either case, such appointment shall be with  
14 the concurrence of 4 ~~four~~ such Commissioners. Each such  
15 director shall reside in that part of Cook County outside  
16 Chicago.

17 (4) One director appointed by the Mayor of the City of  
18 Chicago, with the advice and consent of the City Council  
19 of the City of Chicago. Such director shall reside in the  
20 City of Chicago.

21 (5) The chairman shall be appointed by the directors,  
22 from the members of the board, with the concurrence of 5 of  
23 such directors.

24 (b) After April 1, 2008 and before February 1, 2026, the  
25 governing body of the Commuter Rail Division shall be a board  
26 consisting of 11 directors appointed, pursuant to Sections

1 3B.03 and 3B.04, as follows:

2 (1) One Director shall be appointed by the Chairman of  
3 the DuPage County Board with the advice and consent of the  
4 DuPage County Board and shall reside in DuPage County. To  
5 implement the changes in appointing authority under this  
6 Section, upon the expiration of the term of or vacancy in  
7 office of the Director appointed under item (1) of  
8 subsection (a) of this Section who resides in DuPage  
9 County, a Director shall be appointed under this  
10 subparagraph.

11 (2) One Director shall be appointed by the Chairman of  
12 the McHenry County Board with the advice and consent of  
13 the McHenry County Board and shall reside in McHenry  
14 County. To implement the change in appointing authority  
15 under this Section, upon the expiration of the term of or  
16 vacancy in office of the Director appointed under item (2)  
17 of subsection (a) of this Section who resides in McHenry  
18 County, a Director shall be appointed under this  
19 subparagraph.

20 (3) One Director shall be appointed by the Will County  
21 Executive with the advice and consent of the Will County  
22 Board and shall reside in Will County. To implement the  
23 change in appointing authority under this Section, upon  
24 the expiration of the term of or vacancy in office of the  
25 Director appointed under item (2) of subsection (a) of  
26 this Section who resides in Will County, a Director shall

1 be appointed under this subparagraph.

2 (4) One Director shall be appointed by the Chairman of  
3 the Lake County Board with the advice and consent of the  
4 Lake County Board and shall reside in Lake County.

5 (5) One Director shall be appointed by the Chairman of  
6 the Kane County Board with the advice and consent of the  
7 Kane County Board and shall reside in Kane County.

8 (6) One Director shall be appointed by the Mayor of  
9 the City of Chicago with the advice and consent of the City  
10 Council of the City of Chicago and shall reside in the City  
11 of Chicago. To implement the changes in appointing  
12 authority under this Section, upon the expiration of the  
13 term of or vacancy in office of the Director appointed  
14 under item (4) of subsection (a) of this Section who  
15 resides in the City of Chicago, a Director shall be  
16 appointed under this subparagraph.

17 (7) Five Directors residing in Cook County outside of  
18 the City of Chicago, as follows:

19 (i) One Director who resides in Cook County  
20 outside of the City of Chicago, appointed by the  
21 President of the Cook County Board with the advice and  
22 consent of the members of the Cook County Board.

23 (ii) One Director who resides in the township of  
24 Barrington, Palatine, Wheeling, Hanover, Schaumburg,  
25 or Elk Grove. To implement the changes in appointing  
26 authority under this Section, upon the expiration of

1           the term of or vacancy in office of the Director  
2           appointed under paragraph (3) of subsection (a) of  
3           this Section who resides in the geographic area  
4           described in this subparagraph, a Director shall be  
5           appointed under this subparagraph.

6           (iii) One Director who resides in the township of  
7           Northfield, New Trier, Maine, Niles, Evanston, Leyden,  
8           Norwood Park, River Forest, or Oak Park.

9           (iv) One Director who resides in the township of  
10          Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney,  
11          Lemont, Palos, or Orland. To implement the changes in  
12          appointing authority under this Section, upon the  
13          expiration of the term of or vacancy in office of the  
14          Director appointed under paragraph (3) of subsection  
15          (a) of this Section who resides in the geographic area  
16          described in this subparagraph and whose term of  
17          office had not expired as of August 1, 2007, a Director  
18          shall be appointed under this subparagraph.

19          (v) One Director who resides in the township of  
20          Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To  
21          implement the changes in appointing authority under  
22          this Section, upon the expiration of the term of or  
23          vacancy in office of the Director appointed under  
24          paragraph (3) of subsection (a) of this Section who  
25          resides in the geographic area described in this  
26          subparagraph and whose term of office had expired as

1 of August 1, 2007, a Director shall be appointed under  
2 this subparagraph.

3 (vi) The Directors identified under the provisions  
4 of subparagraphs (ii) through (v) of this paragraph  
5 (7) shall be appointed by the members of the Cook  
6 County Board. Each individual Director shall be  
7 appointed by those members of the Cook County Board  
8 whose Board districts overlap in whole or in part with  
9 the geographic territory described in the relevant  
10 subparagraph. The vote of County Board members  
11 eligible to appoint directors under the provisions of  
12 subparagraphs (ii) through (v) of this paragraph (7)  
13 shall be weighted by the number of electors residing  
14 in those portions of their Board districts within the  
15 geographic territory described in the relevant  
16 subparagraph (ii) through (v) of this paragraph (7).

17 (8) The Chairman shall be appointed by the Directors,  
18 from the members of the Board, with the concurrence of 8 of  
19 such Directors. To implement the changes in appointing  
20 authority under this Section, upon the expiration of the  
21 term of or vacancy in office of the Chairman appointed  
22 under item (5) of subsection (a) of this Section, a  
23 Chairman shall be appointed under this subparagraph.

24 (c) On and after February 1, 2026 the governing body of the  
25 Commuter Rail Division shall be a board consisting of 11  
26 Directors appointed under Sections 3B.03 and 3B.04 as follows:

1           (1) One Director shall be appointed by the Mayor of  
2           the City of Chicago with the advice and consent of the City  
3           Council of the City of Chicago for an initial term of 4  
4           years. Subsequent terms shall be 4 years. The Director  
5           appointed under this paragraph (1) shall reside within the  
6           City of Chicago.

7           (2) Five Directors shall be appointed by the President  
8           of the Cook County Board of Commissioners with the advice  
9           and consent of the members of the Cook County Board of  
10           Commissioners. Of these 5 Directors, 3 shall have an  
11           initial term of 2 years, and 2 shall have an initial term  
12           of 4 years. Subsequent terms of all members shall be 4  
13           years. The Directors appointed under this paragraph (2)  
14           shall reside in the part of Cook County outside the City of  
15           Chicago.

16           (3) One of the Directors appointed by the President of  
17           the Cook County Board of Commissioners shall be a  
18           representative of organized labor. The Director appointed  
19           under this paragraph (3) shall reside within the 6-county  
20           region of the Authority and shall be selected from a list  
21           of 3 persons recommended by the president of a statewide  
22           labor organization representing labor organizations  
23           recognized under the National Labor Relations Act or the  
24           Railway Labor Act. If the Director has not been appointed  
25           within 60 days for the initial term, or appointed within  
26           60 days of the expiration of a term or a vacancy, the first

1 person on the list provided to the President of the Cook  
2 County Board shall automatically assume the office.

3 (4) Five Directors appointed by the Chairmen of the  
4 County Boards of DuPage, Kane, Lake, and McHenry counties  
5 and the County Executive of Will County as follows:

6 (A) One Director appointed by the Chairman of the  
7 DuPage County Board with the advice and consent of the  
8 DuPage County Board for an initial term of 4 years.  
9 Subsequent terms of the Director shall be 4 years to  
10 begin February 1, 2026. The appointment shall be made  
11 in time to begin the Director's term at this time. The  
12 Director appointed under this subparagraph (A) shall  
13 reside in DuPage County.

14 (B) One Director appointed by the Chairman of the  
15 Kane County Board with the advice and consent of the  
16 Kane County Board for an initial term to begin  
17 February 1, 2026. Subsequent terms of the Director  
18 shall be 4 years. The appointment shall be made in time  
19 to begin the Director's term on February 1, 2026. The  
20 Director appointed under this subparagraph (B) shall  
21 reside in Kane County.

22 (C) One Director appointed by the Chairman of the  
23 Lake County Board with the advice and consent of the  
24 Lake County Board for an initial term of 4 years to  
25 begin February 1, 2026. Subsequent terms of the  
26 Director shall be 4 years. The appointment shall be

1 made in time to begin the Director's term at this time.  
2 The Director appointed under this subparagraph (C)  
3 shall reside in Lake County.

4 (D) One Director appointed by the Chairman of the  
5 McHenry County Board with the advice and consent of  
6 the McHenry County Board for an initial term of 2 years  
7 to begin February 1, 2026. Subsequent terms of the  
8 Director shall be 4 years. The appointment shall be  
9 made in time to begin the Director's term at this time.  
10 The Director appointed under this subparagraph (D)  
11 shall reside in McHenry County.

12 (E) One Director appointed by the County Executive  
13 of Will County with the advice and consent of the Will  
14 County Board for an initial term of 4 years to begin  
15 February 1, 2026. Subsequent terms of the Director  
16 shall be 4 years. The appointment shall be made in time  
17 to begin the Director's term at this time. The  
18 Director appointed under this subparagraph (E) shall  
19 reside in Will County.

20 (8) The Chairman serving on the effective date of this  
21 amendatory Act of the 104th General Assembly shall  
22 continue to serve as Chairman until February 1, 2026 or  
23 until a successor is appointed and qualified or a vacancy  
24 occurs in the office. As soon as possible after the  
25 Commuter Rail Board convenes following the appointments on  
26 February 1, 2026 as outlined in subsection (c) of this

1       Section, a new Chairman shall be appointed. The Chairman  
2       shall be appointed from among the other Directors by the  
3       affirmative vote of at least 7 of the then Directors.

4       (d) A new Board of Directors shall be appointed as  
5       directed under subsection (c) of this Section to begin their  
6       terms on February 1, 2026. The appointments shall be made in  
7       time to begin their terms at this time. All Directors  
8       appointed under subsection (b) of this Section serving on the  
9       effective date of this amendatory Act of the 104th General  
10       Assembly shall retain their offices until February 1, 2026, or  
11       until the expiration of or vacancy of their respective terms  
12       of office. In the event of the expiration of a term of office  
13       or a vacancy in these offices occurs prior to February 1, 2026,  
14       a new Director shall be appointed as provided by law. A  
15       Director serving in this position on January 31, 2026 may be  
16       reappointed if so chosen.

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

25       ~~(c) No director, while serving as such, shall be an~~  
26       ~~officer, a member of the board of directors or trustee or an~~

1 ~~employee of any transportation agency, or be an employee of~~  
2 ~~the State of Illinois or any department or agency thereof, or~~  
3 ~~of any county, municipality, or any other unit of local~~  
4 ~~government or receive any compensation from any elected or~~  
5 ~~appointed office under the Constitution and laws of Illinois.~~

6 (f) ~~(d)~~ Each appointment made under subsections (a) and  
7 (b) of this Section and under Section 3B.03 shall be certified  
8 by the appointing authority to the Commuter Rail Board which  
9 shall maintain the certifications as part of the official  
10 records of the Commuter Rail Board.

11 (Source: P.A. 98-709, eff. 7-16-14.)

12 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

13 Sec. 3B.09. General Powers. In addition to any powers  
14 elsewhere provided to the Commuter Rail Board, it shall have  
15 all of the powers specified in Section 2.20 of this Act except  
16 for the powers specified in Section 2.20(a)(v). The Board  
17 shall also have the power:

18 (a) to cooperate with the Regional Transportation  
19 Authority in the exercise by the Regional Transportation  
20 Authority of all the powers granted it by such Act;

21 (b) to receive funds from the Regional Transportation  
22 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10  
23 of the "Regional Transportation Authority Act", all as  
24 provided in the "Regional Transportation Authority Act";

25 (c) to receive financial grants from the Regional

1 Transportation Authority or a Service Board, as defined in the  
2 "Regional Transportation Authority Act", upon such terms and  
3 conditions as shall be set forth in a grant contract between  
4 either the Division and the Regional Transportation Authority  
5 or the Division and another Service Board, which contract or  
6 agreement may be for such number of years or duration as the  
7 parties may agree, all as provided in the "Regional  
8 Transportation Authority Act"; and

9 (d) to borrow money for the purpose of acquiring,  
10 constructing, reconstructing, extending, or improving any  
11 Public Transportation Facilities (as defined in Section 1.03  
12 of the Regional Transportation Authority Act) operated by or  
13 to be operated by or on behalf of the Commuter Rail Division.  
14 For the purpose of evidencing the obligation of the Commuter  
15 Rail Board to repay any money borrowed as provided in this  
16 subsection, the Commuter Rail Board may issue revenue bonds  
17 from time to time pursuant to ordinance adopted by the  
18 Commuter Rail Board, subject to the approval of the Regional  
19 Transportation Authority of each such issuance by the  
20 affirmative vote of 12 of its then Directors, prior to  
21 February 1, 2026, and by the affirmative vote of at least 14 of  
22 its then Directors, beginning February 1, 2026; provided that  
23 the Commuter Rail Board may not issue bonds for the purpose of  
24 financing the acquisition, construction, or improvement of a  
25 corporate headquarters building. All such bonds shall be  
26 payable solely from the revenues or income or any other funds

1 that the Commuter Rail Board may receive, provided that the  
2 Commuter Rail Board may not pledge as security for such bonds  
3 the moneys, if any, that the Commuter Rail Board receives from  
4 the Regional Transportation Authority pursuant to Section  
5 4.03.3(f) of the Regional Transportation Authority Act. The  
6 bonds shall bear interest at a rate not to exceed the maximum  
7 rate authorized by the Bond Authorization Act and shall mature  
8 at such time or times not exceeding 25 years from their  
9 respective dates. Bonds issued pursuant to this paragraph must  
10 be issued with scheduled principal or mandatory redemption  
11 payments in equal amounts in each fiscal year over the term of  
12 the bonds, with the first principal or mandatory redemption  
13 payment scheduled within the fiscal year in which bonds are  
14 issued or within the next succeeding fiscal year. At least  
15 25%, based on total principal amount, of all bonds authorized  
16 pursuant to this Section shall be sold pursuant to notice of  
17 sale and public bid. No more than 75%, based on total principal  
18 amount, of all bonds authorized pursuant to this Section shall  
19 be sold by negotiated sale. The maximum principal amount of  
20 the bonds that may be issued and outstanding at any time may  
21 not exceed \$1,000,000,000. The bonds shall have all the  
22 qualities of negotiable instruments under the laws of this  
23 State. To secure the payment of any or all of such bonds and  
24 for the purpose of setting forth the covenants and  
25 undertakings of the Commuter Rail Board in connection with the  
26 issuance thereof and the issuance of any additional bonds

1 payable from such revenue or income as well as the use and  
2 application of the revenue or income received by the Commuter  
3 Rail Board, the Commuter Rail Board may execute and deliver a  
4 trust agreement or agreements; provided that no lien upon any  
5 physical property of the Commuter Rail Board shall be created  
6 thereby. A remedy for any breach or default of the terms of any  
7 such trust agreement by the Commuter Rail Board may be by  
8 mandamus proceedings in any court of competent jurisdiction to  
9 compel performance and compliance therewith, but the trust  
10 agreement may prescribe by whom or on whose behalf such action  
11 may be instituted. Under no circumstances shall any bonds  
12 issued by the Commuter Rail Board or any other obligation of  
13 the Commuter Rail Board in connection with the issuance of  
14 such bonds be or become an indebtedness or obligation of the  
15 State of Illinois, the Regional Transportation Authority, or  
16 any other political subdivision of or municipality within the  
17 State, nor shall any such bonds or obligations be or become an  
18 indebtedness of the Commuter Rail Board within the purview of  
19 any constitutional limitation or provision, and it shall be  
20 plainly stated on the face of each bond that it does not  
21 constitute such an indebtedness or obligation but is payable  
22 solely from the revenues or income as aforesaid.

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

24 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

25 Sec. 3B.10. Budget and Program. The Commuter Rail Board,

1 subject to the powers of the Authority in Section 4.11, shall  
2 control the finances of the Division. It shall by ordinance  
3 appropriate money to perform the Division's purposes and  
4 provide for payment of debts and expenses of the Division.  
5 Each year the Commuter Rail Board shall prepare and publish a  
6 comprehensive annual budget and proposed five-year capital  
7 program document, and a financial plan for the two years  
8 thereafter describing the state of the Division and presenting  
9 for the forthcoming fiscal year and the two following years  
10 the Commuter Rail Board's plans for such operations and  
11 capital expenditures as the Commuter Rail Board intends to  
12 undertake and the means by which it intends to finance them.  
13 The proposed budget, financial plan, and five-year capital  
14 program shall be based on the Authority's estimate of funds to  
15 be made available to the Commuter Rail Board by or through the  
16 Authority and shall conform in all respects to the  
17 requirements established by the Authority. The proposed  
18 budget, financial plan, and five-year capital program shall  
19 contain a statement of the funds estimated to be on hand at the  
20 beginning of the fiscal year, the funds estimated to be  
21 received from all sources for such year and the funds  
22 estimated to be on hand at the end of such year. The fiscal  
23 year of the Division shall be the same as the fiscal year of  
24 the Authority. Before the proposed budget, financial plan, and  
25 five-year capital program are submitted to the Authority, the  
26 Commuter Rail Board shall hold at least one public hearing

1 thereon in each of the counties in the metropolitan region in  
2 which the Division provides service. The Commuter Rail Board  
3 shall hold at least one meeting for consideration of the  
4 proposed budget, financial plan, and five-year capital plan  
5 with the county board of each of the several counties in the  
6 metropolitan region in which the Division provides service.  
7 Prior to the capital program being submitted to the Authority,  
8 the Commuter Rail Board shall hold at least one meeting for  
9 consideration of the proposed 5-year capital program with  
10 representatives of labor organizations that have a collective  
11 bargaining agreement with the Commuter Rail Board. After  
12 conducting such hearings and holding such meetings and after  
13 making such changes in the proposed budget, financial plan,  
14 and five-year capital plan as the Commuter Rail Board deems  
15 appropriate, the board shall adopt its annual budget ordinance  
16 at least by November 15 next preceding the beginning of each  
17 fiscal year. The budget, financial plan, and five-year capital  
18 program shall then be submitted to the Authority as provided  
19 in Section 4.11. In the event that the Board of the Authority  
20 determines that the budget and program, and financial plan do  
21 not meet the standards of Section 4.11, the Commuter Rail  
22 Board shall make such changes as are necessary to meet such  
23 requirements and adopt an amended budget ordinance. The  
24 amended budget ordinance shall be resubmitted to the Authority  
25 pursuant to Section 4.11. The ordinance shall appropriate such  
26 sums of money as are deemed necessary to defray all necessary

1 expenses and obligations of the Division, specifying purposes  
2 and the objects or programs for which appropriations are made  
3 and the amount appropriated for each object or program.  
4 Additional appropriations, transfers between items and other  
5 changes in such ordinance which do not alter the basis upon  
6 which the balanced budget determination was made by the Board  
7 of the Authority may be made from time to time by the Commuter  
8 Rail Board.

9 The budget shall:

10 (i) show a balance between (A) anticipated revenues  
11 from all sources including operating subsidies and (B) the  
12 costs of providing the services specified and of funding  
13 any operating deficits or encumbrances incurred in prior  
14 periods, including provision for payment when due of  
15 principal and interest on outstanding indebtedness;

16 (ii) show cash balances including the proceeds of any  
17 anticipated cash flow borrowing sufficient to pay with  
18 reasonable promptness all costs and expenses as incurred;

19 (iii) provide for a level of fares or charges for the  
20 public transportation provided by or subject to the  
21 jurisdiction of such Commuter Rail Board sufficient to  
22 allow the Commuter Rail Board to meet its required system  
23 generated revenue recovery ratio;

24 (iv) be based upon and employ assumptions and  
25 projections which the Board of the Authority finds to be  
26 reasonable and prudent;

1           (v) have been prepared in accordance with sound  
2 financial practices as determined by the Board of the  
3 Authority;

4           (vi) meet such other uniform financial, budgetary, or  
5 fiscal requirements that the Board of the Authority may by  
6 rule or regulation establish; and

7           (vii) be consistent with the goals and objectives  
8 adopted by the Regional Transportation Authority in the  
9 Strategic Plan.

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

11           (70 ILCS 3615/3B.13) (from Ch. 111 2/3, par. 703B.13)  
12 Sec. 3B.13. Labor.

13           (a) The provisions of this Section apply to collective  
14 bargaining agreements (including extensions and amendments of  
15 existing agreements) entered into on or after January 1, 1984.  
16 This Section does not apply to collective bargaining  
17 agreements that are subject to the provisions of the Railway  
18 Labor Act, as now or hereafter amended.

19           (b) The Commuter Rail Board shall deal with and enter into  
20 written contracts with their employees, through accredited  
21 representatives of such employees authorized to act for such  
22 employees concerning wages, salaries, hours, working  
23 conditions, and pension or retirement provisions about which a  
24 collective bargaining agreement has been entered prior to the  
25 effective date of this amendatory Act of 1983. Any such

1 agreement of the Commuter Rail Board shall provide that the  
2 agreement may be reopened if the amended budget submitted  
3 pursuant to Section 2.18a of this Act is not approved by the  
4 Board of the Authority. The agreement may not include a  
5 provision requiring the payment of wage increases based on  
6 changes in the Consumer Price Index. The Commuter Rail Board  
7 shall not have the authority to enter collective bargaining  
8 agreements with respect to inherent management rights which  
9 include such areas of discretion or policy as the functions of  
10 the employer, standards of services, its overall budget, the  
11 organizational structure and selection of new employees and  
12 direction of personnel. Employers, however, shall be required  
13 to bargain collectively with regard to policy matters directly  
14 affecting wages, hours and terms and conditions of employment,  
15 as well as the impact thereon, upon request by employee  
16 representatives. To preserve the rights of the Commuter Rail  
17 Board and exclusive representatives which have established  
18 collective bargaining relationships or negotiated collective  
19 bargaining agreements prior to the effective date of this  
20 amendatory Act of 1983, the Commuter Rail Board shall be  
21 required to bargain collectively with regard to any matter  
22 concerning wages, hours or conditions of employment about  
23 which they have bargained prior to the effective date of this  
24 amendatory Act of 1983.

25 (c) The collective bargaining agreement may not include a  
26 prohibition on the use of part-time operators on any service

1 operated by the Commuter Rail Board except where prohibited by  
2 federal law.

3 (d) Within 30 days of the signing of any such collective  
4 bargaining agreement, the Commuter Rail Board shall determine  
5 the costs of each provision of the agreement, prepare an  
6 amended budget incorporating the costs of the agreement, and  
7 present the amended budget to the Board of the Authority for  
8 its approval under Section 4.11. The Board may approve the  
9 amended budget by an affirmative vote of 12 of its then  
10 Directors, prior to February 1, 2026, and by the affirmative  
11 vote of at least 14 of its then Directors, beginning February  
12 1, 2026. If the budget is not approved by the Board of the  
13 Authority, the agreement may be reopened and its terms may be  
14 renegotiated. Any amended budget which may be prepared  
15 following renegotiation shall be presented to the Board of the  
16 Authority for its approval in like manner.

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

18 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

19 Sec. 4.01. Budget and Program.

20 (a) The Board shall control the finances of the Authority.  
21 It shall by ordinance adopted by the affirmative vote of at  
22 least 12 of its then Directors, prior to February 1, 2026, and  
23 by the affirmative vote of at least 14 of its then Directors,  
24 beginning February 1, 2026, (i) appropriate money to perform  
25 the Authority's purposes and provide for payment of debts and

1 expenses of the Authority, (ii) take action with respect to  
2 the budget and two-year financial plan of each Service Board,  
3 as provided in Section 4.11, and (iii) adopt an Annual Budget  
4 and Two-Year Financial Plan for the Authority that includes  
5 the annual budget and two-year financial plan of each Service  
6 Board that has been approved by the Authority. The Annual  
7 Budget and Two-Year Financial Plan shall contain a statement  
8 of the funds estimated to be on hand for the Authority and each  
9 Service Board at the beginning of the fiscal year, the funds  
10 estimated to be received from all sources for such year, the  
11 estimated expenses and obligations of the Authority and each  
12 Service Board for all purposes, including expenses for  
13 contributions to be made with respect to pension and other  
14 employee benefits, and the funds estimated to be on hand at the  
15 end of such year. The fiscal year of the Authority and each  
16 Service Board shall begin on January 1st and end on the  
17 succeeding December 31st. By July 1st of each year the  
18 Director of the Illinois Governor's Office of Management and  
19 Budget (formerly Bureau of the Budget) shall submit to the  
20 Authority an estimate of revenues for the next fiscal year of  
21 the Authority to be collected from the taxes imposed by the  
22 Authority and the amounts to be available in the Public  
23 Transportation Fund and the Regional Transportation Authority  
24 Occupation and Use Tax Replacement Fund and the amounts  
25 otherwise to be appropriated by the State to the Authority for  
26 its purposes. The Authority shall file a copy of its Annual

1 Budget and Two-Year Financial Plan with the General Assembly  
2 and the Governor after its adoption. Before the proposed  
3 Annual Budget and Two-Year Financial Plan is adopted, the  
4 Authority shall hold at least one public hearing thereon in  
5 the metropolitan region, and shall meet with the county board  
6 or its designee of each of the several counties in the  
7 metropolitan region. After conducting such hearings and  
8 holding such meetings and after making such changes in the  
9 proposed Annual Budget and Two-Year Financial Plan as the  
10 Board deems appropriate, the Board shall adopt its annual  
11 appropriation and Annual Budget and Two-Year Financial Plan  
12 ordinance. The ordinance may be adopted only upon the  
13 affirmative votes of 12 of its then Directors, prior to  
14 February 1, 2026, and by the affirmative vote of at least 14 of  
15 its then Directors, beginning February 1, 2026. The ordinance  
16 shall appropriate such sums of money as are deemed necessary  
17 to defray all necessary expenses and obligations of the  
18 Authority, specifying purposes and the objects or programs for  
19 which appropriations are made and the amount appropriated for  
20 each object or program. Additional appropriations, transfers  
21 between items and other changes in such ordinance may be made  
22 from time to time by the Board upon the affirmative votes of 12  
23 of its then Directors, prior to February 1, 2026, and by the  
24 affirmative vote of at least 14 of its then Directors,  
25 beginning February 1, 2026.

26 (b) The Annual Budget and Two-Year Financial Plan shall

1 show a balance between anticipated revenues from all sources  
2 and anticipated expenses including funding of operating  
3 deficits or the discharge of encumbrances incurred in prior  
4 periods and payment of principal and interest when due, and  
5 shall show cash balances sufficient to pay with reasonable  
6 promptness all obligations and expenses as incurred.

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

8 (i) that the level of fares and charges for mass  
9 transportation provided by, or under grant or purchase of  
10 service contracts of, the Service Boards is sufficient to  
11 cause the aggregate of all projected fare revenues from  
12 such fares and charges received in each fiscal year to  
13 equal at least 50% of the aggregate costs of providing  
14 such public transportation in such fiscal year. However,  
15 due to the fiscal impacts of the COVID-19 pandemic, the  
16 aggregate of all projected fare revenues from such fares  
17 and charges received in fiscal years 2021, 2022, 2023,  
18 2024, and 2025 may be less than 50% of the aggregate costs  
19 of providing such public transportation in those fiscal  
20 years. The aggregate of all projected fare revenues from  
21 such fares and charges received in fiscal years 2026 and  
22 2027 shall equal at least 25% of the aggregate cost of  
23 providing such public transportation in those fiscal  
24 years. The aggregate of all projected fare revenues from  
25 such fares and charges received in fiscal years 2028 and  
26 2029 and for every fiscal year thereafter shall equal at

1       least 15% of the aggregate cost of providing such public  
2       transportation in those fiscal years. Prior to the  
3       beginning of fiscal year 2030, the General Assembly shall  
4       reevaluate and determine the appropriate system generated  
5       revenues recovery ratio for future years. "Fare revenues"  
6       include the proceeds of all fares and charges for services  
7       provided, contributions received in connection with public  
8       transportation from units of local government other than  
9       the Authority, except for contributions received by the  
10       Chicago Transit Authority from a real estate transfer tax  
11       imposed under subsection (i) of Section 8-3-19 of the  
12       Illinois Municipal Code, and from the State pursuant to  
13       subsection (i) of Section 2705-305 of the Department of  
14       Transportation Law (20 ILCS 2705/2705-305), and all other  
15       operating revenues properly included consistent with  
16       generally accepted accounting principles but do not  
17       include: the proceeds of any borrowings, and, beginning  
18       with the 2007 fiscal year, all revenues and receipts,  
19       including but not limited to fares and grants received  
20       from the federal, State or any unit of local government or  
21       other entity, derived from providing ADA paratransit  
22       service pursuant to Section 2.30 of the Regional  
23       Transportation Authority Act. "Costs" include all items  
24       properly included as operating costs consistent with  
25       generally accepted accounting principles, including  
26       administrative costs, but do not include: depreciation;

1 payment of principal and interest on bonds, notes or other  
2 evidences of obligation for borrowed money issued by the  
3 Authority; payments with respect to public transportation  
4 facilities made pursuant to subsection (b) of Section 2.20  
5 of this Act; any payments with respect to rate protection  
6 contracts, credit enhancements or liquidity agreements  
7 made under Section 4.14; any other cost to which it is  
8 reasonably expected that a cash expenditure will not be  
9 made; costs for passenger security including grants,  
10 contracts, personnel, equipment and administrative  
11 expenses, except in the case of the Chicago Transit  
12 Authority, in which case the term does not include costs  
13 spent annually by that entity for protection against crime  
14 as required by Section 27a of the Metropolitan Transit  
15 Authority Act; the payment by the Chicago Transit  
16 Authority of Debt Service, as defined in Section 12c of  
17 the Metropolitan Transit Authority Act, on bonds or notes  
18 issued pursuant to that Section; the payment by the  
19 Commuter Rail Division of debt service on bonds issued  
20 pursuant to Section 3B.09; expenses incurred by the  
21 Suburban Bus Division for the cost of new public  
22 transportation services funded from grants pursuant to  
23 Section 2.01e of this amendatory Act of the 95th General  
24 Assembly for a period of 2 years from the date of  
25 initiation of each such service; costs as exempted by the  
26 Board for projects pursuant to Section 2.09 of this Act;

1 or, beginning with the 2007 fiscal year, expenses related  
2 to providing ADA paratransit service pursuant to Section  
3 2.30 of the Regional Transportation Authority Act; and in  
4 fiscal years 2008 through 2012 inclusive, costs in the  
5 amount of \$200,000,000 in fiscal year 2008, reducing by  
6 \$40,000,000 in each fiscal year thereafter until this  
7 exemption is eliminated; and expenses incurred by any and  
8 all Service Boards for the cost of new public  
9 transportation services for a period of 2 years from the  
10 date of initiation of each such service; and

11 (ii) that the level of fares charged for ADA  
12 paratransit services is sufficient to cause the aggregate  
13 of all projected revenues from such fares charged and  
14 received in each fiscal year to equal at least 10% of the  
15 aggregate costs of providing such ADA paratransit  
16 services. However, due to the fiscal impacts of the  
17 COVID-19 pandemic, the aggregate of all projected fare  
18 revenues from such fares and charges received in fiscal  
19 years 2021, 2022, 2023, 2024, and 2025 may be less than 10%  
20 of the aggregate costs of providing such ADA paratransit  
21 services in those fiscal years. The aggregate of all  
22 projected revenues from such fares charged and received in  
23 fiscal years 2026 and 2027 shall equal at least 5% of the  
24 aggregate costs of providing such ADA paratransit services  
25 in those fiscal years. The aggregate of all projected  
26 revenues from such fares charged and received in fiscal

1       years 2028 and 2029 and every fiscal year thereafter shall  
2       equal at least 3% of the aggregate costs of providing such  
3       ADA paratransit services in those fiscal years. Prior to  
4       the beginning of fiscal year 2030, the General Assembly  
5       shall reevaluate and determine the appropriate system  
6       generated revenues recovery ratio for ADA paratransit  
7       services for future years. For purposes of this Act, the  
8       percentages in this subsection (b)(ii) shall be referred  
9       to as the "system generated ADA paratransit services  
10      revenue recovery ratio". For purposes of the system  
11      generated ADA paratransit services revenue recovery ratio,  
12      "costs" shall include all items properly included as  
13      operating costs consistent with generally accepted  
14      accounting principles. However, the Board may exclude from  
15      costs an amount that does not exceed the allowable  
16      "capital costs of contracting" for ADA paratransit  
17      services pursuant to the Federal Transit Administration  
18      guidelines for the Urbanized Area Formula Program.

19      The Authority shall file a statement certifying that the  
20      Service Boards published the data described in subsection  
21      (b-5) with the General Assembly and the Governor after  
22      adoption of the Annual Budget and Two-Year Financial Plan  
23      required by subsection (a). If the Authority fails to file a  
24      statement certifying publication of the data, then the  
25      appropriations to the Department of Transportation for grants  
26      to the Authority intended to reimburse the Service Boards for

1 providing free and reduced fares shall be withheld.

2 (b-5) For fiscal years 2024, ~~and~~ 2025, 2026, and every  
3 year thereafter, the Service Boards must publish a monthly  
4 comprehensive set of data regarding transit service and  
5 safety. The data included shall include information to track  
6 operations including:

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

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

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

25 The Authority and Service Boards shall solicit input and  
26 ideas on publishing data on the service reliability,

1 operations, and safety of the system from the public and  
2 groups representing transit riders, workers, and businesses.

3 (c) The actual administrative expenses of the Authority  
4 for the fiscal year commencing January 1, 1985 may not exceed  
5 \$5,000,000. The actual administrative expenses of the  
6 Authority for the fiscal year commencing January 1, 1986, and  
7 for each fiscal year thereafter shall not exceed the maximum  
8 administrative expenses for the previous fiscal year plus 5%.  
9 "Administrative expenses" are defined for purposes of this  
10 Section as all expenses except: (1) capital expenses and  
11 purchases of the Authority on behalf of the Service Boards;  
12 (2) payments to Service Boards; and (3) payment of principal  
13 and interest on bonds, notes or other evidence of obligation  
14 for borrowed money issued by the Authority; (4) costs for  
15 passenger security including grants, contracts, personnel,  
16 equipment and administrative expenses; (5) payments with  
17 respect to public transportation facilities made pursuant to  
18 subsection (b) of Section 2.20 of this Act; and (6) any  
19 payments with respect to rate protection contracts, credit  
20 enhancements or liquidity agreements made pursuant to Section  
21 4.14.

22 (d) This subsection applies only until the Department  
23 begins administering and enforcing an increased tax under  
24 Section 4.03(m) as authorized by this amendatory Act of the  
25 95th General Assembly. After withholding 15% of the proceeds  
26 of any tax imposed by the Authority and 15% of money received

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

23 (e) This subsection applies only until the Department  
24 begins administering and enforcing an increased tax under  
25 Section 4.03(m) as authorized by this amendatory Act of the  
26 95th General Assembly. Moneys received by the Authority on

1 account of transfers to the Regional Transportation Authority  
2 Occupation and Use Tax Replacement Fund from the State and  
3 Local Sales Tax Reform Fund shall be allocated among the  
4 Authority and the Service Boards as follows: 15% of such  
5 moneys shall be retained by the Authority and the remaining  
6 85% shall be transferred to the Service Boards as soon as may  
7 be practicable after the Authority receives payment. Moneys  
8 which are distributable to the Service Boards pursuant to the  
9 preceding sentence shall be allocated among the Service Boards  
10 on the basis of each Service Board's distribution ratio. The  
11 term "distribution ratio" means, for purposes of this  
12 subsection (e) of this Section 4.01, the ratio of the total  
13 amount distributed to a Service Board pursuant to subsection  
14 (d) of Section 4.01 for the immediately preceding calendar  
15 year to the total amount distributed to all of the Service  
16 Boards pursuant to subsection (d) of Section 4.01 for the  
17 immediately preceding calendar year.

18 (f) To carry out its duties and responsibilities under  
19 this Act, the Board shall employ staff which shall: (1)  
20 propose for adoption by the Board of the Authority rules for  
21 the Service Boards that establish (i) forms and schedules to  
22 be used and information required to be provided with respect  
23 to a five-year capital program, annual budgets, and two-year  
24 financial plans and regular reporting of actual results  
25 against adopted budgets and financial plans, (ii) financial  
26 practices to be followed in the budgeting and expenditure of

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

16 (g) All Service Boards, transportation agencies,  
17 comprehensive planning agencies, including the Chicago  
18 Metropolitan Agency for Planning, or transportation planning  
19 agencies in the metropolitan region shall furnish to the  
20 Authority such information pertaining to public transportation  
21 or relevant for plans therefor as it may from time to time  
22 require. The Executive Director, or his or her designee,  
23 shall, for the purpose of securing any such information  
24 necessary or appropriate to carry out any of the powers and  
25 responsibilities of the Authority under this Act, have access  
26 to, and the right to examine, all books, documents, papers or

1 records of a Service Board or any transportation agency  
2 receiving funds from the Authority or Service Board, and such  
3 Service Board or transportation agency shall comply with any  
4 request by the Executive Director, or his or her designee,  
5 within 30 days or an extended time provided by the Executive  
6 Director.

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

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

16 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

17 (70 ILCS 3615/4.03)

18 Sec. 4.03. Taxes.

19 (a) In order to carry out any of the powers or purposes of  
20 the Authority, the Board may, by ordinance adopted with the  
21 concurrence of 12 of the then Directors, prior to February 1,  
22 2026, and by the affirmative vote of at least 14 of the then  
23 Directors, beginning February 1, 2026, impose throughout the  
24 metropolitan region any or all of the taxes provided in this  
25 Section. Except as otherwise provided in this Act, taxes

1 imposed under this Section and civil penalties imposed  
2 incident thereto shall be collected and enforced by the State  
3 Department of Revenue. The Department shall have the power to  
4 administer and enforce the taxes and to determine all rights  
5 for refunds for erroneous payments of the taxes. Nothing in  
6 Public Act 95-708 is intended to invalidate any taxes  
7 currently imposed by the Authority. The increased vote  
8 requirements to impose a tax shall only apply to actions taken  
9 after January 1, 2008 (the effective date of Public Act  
10 95-708).

11 (b) The Board may impose a public transportation tax upon  
12 all persons engaged in the metropolitan region in the business  
13 of selling at retail motor fuel for operation of motor  
14 vehicles upon public highways. The tax shall be at a rate not  
15 to exceed 5% of the gross receipts from the sales of motor fuel  
16 in the course of the business. As used in this Act, the term  
17 "motor fuel" shall have the same meaning as in the Motor Fuel  
18 Tax Law. The Board may provide for details of the tax. The  
19 provisions of any tax shall conform, as closely as may be  
20 practicable, to the provisions of the Municipal Retailers  
21 Occupation Tax Act, including, without limitation, conformity  
22 to penalties with respect to the tax imposed and as to the  
23 powers of the State Department of Revenue to promulgate and  
24 enforce rules and regulations relating to the administration  
25 and enforcement of the provisions of the tax imposed, except  
26 that reference in the Act to any municipality shall refer to

1 the Authority and the tax shall be imposed only with regard to  
2 receipts from sales of motor fuel in the metropolitan region,  
3 at rates as limited by this Section.

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

11 (d) The Board may impose a motor vehicle parking tax upon  
12 the privilege of parking motor vehicles at off-street parking  
13 facilities in the metropolitan region at which a fee is  
14 charged, and may provide for reasonable classifications in and  
15 exemptions to the tax, for administration and enforcement  
16 thereof and for civil penalties and refunds thereunder and may  
17 provide criminal penalties thereunder, the maximum penalties  
18 not to exceed the maximum criminal penalties provided in the  
19 Retailers' Occupation Tax Act. The Authority may collect and  
20 enforce the tax itself or by contract with any unit of local  
21 government. The State Department of Revenue shall have no  
22 responsibility for the collection and enforcement unless the  
23 Department agrees with the Authority to undertake the  
24 collection and enforcement. As used in this paragraph, the  
25 term "parking facility" means a parking area or structure  
26 having parking spaces for more than 2 vehicles at which motor

1 vehicles are permitted to park in return for an hourly, daily,  
2 or other periodic fee, whether publicly or privately owned,  
3 but does not include parking spaces on a public street, the use  
4 of which is regulated by parking meters.

5 (e) The Board may impose a Regional Transportation  
6 Authority Retailers' Occupation Tax upon all persons engaged  
7 in the business of selling tangible personal property at  
8 retail in the metropolitan region. In Cook County, the tax  
9 rate shall be 1.25% of the gross receipts from sales of food  
10 for human consumption that is to be consumed off the premises  
11 where it is sold (other than alcoholic beverages, food  
12 consisting of or infused with adult use cannabis, soft drinks,  
13 candy, and food that has been prepared for immediate  
14 consumption) and tangible personal property taxed at the 1%  
15 rate under the Retailers' Occupation Tax Act, and 1% of the  
16 gross receipts from other taxable sales made in the course of  
17 that business. In DuPage, Kane, Lake, McHenry, and Will  
18 counties, the tax rate shall be 0.75% of the gross receipts  
19 from all taxable sales made in the course of that business. The  
20 rate of tax imposed in DuPage, Kane, Lake, McHenry, and Will  
21 counties under this Section on sales of aviation fuel on or  
22 after December 1, 2019 shall, however, be 0.25% unless the  
23 Regional Transportation Authority in DuPage, Kane, Lake,  
24 McHenry, and Will counties has an "airport-related purpose"  
25 and the additional 0.50% of the 0.75% tax on aviation fuel is  
26 expended for airport-related purposes. If there is no

1 airport-related purpose to which aviation fuel tax revenue is  
2 dedicated, then aviation fuel is excluded from the additional  
3 0.50% of the 0.75% tax. The tax imposed under this Section and  
4 all civil penalties that may be assessed as an incident  
5 thereof shall be collected and enforced by the State  
6 Department of Revenue. The Department shall have full power to  
7 administer and enforce this Section; to collect all taxes and  
8 penalties so collected in the manner hereinafter provided; and  
9 to determine all rights to credit memoranda arising on account  
10 of the erroneous payment of tax or penalty hereunder. In the  
11 administration of, and compliance with this Section, the  
12 Department and persons who are subject to this Section shall  
13 have the same rights, remedies, privileges, immunities,  
14 powers, and duties, and be subject to the same conditions,  
15 restrictions, limitations, penalties, exclusions, exemptions,  
16 and definitions of terms, and employ the same modes of  
17 procedure, as are prescribed in Sections 1, 1a, 1a-1, 1c, 1d,  
18 1e, 1f, 1i, 1j, 2 through 2-65 (in respect to all provisions  
19 therein other than the State rate of tax), 2c, 3 (except as to  
20 the disposition of taxes and penalties collected, and except  
21 that the retailer's discount is not allowed for taxes paid on  
22 aviation fuel that are subject to the revenue use requirements  
23 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133), 4, 5, 5a, 5b, 5c,  
24 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 6, 6a, 6b, 6c, 6d, 7, 8, 9,  
25 10, 11, 12, and 13 of the Retailers' Occupation Tax Act and  
26 Section 3-7 of the Uniform Penalty and Interest Act, as fully

1 as if those provisions were set forth herein.

2 The Board and DuPage, Kane, Lake, McHenry, and Will  
3 counties must comply with the certification requirements for  
4 airport-related purposes under Section 2-22 of the Retailers'  
5 Occupation Tax Act. For purposes of this Section,  
6 "airport-related purposes" has the meaning ascribed in Section  
7 6z-20.2 of the State Finance Act. This exclusion for aviation  
8 fuel only applies for so long as the revenue use requirements  
9 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the  
10 Authority.

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

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

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

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

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

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

21           (f) If a tax has been imposed under paragraph (e), a  
22 Regional Transportation Authority Service Occupation Tax shall  
23 also be imposed upon all persons engaged<sub>T</sub> in the metropolitan  
24 region in the business of making sales of service<sub>T</sub> who<sub>L</sub> as an  
25 incident to making the sales of service, transfer tangible  
26 personal property within the metropolitan region, either in

1 the form of tangible personal property or in the form of real  
2 estate as an incident to a sale of service. In Cook County, the  
3 tax rate shall be: (1) 1.25% of the serviceman's cost price of  
4 food prepared for immediate consumption and transferred  
5 incident to a sale of service subject to the service  
6 occupation tax by an entity that is located in the  
7 metropolitan region and that is licensed under the Hospital  
8 Licensing Act, the Nursing Home Care Act, the Assisted Living  
9 and Shared Housing Act, the Specialized Mental Health  
10 Rehabilitation Act of 2013, the ID/DD Community Care Act, the  
11 MC/DD Act, or the Child Care Act of 1969, or an entity that  
12 holds a permit issued pursuant to the Life Care Facilities  
13 Act; (2) 1.25% of the selling price of food for human  
14 consumption that is to be consumed off the premises where it is  
15 sold (other than alcoholic beverages, food consisting of or  
16 infused with adult use cannabis, soft drinks, candy, and food  
17 that has been prepared for immediate consumption) and tangible  
18 personal property taxed at the 1% rate under the Service  
19 Occupation Tax Act; and (3) 1% of the selling price from other  
20 taxable sales of tangible personal property transferred. In  
21 DuPage, Kane, Lake, McHenry, and Will counties, the rate shall  
22 be 0.75% of the selling price of all tangible personal  
23 property transferred. The rate of tax imposed in DuPage, Kane,  
24 Lake, McHenry, and Will counties under this Section on sales  
25 of aviation fuel on or after December 1, 2019 shall, however,  
26 be 0.25% unless the Regional Transportation Authority in

1 DuPage, Kane, Lake, McHenry, and Will counties has an  
2 "airport-related purpose" and the additional 0.50% of the  
3 0.75% tax on aviation fuel is expended for airport-related  
4 purposes. If there is no airport-related purpose to which  
5 aviation fuel tax revenue is dedicated, then aviation fuel is  
6 excluded from the additional 0.5% of the 0.75% tax.

7 The Board and DuPage, Kane, Lake, McHenry, and Will  
8 counties must comply with the certification requirements for  
9 airport-related purposes under Section 2-22 of the Retailers'  
10 Occupation Tax Act. For purposes of this Section,  
11 "airport-related purposes" has the meaning ascribed in Section  
12 6z-20.2 of the State Finance Act. This exclusion for aviation  
13 fuel only applies for so long as the revenue use requirements  
14 of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the  
15 Authority.

16 The tax imposed under this paragraph and all civil  
17 penalties that may be assessed as an incident thereof shall be  
18 collected and enforced by the State Department of Revenue. The  
19 Department shall have full power to administer and enforce  
20 this paragraph; to collect all taxes and penalties due  
21 hereunder; to dispose of taxes and penalties collected in the  
22 manner hereinafter provided; and to determine all rights to  
23 credit memoranda arising on account of the erroneous payment  
24 of tax or penalty hereunder. In the administration of and  
25 compliance with this paragraph, the Department and persons who  
26 are subject to this paragraph shall have the same rights,

1 remedies, privileges, immunities, powers, and duties, and be  
2 subject to the same conditions, restrictions, limitations,  
3 penalties, exclusions, exemptions, and definitions of terms,  
4 and employ the same modes of procedure, as are prescribed in  
5 Sections 1a-1, 2, 2a, 3 through 3-50 (in respect to all  
6 provisions therein other than the State rate of tax), 4  
7 (except that the reference to the State shall be to the  
8 Authority), 5, 7, 8 (except that the jurisdiction to which the  
9 tax shall be a debt to the extent indicated in that Section 8  
10 shall be the Authority), 9 (except as to the disposition of  
11 taxes and penalties collected, and except that the returned  
12 merchandise credit for this tax may not be taken against any  
13 State tax, and except that the retailer's discount is not  
14 allowed for taxes paid on aviation fuel that are subject to the  
15 revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C.  
16 47133), 10, 11, 12 (except the reference therein to Section 2b  
17 of the Retailers' Occupation Tax Act), 13 (except that any  
18 reference to the State shall mean the Authority), the first  
19 paragraph of Section 15, 16, 17, 18, 19, and 20 of the Service  
20 Occupation Tax Act and Section 3-7 of the Uniform Penalty and  
21 Interest Act, as fully as if those provisions were set forth  
22 herein.

23 Persons subject to any tax imposed under the authority  
24 granted in this paragraph may reimburse themselves for their  
25 serviceman's tax liability hereunder by separately stating the  
26 tax as an additional charge, that charge may be stated in

1 combination in a single amount with State tax that servicemen  
2 are authorized to collect under the Service Use Tax Act, under  
3 any bracket schedules the Department may prescribe.

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

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

17 (g) If a tax has been imposed under paragraph (e), a tax  
18 shall also be imposed upon the privilege of using in the  
19 metropolitan region, any item of tangible personal property  
20 that is purchased outside the metropolitan region at retail  
21 from a retailer, and that is titled or registered with an  
22 agency of this State's government. In Cook County, the tax  
23 rate shall be 1% of the selling price of the tangible personal  
24 property, as "selling price" is defined in the Use Tax Act. In  
25 DuPage, Kane, Lake, McHenry, and Will counties, the tax rate  
26 shall be 0.75% of the selling price of the tangible personal

1 property, as "selling price" is defined in the Use Tax Act. The  
2 tax shall be collected from persons whose Illinois address for  
3 titling or registration purposes is given as being in the  
4 metropolitan region. The tax shall be collected by the  
5 Department of Revenue for the Regional Transportation  
6 Authority. The tax must be paid to the State, or an exemption  
7 determination must be obtained from the Department of Revenue,  
8 before the title or certificate of registration for the  
9 property may be issued. The tax or proof of exemption may be  
10 transmitted to the Department by way of the State agency with  
11 which, or the State officer with whom, the tangible personal  
12 property must be titled or registered if the Department and  
13 the State agency or State officer determine that this  
14 procedure will expedite the processing of applications for  
15 title or registration.

16 The Department shall have full power to administer and  
17 enforce this paragraph; to collect all taxes, penalties, and  
18 interest due hereunder; to dispose of taxes, penalties, and  
19 interest collected in the manner hereinafter provided; and to  
20 determine all rights to credit memoranda or refunds arising on  
21 account of the erroneous payment of tax, penalty, or interest  
22 hereunder. In the administration of and compliance with this  
23 paragraph, the Department and persons who are subject to this  
24 paragraph shall have the same rights, remedies, privileges,  
25 immunities, powers, and duties, and be subject to the same  
26 conditions, restrictions, limitations, penalties, exclusions,

1 exemptions, and definitions of terms and employ the same modes  
2 of procedure, as are prescribed in Sections 2 (except the  
3 definition of "retailer maintaining a place of business in  
4 this State"), 3 through 3-80 (except provisions pertaining to  
5 the State rate of tax, and except provisions concerning  
6 collection or refunding of the tax by retailers), 4, 11, 12,  
7 12a, 14, 15, 19 (except the portions pertaining to claims by  
8 retailers and except the last paragraph concerning refunds),  
9 20, 21, and 22 of the Use Tax Act, and are not inconsistent  
10 with this paragraph, as fully as if those provisions were set  
11 forth herein.

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

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

1 Public Act 103-592 ~~this amendatory Act of the 103rd General~~  
2 ~~Assembly.~~

3 (h) The Authority may impose a replacement vehicle tax of  
4 \$50 on any passenger car as defined in Section 1-157 of the  
5 Illinois Vehicle Code purchased within the metropolitan region  
6 by or on behalf of an insurance company to replace a passenger  
7 car of an insured person in settlement of a total loss claim.  
8 The tax imposed may not become effective before the first day  
9 of the month following the passage of the ordinance imposing  
10 the tax and receipt of a certified copy of the ordinance by the  
11 Department of Revenue. The Department of Revenue shall collect  
12 the tax for the Authority in accordance with Sections 3-2002  
13 and 3-2003 of the Illinois Vehicle Code.

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

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

25 After the monthly transfer to the STAR Bonds Revenue Fund,  
26 on or before the 25th day of each calendar month, the

1 Department shall prepare and certify to the Comptroller the  
2 disbursement of stated sums of money to the Authority. The  
3 amount to be paid to the Authority shall be the amount  
4 collected hereunder during the second preceding calendar month  
5 by the Department, less any amount determined by the  
6 Department to be necessary for the payment of refunds, and  
7 less any amounts that are transferred to the STAR Bonds  
8 Revenue Fund. Within 10 days after receipt by the Comptroller  
9 of the disbursement certification to the Authority provided  
10 for in this Section to be given to the Comptroller by the  
11 Department, the Comptroller shall cause the orders to be drawn  
12 for that amount in accordance with the directions contained in  
13 the certification.

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

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

25 (k) The provisions of any tax imposed under paragraph (c)  
26 of this Section shall conform as closely as may be practicable

1 to the provisions of the Use Tax Act, including, without  
2 limitation, conformity as to penalties with respect to the tax  
3 imposed and as to the powers of the State Department of Revenue  
4 to promulgate and enforce rules and regulations relating to  
5 the administration and enforcement of the provisions of the  
6 tax imposed. The taxes shall be imposed only on use within the  
7 metropolitan region and at rates as provided in the paragraph.

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

22 (m) Any ordinance imposing or discontinuing any tax under  
23 this Section shall be adopted and a certified copy thereof  
24 filed with the Department on or before June 1, whereupon the  
25 Department of Revenue shall proceed to administer and enforce  
26 this Section on behalf of the Regional Transportation

1 Authority as of September 1 next following such adoption and  
2 filing. Beginning January 1, 1992, an ordinance or resolution  
3 imposing or discontinuing the tax hereunder shall be adopted  
4 and a certified copy thereof filed with the Department on or  
5 before the first day of July, whereupon the Department shall  
6 proceed to administer and enforce this Section as of the first  
7 day of October next following such adoption and filing.  
8 Beginning January 1, 1993, an ordinance or resolution  
9 imposing, increasing, decreasing, or discontinuing the tax  
10 hereunder shall be adopted and a certified copy thereof filed  
11 with the Department, whereupon the Department shall proceed to  
12 administer and enforce this Section as of the first day of the  
13 first month to occur not less than 60 days following such  
14 adoption and filing. Any ordinance or resolution of the  
15 Authority imposing a tax under this Section and in effect on  
16 August 1, 2007 shall remain in full force and effect and shall  
17 be administered by the Department of Revenue under the terms  
18 and conditions and rates of tax established by such ordinance  
19 or resolution until the Department begins administering and  
20 enforcing an increased tax under this Section as authorized by  
21 Public Act 95-708. The tax rates authorized by Public Act  
22 95-708 are effective only if imposed by ordinance of the  
23 Authority.

24 (n) Except as otherwise provided in this subsection (n),  
25 the State Department of Revenue shall, upon collecting any  
26 taxes as provided in this Section, pay the taxes over to the

1 State Treasurer as trustee for the Authority. The taxes shall  
2 be held in a trust fund outside the State Treasury. If an  
3 airport-related purpose has been certified, taxes and  
4 penalties collected in DuPage, Kane, Lake, McHenry and Will  
5 counties on aviation fuel sold on or after December 1, 2019  
6 from the 0.50% of the 0.75% rate shall be immediately paid over  
7 by the Department to the State Treasurer, ex officio, as  
8 trustee, for deposit into the Local Government Aviation Trust  
9 Fund. The Department shall only pay moneys into the Local  
10 Government Aviation Trust Fund under this Act for so long as  
11 the revenue use requirements of 49 U.S.C. 47107(b) and 49  
12 U.S.C. 47133 are binding on the Authority. On or before the  
13 25th day of each calendar month, the State Department of  
14 Revenue shall prepare and certify to the Comptroller of the  
15 State of Illinois and to the Authority (i) the amount of taxes  
16 collected in each county other than Cook County in the  
17 metropolitan region, (not including, if an airport-related  
18 purpose has been certified, the taxes and penalties collected  
19 from the 0.50% of the 0.75% rate on aviation fuel sold on or  
20 after December 1, 2019 that are deposited into the Local  
21 Government Aviation Trust Fund) (ii) the amount of taxes  
22 collected within the City of Chicago, and (iii) the amount  
23 collected in that portion of Cook County outside of Chicago,  
24 each amount less the amount necessary for the payment of  
25 refunds to taxpayers located in those areas described in items  
26 (i), (ii), and (iii), and less 1.5% of the remainder, which

1 shall be transferred from the trust fund into the Tax  
2 Compliance and Administration Fund. The Department, at the  
3 time of each monthly disbursement to the Authority, shall  
4 prepare and certify to the State Comptroller the amount to be  
5 transferred into the Tax Compliance and Administration Fund  
6 under this subsection. Within 10 days after receipt by the  
7 Comptroller of the certification of the amounts, the  
8 Comptroller shall cause an order to be drawn for the transfer  
9 of the amount certified into the Tax Compliance and  
10 Administration Fund and the payment of two-thirds of the  
11 amounts certified in item (i) of this subsection to the  
12 Authority and one-third of the amounts certified in item (i)  
13 of this subsection to the respective counties other than Cook  
14 County and the amount certified in items (ii) and (iii) of this  
15 subsection to the Authority.

16 In addition to the disbursement required by the preceding  
17 paragraph, an allocation shall be made in July 1991 and each  
18 year thereafter to the Regional Transportation Authority. The  
19 allocation shall be made in an amount equal to the average  
20 monthly distribution during the preceding calendar year  
21 (excluding the 2 months of lowest receipts) and the allocation  
22 shall include the amount of average monthly distribution from  
23 the Regional Transportation Authority Occupation and Use Tax  
24 Replacement Fund. The distribution made in July 1992 and each  
25 year thereafter under this paragraph and the preceding  
26 paragraph shall be reduced by the amount allocated and

1 disbursed under this paragraph in the preceding calendar year.  
2 The Department of Revenue shall prepare and certify to the  
3 Comptroller for disbursement the allocations made in  
4 accordance with this paragraph.

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

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

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

25 (q) Any existing rights, remedies and obligations  
26 (including enforcement by the Regional Transportation

1 Authority) arising under any tax imposed under paragraph (b),  
2 (c), or (d) of this Section shall not be affected by the  
3 imposition of a tax under paragraph (e), (f), or (g) of this  
4 Section.

5 (Source: P.A. 102-700, eff. 4-19-22; 103-592, eff. 1-1-25;  
6 103-781, eff. 8-5-24; revised 11-26-24.)

7 (70 ILCS 3615/4.03.3)

8 Sec. 4.03.3. Distribution of Revenues. This Section  
9 applies only after the Department begins administering and  
10 enforcing an increased tax under Section 4.03(m) as authorized  
11 by this amendatory Act of the 95th General Assembly. After  
12 providing for payment of its obligations with respect to bonds  
13 and notes issued under the provisions of Section 4.04 and  
14 obligations related to those bonds and notes and separately  
15 accounting for the tax on aviation fuel deposited into the  
16 Local Government Aviation Trust Fund, the Authority shall  
17 disburse the remaining proceeds from taxes it has received  
18 from the Department of Revenue under this Article IV and the  
19 remaining proceeds it has received from the State under  
20 Section 4.09(a) as follows:

21 (a) With respect to taxes imposed by the Authority under  
22 Section 4.03, after withholding 15% of 80% of the receipts  
23 from those taxes collected in Cook County at a rate of 1.25%,  
24 15% of 75% of the receipts from those taxes collected in Cook  
25 County at the rate of 1%, 15% of one-half of the receipts from

1 those taxes collected in DuPage, Kane, Lake, McHenry, and Will  
2 Counties, and 15% of money received by the Authority from the  
3 Regional Transportation Authority Occupation and Use Tax  
4 Replacement Fund or from the Regional Transportation Authority  
5 tax fund created in Section 4.03(n), the Board shall allocate  
6 the proceeds and money remaining to the Service Boards as  
7 follows:

8 (1) an amount equal to (i) 85% of 80% of the receipts  
9 from those taxes collected within the City of Chicago at a  
10 rate of 1.25%, (ii) 85% of 75% of the receipts from those  
11 taxes collected in the City of Chicago at the rate of 1%,  
12 and (iii) 85% of the money received by the Authority on  
13 account of transfers to the Regional Transportation  
14 Authority Occupation and Use Tax Replacement Fund or to  
15 the Regional Transportation Authority tax fund created in  
16 Section 4.03(n) from the County and Mass Transit District  
17 Fund attributable to retail sales within the City of  
18 Chicago shall be allocated to the Chicago Transit  
19 Authority;

20 (2) an amount equal to (i) 85% of 80% of the receipts  
21 from those taxes collected within Cook County outside of  
22 the City of Chicago at a rate of 1.25%, (ii) 85% of 75% of  
23 the receipts from those taxes collected within Cook County  
24 outside the City of Chicago at a rate of 1%, and (iii) 85%  
25 of the money received by the Authority on account of  
26 transfers to the Regional Transportation Authority

1 Occupation and Use Tax Replacement Fund or to the Regional  
2 Transportation Authority tax fund created in Section  
3 4.03(n) from the County and Mass Transit District Fund  
4 attributable to retail sales within Cook County outside of  
5 the City of Chicago shall be allocated 30% to the Chicago  
6 Transit Authority, 55% to the Commuter Rail Board, and 15%  
7 to the Suburban Bus Board; and

8 (3) an amount equal to 85% of one-half of the receipts  
9 from the taxes collected within the Counties of DuPage,  
10 Kane, Lake, McHenry, and Will shall be allocated 70% to  
11 the Commuter Rail Board and 30% to the Suburban Bus Board.

12 (b) Moneys received by the Authority on account of  
13 transfers to the Regional Transportation Authority Occupation  
14 and Use Tax Replacement Fund from the State and Local Sales Tax  
15 Reform Fund shall be allocated among the Authority and the  
16 Service Boards as follows: 15% of such moneys shall be  
17 retained by the Authority and the remaining 85% shall be  
18 transferred to the Service Boards as soon as may be  
19 practicable after the Authority receives payment. Moneys which  
20 are distributable to the Service Boards pursuant to the  
21 preceding sentence shall be allocated among the Service Boards  
22 on the basis of each Service Board's distribution ratio. The  
23 term "distribution ratio" means, for purposes of this  
24 subsection (b), the ratio of the total amount distributed to a  
25 Service Board pursuant to subsection (a) of Section 4.03.3 for  
26 the immediately preceding calendar year to the total amount

1 distributed to all of the Service Boards pursuant to  
2 subsection (a) of Section 4.03.3 for the immediately preceding  
3 calendar year.

4 (c) (i) 20% of the receipts from those taxes collected in  
5 Cook County under Section 4.03 at the rate of 1.25%, (ii) 25%  
6 of the receipts from those taxes collected in Cook County  
7 under Section 4.03 at the rate of 1%, (iii) 50% of the receipts  
8 from those taxes collected in DuPage, Kane, Lake, McHenry, and  
9 Will Counties under Section 4.03, and (iv) amounts received  
10 from the State under Section 4.09 (a) (2) and items (i), (ii),  
11 and (iii) of Section 4.09 (a) (3) shall be allocated as  
12 follows: the amount required to be deposited into the ADA  
13 Paratransit Fund described in Section 2.01d, the amount  
14 required to be deposited into the Suburban Community Mobility  
15 Fund described in Section 2.01e, and the amount required to be  
16 deposited into the Innovation, Coordination and Enhancement  
17 Fund described in Section 2.01c, and the balance shall be  
18 allocated 48% to the Chicago Transit Authority, 39% to the  
19 Commuter Rail Board, and 13% to the Suburban Bus Board.

20 (d) Amounts received from the State under Section 4.09  
21 (a) (3) (iv) shall be distributed 100% to the Chicago Transit  
22 Authority.

23 (e) With respect to those taxes collected in DuPage, Kane,  
24 Lake, McHenry, and Will Counties and paid directly to the  
25 counties under Section 4.03, the County Board of each county  
26 shall use those amounts to fund operating and capital costs of

1 public safety and public transportation services or facilities  
2 or to fund operating, capital, right-of-way, construction, and  
3 maintenance costs of other transportation purposes, including  
4 road, bridge, public safety, and transit purposes intended to  
5 improve mobility or reduce congestion in the county. The  
6 receipt of funding by such counties pursuant to this paragraph  
7 shall not be used as the basis for reducing any funds that such  
8 counties would otherwise have received from the State of  
9 Illinois, any agency or instrumentality thereof, the  
10 Authority, or the Service Boards.

11 (f) The Authority by ordinance adopted by 12 of its then  
12 Directors, prior to February 1, 2026, and by the affirmative  
13 vote of at least 14 of its then Directors, beginning February  
14 1, 2026 shall apportion to the Service Boards funds provided  
15 by the State of Illinois under Section 4.09(a)(1) as it shall  
16 determine and shall make payment of the amounts to each  
17 Service Board as soon as may be practicable upon their receipt  
18 provided the Authority has adopted a balanced budget as  
19 required by Section 4.01 and further provided the Service  
20 Board is in compliance with the requirements in Section 4.11.

21 (g) Beginning January 1, 2009, before making any payments,  
22 transfers, or expenditures under this Section to a Service  
23 Board, the Authority must first comply with Section 4.02a or  
24 4.02b of this Act, whichever may be applicable.

25 (h) Moneys may be appropriated from the Public  
26 Transportation Fund to the Office of the Executive Inspector

1 General for the costs incurred by the Executive Inspector  
2 General while serving as the inspector general for the  
3 Authority and each of the Service Boards. Beginning December  
4 31, 2012, and each year thereafter, the Office of the  
5 Executive Inspector General shall annually report to the  
6 General Assembly the expenses incurred while serving as the  
7 inspector general for the Authority and each of the Service  
8 Boards.

9 (Source: P.A. 101-604, eff. 12-13-19.)

10 (70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

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

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

1 construction or acquisition; to provide funds for any  
2 transportation agency to pay principal of or interest or  
3 redemption premium on any bonds or notes, whether as such  
4 amounts become due or by earlier redemption, issued prior to  
5 the date of this amendatory Act by such transportation agency  
6 to construct or acquire public transportation facilities or to  
7 provide funds to purchase such bonds or notes; and to provide  
8 funds for any transportation agency to construct or acquire  
9 any public transportation facilities, to repay advances made  
10 for such purposes, and to pay other expenses incident to or  
11 incurred in connection with such construction or acquisition;  
12 and to provide funds for payment of obligations, including the  
13 funding of reserves, under any self-insurance plan or joint  
14 self-insurance pool or entity.

15 In addition to any other borrowing as may be authorized by  
16 this Section, the Authority may issue its notes, from time to  
17 time, in anticipation of tax receipts of the Authority or of  
18 other revenues or receipts of the Authority, in order to  
19 provide money for the Authority or the Service Boards to cover  
20 any cash flow deficit which the Authority or a Service Board  
21 anticipates incurring. Any such notes are referred to in this  
22 Section as "Working Cash Notes". No Working Cash Notes shall  
23 be issued for a term of longer than 24 months. Proceeds of  
24 Working Cash Notes may be used to pay day to day operating  
25 expenses of the Authority or the Service Boards, consisting of  
26 wages, salaries, and fringe benefits, professional and

1 technical services (including legal, audit, engineering, and  
2 other consulting services), office rental, furniture, fixtures  
3 and equipment, insurance premiums, claims for self-insured  
4 amounts under insurance policies, public utility obligations  
5 for telephone, light, heat and similar items, travel expenses,  
6 office supplies, postage, dues, subscriptions, public hearings  
7 and information expenses, fuel purchases, and payments of  
8 grants and payments under purchase of service agreements for  
9 operations of transportation agencies, prior to the receipt by  
10 the Authority or a Service Board from time to time of funds for  
11 paying such expenses. In addition to any Working Cash Notes  
12 that the Board of the Authority may determine to issue, the  
13 Suburban Bus Board, the Commuter Rail Board or the Board of the  
14 Chicago Transit Authority may demand and direct that the  
15 Authority issue its Working Cash Notes in such amounts and  
16 having such maturities as the Service Board may determine.

17 Notwithstanding any other provision of this Act, any  
18 amounts necessary to pay principal of and interest on any  
19 Working Cash Notes issued at the demand and direction of a  
20 Service Board or any Working Cash Notes the proceeds of which  
21 were used for the direct benefit of a Service Board or any  
22 other Bonds or Notes of the Authority the proceeds of which  
23 were used for the direct benefit of a Service Board shall  
24 constitute a reduction of the amount of any other funds  
25 provided by the Authority to that Service Board. The Authority  
26 shall, after deducting any costs of issuance, tender the net

1 proceeds of any Working Cash Notes issued at the demand and  
2 direction of a Service Board to such Service Board as soon as  
3 may be practicable after the proceeds are received. The  
4 Authority may also issue notes or bonds to pay, refund or  
5 redeem any of its notes and bonds, including to pay redemption  
6 premiums or accrued interest on such bonds or notes being  
7 renewed, paid or refunded, and other costs in connection  
8 therewith. The Authority may also utilize the proceeds of any  
9 such bonds or notes to pay the legal, financial,  
10 administrative and other expenses of such authorization,  
11 issuance, sale or delivery of bonds or notes or to provide or  
12 increase a debt service reserve fund with respect to any or all  
13 of its bonds or notes. The Authority may also issue and deliver  
14 its bonds or notes in exchange for any public transportation  
15 facilities, (including funds and rights relating thereto, as  
16 provided in Section 2.05 of this Act) or in exchange for  
17 outstanding bonds or notes of the Authority, including any  
18 accrued interest or redemption premium thereon, without  
19 advertising or submitting such notes or bonds for public  
20 bidding.

21 (b) The ordinance providing for the issuance of any such  
22 bonds or notes shall fix the date or dates of maturity, the  
23 dates on which interest is payable, any sinking fund account  
24 or reserve fund account provisions and all other details of  
25 such bonds or notes and may provide for such covenants or  
26 agreements necessary or desirable with regard to the issue,

1 sale and security of such bonds or notes. The rate or rates of  
2 interest on its bonds or notes may be fixed or variable and the  
3 Authority shall determine or provide for the determination of  
4 the rate or rates of interest of its bonds or notes issued  
5 under this Act in an ordinance adopted by the Authority prior  
6 to the issuance thereof, none of which rates of interest shall  
7 exceed that permitted in the Bond Authorization Act. Interest  
8 may be payable at such times as are provided for by the Board.  
9 Bonds and notes issued under this Section may be issued as  
10 serial or term obligations, shall be of such denomination or  
11 denominations and form, including interest coupons to be  
12 attached thereto, be executed in such manner, shall be payable  
13 at such place or places and bear such date as the Authority  
14 shall fix by the ordinance authorizing such bond or note and  
15 shall mature at such time or times, within a period not to  
16 exceed 40 ~~forty~~ years from the date of issue, and may be  
17 redeemable prior to maturity with or without premium, at the  
18 option of the Authority, upon such terms and conditions as the  
19 Authority shall fix by the ordinance authorizing the issuance  
20 of such bonds or notes. No bond anticipation note or any  
21 renewal thereof shall mature at any time or times exceeding 5  
22 years from the date of the first issuance of such note. The  
23 Authority may provide for the registration of bonds or notes  
24 in the name of the owner as to the principal alone or as to  
25 both principal and interest, upon such terms and conditions as  
26 the Authority may determine. The ordinance authorizing bonds

1 or notes may provide for the exchange of such bonds or notes  
2 which are fully registered, as to both principal and interest,  
3 with bonds or notes which are registerable as to principal  
4 only. All bonds or notes issued under this Section by the  
5 Authority other than those issued in exchange for property or  
6 for bonds or notes of the Authority shall be sold at a price  
7 which may be at a premium or discount but such that the  
8 interest cost (excluding any redemption premium) to the  
9 Authority of the proceeds of an issue of such bonds or notes,  
10 computed to stated maturity according to standard tables of  
11 bond values, shall not exceed that permitted in the Bond  
12 Authorization Act. The Authority shall notify the Governor's  
13 Office of Management and Budget and the State Comptroller at  
14 least 30 days before any bond sale and shall file with the  
15 Governor's Office of Management and Budget and the State  
16 Comptroller a certified copy of any ordinance authorizing the  
17 issuance of bonds at or before the issuance of the bonds. After  
18 December 31, 1994, any such bonds or notes shall be sold to the  
19 highest and best bidder on sealed bids as the Authority shall  
20 deem. As such bonds or notes are to be sold the Authority shall  
21 advertise for proposals to purchase the bonds or notes which  
22 advertisement shall be published at least once in a daily  
23 newspaper of general circulation published in the metropolitan  
24 region at least 10 days before the time set for the submission  
25 of bids. The Authority shall have the right to reject any or  
26 all bids. Notwithstanding any other provisions of this

1 Section, Working Cash Notes or bonds or notes to provide funds  
2 for self-insurance or a joint self-insurance pool or entity  
3 may be sold either upon competitive bidding or by negotiated  
4 sale (without any requirement of publication of intention to  
5 negotiate the sale of such Notes), as the Board shall  
6 determine by ordinance adopted with the affirmative votes of  
7 at least 9 Directors, prior to February 1, 2026, and by the  
8 affirmative vote of a simple majority of Directors, beginning  
9 February 1, 2026. In case any officer whose signature appears  
10 on any bonds, notes or coupons authorized pursuant to this  
11 Section shall cease to be such officer before delivery of such  
12 bonds or notes, such signature shall nevertheless be valid and  
13 sufficient for all purposes, the same as if such officer had  
14 remained in office until such delivery. Neither the Directors  
15 of the Authority nor any person executing any bonds or notes  
16 thereof shall be liable personally on any such bonds or notes  
17 or coupons by reason of the issuance thereof.

18 (c) All bonds or notes of the Authority issued pursuant to  
19 this Section shall be general obligations of the Authority to  
20 which shall be pledged the full faith and credit of the  
21 Authority, as provided in this Section. Such bonds or notes  
22 shall be secured as provided in the authorizing ordinance,  
23 which may, notwithstanding any other provision of this Act,  
24 include in addition to any other security, a specific pledge  
25 or assignment of and lien on or security interest in any or all  
26 tax receipts of the Authority and on any or all other revenues

1 or moneys of the Authority from whatever source, which may by  
2 law be utilized for debt service purposes and a specific  
3 pledge or assignment of and lien on or security interest in any  
4 funds or accounts established or provided for by the ordinance  
5 of the Authority authorizing the issuance of such bonds or  
6 notes. Any such pledge, assignment, lien, or security interest  
7 for the benefit of holders of bonds or notes of the Authority  
8 shall be valid and binding from the time the bonds or notes are  
9 issued without any physical delivery or further act and shall  
10 be valid and binding as against and prior to the claims of all  
11 other parties having claims of any kind against the Authority  
12 or any other person irrespective of whether such other parties  
13 have notice of such pledge, assignment, lien, or security  
14 interest. The obligations of the Authority incurred pursuant  
15 to this Section shall be superior to and have priority over any  
16 other obligations of the Authority.

17 The Authority may provide in the ordinance authorizing the  
18 issuance of any bonds or notes issued pursuant to this Section  
19 for the creation of, deposits in, and regulation and  
20 disposition of sinking fund or reserve accounts relating to  
21 such bonds or notes. The ordinance authorizing the issuance of  
22 any bonds or notes pursuant to this Section may contain  
23 provisions as part of the contract with the holders of the  
24 bonds or notes, for the creation of a separate fund to provide  
25 for the payment of principal and interest on such bonds or  
26 notes and for the deposit in such fund from any or all the tax

1 receipts of the Authority and from any or all such other moneys  
2 or revenues of the Authority from whatever source which may by  
3 law be utilized for debt service purposes, all as provided in  
4 such ordinance, of amounts to meet the debt service  
5 requirements on such bonds or notes, including principal and  
6 interest, and any sinking fund or reserve fund account  
7 requirements as may be provided by such ordinance, and all  
8 expenses incident to or in connection with such fund and  
9 accounts or the payment of such bonds or notes. Such ordinance  
10 may also provide limitations on the issuance of additional  
11 bonds or notes of the Authority. No such bonds or notes of the  
12 Authority shall constitute a debt of the State of Illinois.  
13 Nothing in this Act shall be construed to enable the Authority  
14 to impose any ad valorem tax on property.

15 (d) The ordinance of the Authority authorizing the  
16 issuance of any bonds or notes may provide additional security  
17 for such bonds or notes by providing for appointment of a  
18 corporate trustee (which may be any trust company or bank  
19 having the powers of a trust company within the state) with  
20 respect to such bonds or notes. The ordinance shall prescribe  
21 the rights, duties, and powers of the trustee to be exercised  
22 for the benefit of the Authority and the protection of the  
23 holders of such bonds or notes. The ordinance may provide for  
24 the trustee to hold in trust, invest, and use amounts in funds  
25 and accounts created as provided by the ordinance with respect  
26 to the bonds or notes. The ordinance may provide for the

1 assignment and direct payment to the trustee of any or all  
2 amounts produced from the sources provided in Section 4.03 and  
3 Section 4.09 of this Act and provided in Section 6z-17 of the  
4 State Finance Act. Upon receipt of notice of any such  
5 assignment, the Department of Revenue and the Comptroller of  
6 the State of Illinois shall thereafter, notwithstanding the  
7 provisions of Section 4.03 and Section 4.09 of this Act and  
8 Section 6z-17 of the State Finance Act, provide for such  
9 assigned amounts to be paid directly to the trustee instead of  
10 the Authority, all in accordance with the terms of the  
11 ordinance making the assignment. The ordinance shall provide  
12 that amounts so paid to the trustee which are not required to  
13 be deposited, held or invested in funds and accounts created  
14 by the ordinance with respect to bonds or notes or used for  
15 paying bonds or notes to be paid by the trustee to the  
16 Authority.

17 (e) Any bonds or notes of the Authority issued pursuant to  
18 this Section shall constitute a contract between the Authority  
19 and the holders from time to time of such bonds or notes. In  
20 issuing any bond or note, the Authority may include in the  
21 ordinance authorizing such issue a covenant as part of the  
22 contract with the holders of the bonds or notes, that as long  
23 as such obligations are outstanding, it shall make such  
24 deposits, as provided in paragraph (c) of this Section. It may  
25 also so covenant that it shall impose and continue to impose  
26 taxes, as provided in Section 4.03 of this Act and in addition

1 thereto as subsequently authorized by law, sufficient to make  
2 such deposits and pay the principal and interest and to meet  
3 other debt service requirements of such bonds or notes as they  
4 become due. A certified copy of the ordinance authorizing the  
5 issuance of any such obligations shall be filed at or prior to  
6 the issuance of such obligations with the Comptroller of the  
7 State of Illinois and the Illinois Department of Revenue.

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

1 (g) (1) Except as provided in subdivisions (g) (2) and  
2 (g) (3) of Section 4.04 of this Act, the Authority shall not at  
3 any time issue, sell or deliver any bonds or notes (other than  
4 Working Cash Notes and lines of credit) pursuant to this  
5 Section 4.04 which will cause it to have issued and  
6 outstanding at any time in excess of \$800,000,000 of such  
7 bonds and notes (other than Working Cash Notes and lines of  
8 credit). The Authority shall not issue, sell, or deliver any  
9 Working Cash Notes or establish a line of credit pursuant to  
10 this Section that will cause it to have issued and outstanding  
11 at any time in excess of \$100,000,000. However, the Authority  
12 may issue, sell, and deliver additional Working Cash Notes or  
13 establish a line of credit before July 1, 2022 that are over  
14 and above and in addition to the \$100,000,000 authorization  
15 such that the outstanding amount of these additional Working  
16 Cash Notes and lines of credit does not exceed at any time  
17 \$300,000,000. Bonds or notes which are being paid or retired  
18 by such issuance, sale or delivery of bonds or notes, and bonds  
19 or notes for which sufficient funds have been deposited with  
20 the paying agency of such bonds or notes to provide for payment  
21 of principal and interest thereon or to provide for the  
22 redemption thereof, all pursuant to the ordinance authorizing  
23 the issuance of such bonds or notes, shall not be considered to  
24 be outstanding for the purposes of this subsection.

25 (2) In addition to the authority provided by paragraphs  
26 (1) and (3), the Authority is authorized to issue, sell, and

1 deliver bonds or notes for Strategic Capital Improvement  
2 Projects approved pursuant to Section 4.13 as follows:

3 \$100,000,000 is authorized to be issued on or after  
4 January 1, 1990;

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

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

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

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

13 the aggregate total authorization of bonds and notes  
14 for Strategic Capital Improvement Projects as of January  
15 1, 1994, shall be \$500,000,000.

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

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

5                 \$260,000,000 is authorized to be issued on or after  
6                 January 1, 2000;

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

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

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

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

15                 the aggregate total authorization of bonds and notes  
16                 for Strategic Capital Improvement Projects pursuant to  
17                 this paragraph (3) as of January 1, 2004 shall be  
18                 \$1,300,000,000.

19           The Authority is also authorized to issue, sell, and  
20           deliver bonds or notes in such amounts as are necessary to  
21           provide for the refunding or advance refunding of bonds or  
22           notes issued for Strategic Capital Improvement projects under  
23           this subdivision (g) (3), provided that no such refunding bond  
24           or note shall mature later than the final maturity date of the  
25           series of bonds or notes being refunded, and provided further  
26           that the debt service requirements for such refunding bonds or

1 notes in the current or any future fiscal year shall not exceed  
2 the debt service requirements for that year on the refunded  
3 bonds or notes.

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

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

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

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

1 Authority; and

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

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

16 Before establishing a line of credit under this subsection  
17 (j), the Authority shall authorize the line of credit by  
18 ordinance. The ordinance shall set forth facts demonstrating  
19 the need for the line of credit, state the amount to be  
20 borrowed, establish a maximum interest rate limit not to  
21 exceed the maximum rate authorized by the Bond Authorization  
22 Act, and provide a date by which the borrowed funds shall be  
23 repaid. The ordinance shall authorize and direct the relevant  
24 officials to make arrangements to set apart and hold, as  
25 applicable, the moneys that will be used to repay the  
26 borrowing. In addition, the ordinance may authorize the

1 relevant officials to make partial repayments on the line of  
2 credit as the moneys become available and may contain any  
3 other terms, restrictions, or limitations desirable or  
4 necessary to give effect to this subsection (j).

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

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

15 (Source: P.A. 101-485, eff. 8-23-19; 102-558, eff. 8-20-21.)

16 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

17 Sec. 4.09. Public Transportation Fund and the Regional  
18 Transportation Authority Occupation and Use Tax Replacement  
19 Fund.

20 (a)(1) Except as otherwise provided in paragraph (4), as  
21 soon as possible after the first day of each month, beginning  
22 July 1, 1984, upon certification of the Department of Revenue,  
23 the Comptroller shall order transferred and the Treasurer  
24 shall transfer from the General Revenue Fund to a special fund  
25 in the State Treasury to be known as the Public Transportation

1 Fund an amount equal to 25% of the net revenue, before the  
2 deduction of the serviceman and retailer discounts pursuant to  
3 Section 9 of the Service Occupation Tax Act and Section 3 of  
4 the Retailers' Occupation Tax Act, realized from any tax  
5 imposed by the Authority pursuant to Sections 4.03 and 4.03.1  
6 and 25% of the amounts deposited into the Regional  
7 Transportation Authority tax fund created by Section 4.03 of  
8 this Act, from the County and Mass Transit District Fund as  
9 provided in Section 6z-20 of the State Finance Act and 25% of  
10 the amounts deposited into the Regional Transportation  
11 Authority Occupation and Use Tax Replacement Fund from the  
12 State and Local Sales Tax Reform Fund as provided in Section  
13 6z-17 of the State Finance Act. On the first day of the month  
14 following the date that the Department receives revenues from  
15 increased taxes under Section 4.03(m) as authorized by Public  
16 Act 95-708, in lieu of the transfers authorized in the  
17 preceding sentence, upon certification of the Department of  
18 Revenue, the Comptroller shall order transferred and the  
19 Treasurer shall transfer from the General Revenue Fund to the  
20 Public Transportation Fund an amount equal to 25% of the net  
21 revenue, before the deduction of the serviceman and retailer  
22 discounts pursuant to Section 9 of the Service Occupation Tax  
23 Act and Section 3 of the Retailers' Occupation Tax Act,  
24 realized from (i) 80% of the proceeds of any tax imposed by the  
25 Authority at a rate of 1.25% in Cook County, (ii) 75% of the  
26 proceeds of any tax imposed by the Authority at the rate of 1%

1 in Cook County, and (iii) one-third of the proceeds of any tax  
2 imposed by the Authority at the rate of 0.75% in the Counties  
3 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to  
4 Section 4.03, and 25% of the net revenue realized from any tax  
5 imposed by the Authority pursuant to Section 4.03.1, and 25%  
6 of the amounts deposited into the Regional Transportation  
7 Authority tax fund created by Section 4.03 of this Act from the  
8 County and Mass Transit District Fund as provided in Section  
9 6z-20 of the State Finance Act, and 25% of the amounts  
10 deposited into the Regional Transportation Authority  
11 Occupation and Use Tax Replacement Fund from the State and  
12 Local Sales Tax Reform Fund as provided in Section 6z-17 of the  
13 State Finance Act. As used in this Section, net revenue  
14 realized for a month shall be the revenue collected by the  
15 State pursuant to Sections 4.03 and 4.03.1 during the previous  
16 month from within the metropolitan region, less the amount  
17 paid out during that same month as refunds to taxpayers for  
18 overpayment of liability in the metropolitan region under  
19 Sections 4.03 and 4.03.1.

20 Notwithstanding any provision of law to the contrary,  
21 beginning on July 6, 2017 (the effective date of Public Act  
22 100-23), those amounts required under this paragraph (1) of  
23 subsection (a) to be transferred by the Treasurer into the  
24 Public Transportation Fund from the General Revenue Fund shall  
25 be directly deposited into the Public Transportation Fund as  
26 the revenues are realized from the taxes indicated.

1           (2) Except as otherwise provided in paragraph (4), on  
2 February 1, 2009 (the first day of the month following the  
3 effective date of Public Act 95-708) and each month  
4 thereafter, upon certification by the Department of Revenue,  
5 the Comptroller shall order transferred and the Treasurer  
6 shall transfer from the General Revenue Fund to the Public  
7 Transportation Fund an amount equal to 5% of the net revenue,  
8 before the deduction of the serviceman and retailer discounts  
9 pursuant to Section 9 of the Service Occupation Tax Act and  
10 Section 3 of the Retailers' Occupation Tax Act, realized from  
11 any tax imposed by the Authority pursuant to Sections 4.03 and  
12 4.03.1 and certified by the Department of Revenue under  
13 Section 4.03(n) of this Act to be paid to the Authority and 5%  
14 of the amounts deposited into the Regional Transportation  
15 Authority tax fund created by Section 4.03 of this Act from the  
16 County and Mass Transit District Fund as provided in Section  
17 6z-20 of the State Finance Act, and 5% of the amounts deposited  
18 into the Regional Transportation Authority Occupation and Use  
19 Tax Replacement Fund from the State and Local Sales Tax Reform  
20 Fund as provided in Section 6z-17 of the State Finance Act, and  
21 5% of the revenue realized by the Chicago Transit Authority as  
22 financial assistance from the City of Chicago from the  
23 proceeds of any tax imposed by the City of Chicago under  
24 Section 8-3-19 of the Illinois Municipal Code.

25           Notwithstanding any provision of law to the contrary,  
26 beginning on July 6, 2017 (the effective date of Public Act

1 100-23), those amounts required under this paragraph (2) of  
2 subsection (a) to be transferred by the Treasurer into the  
3 Public Transportation Fund from the General Revenue Fund shall  
4 be directly deposited into the Public Transportation Fund as  
5 the revenues are realized from the taxes indicated.

6 (3) Except as otherwise provided in paragraph (4), as soon  
7 as possible after the first day of January, 2009 and each month  
8 thereafter, upon certification of the Department of Revenue  
9 with respect to the taxes collected under Section 4.03, the  
10 Comptroller shall order transferred and the Treasurer shall  
11 transfer from the General Revenue Fund to the Public  
12 Transportation Fund an amount equal to 25% of the net revenue,  
13 before the deduction of the serviceman and retailer discounts  
14 pursuant to Section 9 of the Service Occupation Tax Act and  
15 Section 3 of the Retailers' Occupation Tax Act, realized from  
16 (i) 20% of the proceeds of any tax imposed by the Authority at  
17 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any  
18 tax imposed by the Authority at the rate of 1% in Cook County,  
19 and (iii) one-third of the proceeds of any tax imposed by the  
20 Authority at the rate of 0.75% in the Counties of DuPage, Kane,  
21 Lake, McHenry, and Will, all pursuant to Section 4.03, and the  
22 Comptroller shall order transferred and the Treasurer shall  
23 transfer from the General Revenue Fund to the Public  
24 Transportation Fund (iv) an amount equal to 25% of the revenue  
25 realized by the Chicago Transit Authority as financial  
26 assistance from the City of Chicago from the proceeds of any

1 tax imposed by the City of Chicago under Section 8-3-19 of the  
2 Illinois Municipal Code.

3 Notwithstanding any provision of law to the contrary,  
4 beginning on July 6, 2017 (the effective date of Public Act  
5 100-23), those amounts required under this paragraph (3) of  
6 subsection (a) to be transferred by the Treasurer into the  
7 Public Transportation Fund from the General Revenue Fund shall  
8 be directly deposited into the Public Transportation Fund as  
9 the revenues are realized from the taxes indicated.

10 (4) Notwithstanding any provision of law to the contrary,  
11 for the State fiscal year beginning July 1, 2024 and each State  
12 fiscal year thereafter, the first \$150,000,000 that would have  
13 otherwise been transferred from the General Revenue Fund and  
14 deposited into the Public Transportation Fund as provided in  
15 paragraphs (1), (2), and (3) of this subsection (a) shall  
16 instead be transferred from the Road Fund by the Treasurer  
17 upon certification by the Department of Revenue and order of  
18 the Comptroller. For the State fiscal year beginning July 1,  
19 2024, only, the next \$75,000,000 that would have otherwise  
20 been transferred from the General Revenue Fund and deposited  
21 into the Public Transportation Fund as provided in paragraphs  
22 (1), (2), and (3) of this subsection (a) shall instead be  
23 transferred from the Road Fund and deposited into the Public  
24 Transportation Fund by the Treasurer upon certification by the  
25 Department of Revenue and order of the Comptroller. The funds  
26 authorized and transferred pursuant to this amendatory Act of

1 the 103rd General Assembly are not intended or planned for  
2 road construction projects. For the State fiscal year  
3 beginning July 1, 2024, only, the next \$50,000,000 that would  
4 have otherwise been transferred from the General Revenue Fund  
5 and deposited into the Public Transportation Fund as provided  
6 in paragraphs (1), (2), and (3) of this subsection (a) shall  
7 instead be transferred from the Underground Storage Tank Fund  
8 and deposited into the Public Transportation Fund by the  
9 Treasurer upon certification by the Department of Revenue and  
10 order of the Comptroller. The remaining balance shall be  
11 deposited each State fiscal year as otherwise provided in  
12 paragraphs (1), (2), and (3) of this subsection (a).

13 (5) (Blank).

14 (6) (Blank).

15 (7) For State fiscal year 2020 only, notwithstanding any  
16 provision of law to the contrary, the total amount of revenue  
17 and deposits under this Section attributable to revenues  
18 realized during State fiscal year 2020 shall be reduced by 5%.

19 (8) For State fiscal year 2021 only, notwithstanding any  
20 provision of law to the contrary, the total amount of revenue  
21 and deposits under this Section attributable to revenues  
22 realized during State fiscal year 2021 shall be reduced by 5%.

23 (b)(1) All moneys deposited in the Public Transportation  
24 Fund and the Regional Transportation Authority Occupation and  
25 Use Tax Replacement Fund, whether deposited pursuant to this  
26 Section or otherwise, are allocated to the Authority, except

1 for amounts appropriated to the Office of the Executive  
2 Inspector General as authorized by subsection (h) of Section  
3 4.03.3 and amounts transferred to the Audit Expense Fund  
4 pursuant to Section 6z-27 of the State Finance Act. The  
5 Comptroller, as soon as possible after each monthly transfer  
6 provided in this Section and after each deposit into the  
7 Public Transportation Fund, shall order the Treasurer to pay  
8 to the Authority out of the Public Transportation Fund the  
9 amount so transferred or deposited. Any Additional State  
10 Assistance and Additional Financial Assistance paid to the  
11 Authority under this Section shall be expended by the  
12 Authority for its purposes as provided in this Act. The  
13 balance of the amounts paid to the Authority from the Public  
14 Transportation Fund shall be expended by the Authority as  
15 provided in Section 4.03.3. The Comptroller, as soon as  
16 possible after each deposit into the Regional Transportation  
17 Authority Occupation and Use Tax Replacement Fund provided in  
18 this Section and Section 6z-17 of the State Finance Act, shall  
19 order the Treasurer to pay to the Authority out of the Regional  
20 Transportation Authority Occupation and Use Tax Replacement  
21 Fund the amount so deposited. Such amounts paid to the  
22 Authority may be expended by it for its purposes as provided in  
23 this Act. The provisions directing the distributions from the  
24 Public Transportation Fund and the Regional Transportation  
25 Authority Occupation and Use Tax Replacement Fund provided for  
26 in this Section shall constitute an irrevocable and continuing

1 appropriation of all amounts as provided herein. The State  
2 Treasurer and State Comptroller are hereby authorized and  
3 directed to make distributions as provided in this Section.

4 (2) Provided, however, no moneys deposited under subsection  
5 (a) of this Section shall be paid from the Public  
6 Transportation Fund to the Authority or its assignee for any  
7 fiscal year until the Authority has certified to the Governor,  
8 the Comptroller, and the Mayor of the City of Chicago that it  
9 has adopted for that fiscal year an Annual Budget and Two-Year  
10 Financial Plan meeting the requirements in Section 4.01(b).

11 (c) In recognition of the efforts of the Authority to  
12 enhance the mass transportation facilities under its control,  
13 the State shall provide financial assistance ("Additional  
14 State Assistance") in excess of the amounts transferred to the  
15 Authority from the General Revenue Fund under subsection (a)  
16 of this Section. Additional State Assistance shall be  
17 calculated as provided in subsection (d), but shall in no  
18 event exceed the following specified amounts with respect to  
19 the following State fiscal years:

20	1990	\$5,000,000;
21	1991	\$5,000,000;
22	1992	\$10,000,000;
23	1993	\$10,000,000;
24	1994	\$20,000,000;
25	1995	\$30,000,000;
26	1996	\$40,000,000;

1           1997                           \$50,000,000;  
2           1998                           \$55,000,000; and  
3           each year thereafter   \$55,000,000.

4           (c-5) The State shall provide financial assistance  
5           ("Additional Financial Assistance") in addition to the  
6           Additional State Assistance provided by subsection (c) and the  
7           amounts transferred to the Authority from the General Revenue  
8           Fund under subsection (a) of this Section. Additional  
9           Financial Assistance provided by this subsection shall be  
10          calculated as provided in subsection (d), but shall in no  
11          event exceed the following specified amounts with respect to  
12          the following State fiscal years:

13                   2000                           \$0;  
14                   2001                           \$16,000,000;  
15                   2002                           \$35,000,000;  
16                   2003                           \$54,000,000;  
17                   2004                           \$73,000,000;  
18                   2005                           \$93,000,000; and  
19           each year thereafter   \$100,000,000.

20          (d) Beginning with State fiscal year 1990 and continuing  
21          for each State fiscal year thereafter, the Authority shall  
22          annually certify to the State Comptroller and State Treasurer,  
23          separately with respect to each of subdivisions (g)(2) and  
24          (g)(3) of Section 4.04 of this Act, the following amounts:

25                   (1) The amount necessary and required, during the  
26          State fiscal year with respect to which the certification

1 is made, to pay its obligations for debt service on all  
2 outstanding bonds or notes issued by the Authority under  
3 subdivisions (g) (2) and (g) (3) of Section 4.04 of this  
4 Act.

5 (2) An estimate of the amount necessary and required  
6 to pay its obligations for debt service for any bonds or  
7 notes which the Authority anticipates it will issue under  
8 subdivisions (g) (2) and (g) (3) of Section 4.04 during that  
9 State fiscal year.

10 (3) Its debt service savings during the preceding  
11 State fiscal year from refunding or advance refunding of  
12 bonds or notes issued under subdivisions (g) (2) and (g) (3)  
13 of Section 4.04.

14 (4) The amount of interest, if any, earned by the  
15 Authority during the previous State fiscal year on the  
16 proceeds of bonds or notes issued pursuant to subdivisions  
17 (g) (2) and (g) (3) of Section 4.04, other than refunding or  
18 advance refunding bonds or notes.

19 The certification shall include a specific schedule of  
20 debt service payments, including the date and amount of each  
21 payment for all outstanding bonds or notes and an estimated  
22 schedule of anticipated debt service for all bonds and notes  
23 it intends to issue, if any, during that State fiscal year,  
24 including the estimated date and estimated amount of each  
25 payment.

26 Immediately upon the issuance of bonds for which an

1 estimated schedule of debt service payments was prepared, the  
2 Authority shall file an amended certification with respect to  
3 item (2) above, to specify the actual schedule of debt service  
4 payments, including the date and amount of each payment, for  
5 the remainder of the State fiscal year.

6 On the first day of each month of the State fiscal year in  
7 which there are bonds outstanding with respect to which the  
8 certification is made, the State Comptroller shall order  
9 transferred and the State Treasurer shall transfer from the  
10 Road Fund to the Public Transportation Fund the Additional  
11 State Assistance and Additional Financial Assistance in an  
12 amount equal to the aggregate of (i) one-twelfth of the sum of  
13 the amounts certified under items (1) and (3) above less the  
14 amount certified under item (4) above, plus (ii) the amount  
15 required to pay debt service on bonds and notes issued during  
16 the fiscal year, if any, divided by the number of months  
17 remaining in the fiscal year after the date of issuance, or  
18 some smaller portion as may be necessary under subsection (c)  
19 or (c-5) of this Section for the relevant State fiscal year,  
20 plus (iii) any cumulative deficiencies in transfers for prior  
21 months, until an amount equal to the sum of the amounts  
22 certified under items (1) and (3) above, plus the actual debt  
23 service certified under item (2) above, less the amount  
24 certified under item (4) above, has been transferred; except  
25 that these transfers are subject to the following limits:

26 (A) In no event shall the total transfers in any State

1 fiscal year relating to outstanding bonds and notes issued  
2 by the Authority under subdivision (g)(2) of Section 4.04  
3 exceed the lesser of the annual maximum amount specified  
4 in subsection (c) or the sum of the amounts certified  
5 under items (1) and (3) above, plus the actual debt  
6 service certified under item (2) above, less the amount  
7 certified under item (4) above, with respect to those  
8 bonds and notes.

9 (B) In no event shall the total transfers in any State  
10 fiscal year relating to outstanding bonds and notes issued  
11 by the Authority under subdivision (g)(3) of Section 4.04  
12 exceed the lesser of the annual maximum amount specified  
13 in subsection (c-5) or the sum of the amounts certified  
14 under items (1) and (3) above, plus the actual debt  
15 service certified under item (2) above, less the amount  
16 certified under item (4) above, with respect to those  
17 bonds and notes.

18 The term "outstanding" does not include bonds or notes for  
19 which refunding or advance refunding bonds or notes have been  
20 issued.

21 (e) Neither Additional State Assistance nor Additional  
22 Financial Assistance may be pledged, either directly or  
23 indirectly as general revenues of the Authority, as security  
24 for any bonds issued by the Authority. The Authority may not  
25 assign its right to receive Additional State Assistance or  
26 Additional Financial Assistance, or direct payment of

1 Additional State Assistance or Additional Financial  
2 Assistance, to a trustee or any other entity for the payment of  
3 debt service on its bonds.

4 (f) The certification required under subsection (d) with  
5 respect to outstanding bonds and notes of the Authority shall  
6 be filed as early as practicable before the beginning of the  
7 State fiscal year to which it relates. The certification shall  
8 be revised as may be necessary to accurately state the debt  
9 service requirements of the Authority.

10 (g) Within 6 months of the end of each fiscal year, the  
11 Authority shall determine:

12 (i) whether the aggregate of all system generated  
13 revenues for public transportation in the metropolitan  
14 region which is provided by, or under grant or purchase of  
15 service contracts with, the Service Boards equals 50% of  
16 the aggregate of all costs of providing such public  
17 transportation. For fiscal years 2026 and 2027, the  
18 Authority shall determine if all system generated revenues  
19 for public transportation in the metropolitan region which  
20 is provided by, or under grant or purchase of service  
21 contracts with, the Service Boards equals 25% of the  
22 aggregate of all costs of providing such public  
23 transportation. For fiscal years 2028 and 2029 and every  
24 year thereafter, the Authority shall determine if all  
25 system generated revenues for public transportation in the  
26 metropolitan region that is provided by, or under grant or

1 purchase of service contracts with, the Service Boards  
2 equals 15% of the aggregate of all costs of providing such  
3 public transportation. Prior to the beginning of fiscal  
4 year 2030, the General Assembly shall reevaluate and  
5 determine the appropriate system generated revenues  
6 recovery ratio for future years. "System generated  
7 revenues" include all the proceeds of fares and charges  
8 for services provided, contributions received in  
9 connection with public transportation from units of local  
10 government other than the Authority, except for  
11 contributions received by the Chicago Transit Authority  
12 from a real estate transfer tax imposed under subsection  
13 (i) of Section 8-3-19 of the Illinois Municipal Code, and  
14 from the State pursuant to subsection (i) of Section  
15 2705-305 of the Department of Transportation Law, and all  
16 other revenues properly included consistent with generally  
17 accepted accounting principles but may not include: the  
18 proceeds from any borrowing, and, beginning with the 2007  
19 fiscal year, all revenues and receipts, including but not  
20 limited to fares and grants received from the federal,  
21 State or any unit of local government or other entity,  
22 derived from providing ADA paratransit service pursuant to  
23 Section 2.30 of the Regional Transportation Authority Act.  
24 "Costs" include all items properly included as operating  
25 costs consistent with generally accepted accounting  
26 principles, including administrative costs, but do not

1 include: depreciation; payment of principal and interest  
2 on bonds, notes or other evidences of obligations for  
3 borrowed money of the Authority; payments with respect to  
4 public transportation facilities made pursuant to  
5 subsection (b) of Section 2.20; any payments with respect  
6 to rate protection contracts, credit enhancements or  
7 liquidity agreements made under Section 4.14; any other  
8 cost as to which it is reasonably expected that a cash  
9 expenditure will not be made; costs for passenger security  
10 including grants, contracts, personnel, equipment and  
11 administrative expenses, except in the case of the Chicago  
12 Transit Authority, in which case the term does not include  
13 costs spent annually by that entity for protection against  
14 crime as required by Section 27a of the Metropolitan  
15 Transit Authority Act; the costs of Debt Service paid by  
16 the Chicago Transit Authority, as defined in Section 12c  
17 of the Metropolitan Transit Authority Act, or bonds or  
18 notes issued pursuant to that Section; the payment by the  
19 Commuter Rail Division of debt service on bonds issued  
20 pursuant to Section 3B.09; expenses incurred by the  
21 Suburban Bus Division for the cost of new public  
22 transportation services funded from grants pursuant to  
23 Section 2.01e of this Act for a period of 2 years from the  
24 date of initiation of each such service; costs as exempted  
25 by the Board for projects pursuant to Section 2.09 of this  
26 Act; or, beginning with the 2007 fiscal year, expenses

1 related to providing ADA paratransit service pursuant to  
2 Section 2.30 of the Regional Transportation Authority Act;  
3 or in fiscal years 2008 through 2012 inclusive, costs in  
4 the amount of \$200,000,000 in fiscal year 2008, reducing  
5 by \$40,000,000 in each fiscal year thereafter until this  
6 exemption is eliminated; and expenses incurred by any and  
7 all Service Boards for the cost of new public  
8 transportation services for a period of 2 years from the  
9 date of initiation of each such service. If said system  
10 generated revenues are less than 50% of said costs, the  
11 Board shall remit an amount equal to the amount of the  
12 deficit to the State; however, due to the fiscal impacts  
13 from the COVID-19 pandemic, for fiscal years 2021, 2022,  
14 2023, 2024, and 2025, no such payment shall be required.  
15 The Treasurer shall deposit any such payment in the Road  
16 Fund; and

17 (ii) whether, beginning with the 2007 fiscal year, the  
18 aggregate of all fares charged and received for ADA  
19 paratransit services equals the system generated ADA  
20 paratransit services revenue recovery ratio percentage of  
21 the aggregate of all costs of providing such ADA  
22 paratransit services, as required under subsection (b) of  
23 Section.

24 (h) If the Authority makes any payment to the State under  
25 paragraph (g), the Authority shall reduce the amount provided  
26 to a Service Board from funds transferred under paragraph (a)

1 in proportion to the amount by which that Service Board failed  
2 to meet its required system generated revenues recovery ratio.  
3 A Service Board which is affected by a reduction in funds under  
4 this paragraph shall submit to the Authority concurrently with  
5 its next due quarterly report a revised budget incorporating  
6 the reduction in funds. The revised budget must meet the  
7 criteria specified in clauses (i) through (vi) of Section  
8 4.11(b)(2). The Board shall review and act on the revised  
9 budget as provided in Section 4.11(b)(3).

10 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24;  
11 103-588, eff. 6-5-24.)

12 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

13 Sec. 4.11. Budget Review Powers.

14 (a) Based upon estimates which shall be given to the  
15 Authority by the Director of the Governor's Office of  
16 Management and Budget (formerly Bureau of the Budget) of the  
17 receipts to be received by the Authority from the taxes  
18 imposed by the Authority and the authorized estimates of  
19 amounts to be available from State and other sources to the  
20 Service Boards, and the times at which such receipts and  
21 amounts will be available, the Board shall, not later than the  
22 next preceding September 15th prior to the beginning of the  
23 Authority's next fiscal year, advise each Service Board of the  
24 amounts estimated by the Board to be available for such  
25 Service Board during such fiscal year and the two following

1 fiscal years and the times at which such amounts will be  
2 available. The Board shall, at the same time, also advise each  
3 Service Board of its required system generated revenues  
4 recovery ratio for the next fiscal year which shall be the  
5 percentage of the aggregate costs of providing public  
6 transportation by or under jurisdiction of that Service Board  
7 which must be recovered from system generated revenues. The  
8 Board shall, at the same time, consider the written  
9 determination of the Executive Director, made pursuant to  
10 Section 2.01d, of the costs of ADA paratransit services that  
11 are required to be provided under the federal Americans with  
12 Disabilities Act of 1990 and its implementing regulations, and  
13 shall amend the current year budgets of the Authority and the  
14 Service Boards to provide for additional funding for the  
15 provision of ADA paratransit services, if needed. The Board  
16 shall, at the same time, beginning with the 2007 fiscal year,  
17 also advise each Service Board that provides ADA paratransit  
18 services of its required system generated ADA paratransit  
19 services revenue recovery ratio for the next fiscal year which  
20 shall be the percentage of the aggregate costs of providing  
21 ADA paratransit services by or under jurisdiction of that  
22 Service Board which must be recovered from fares charged for  
23 such services, except that such required system generated ADA  
24 paratransit services revenue recovery ratio shall not exceed  
25 the minimum percentage established pursuant to Section  
26 4.01(b)(ii) of this Act. In determining a Service Board's

1 system generated revenue recovery ratio, the Board shall  
2 consider the historical system generated revenues recovery  
3 ratio for the services subject to the jurisdiction of that  
4 Service Board. The Board shall not increase a Service Board's  
5 system generated revenues recovery ratio for the next fiscal  
6 year over such ratio for the current fiscal year  
7 disproportionately or prejudicially to increases in such  
8 ratios for other Service Boards. The Board may, by ordinance,  
9 provide that (i) the cost of research and development projects  
10 in the fiscal year beginning January 1, 1986 and ending  
11 December 31, 1986 conducted pursuant to Section 2.09 of this  
12 Act, (ii) the costs for passenger security, and (iii)  
13 expenditures of amounts granted to a Service Board from the  
14 Innovation, Coordination, and Enhancement Fund for operating  
15 purposes may be exempted from the farebox recovery ratio or  
16 the system generated revenues recovery ratio of the Chicago  
17 Transit Authority, the Suburban Bus Board, and the Commuter  
18 Rail Board, or any of them. During fiscal years 2008 through  
19 2012, the Board may also allocate the exemption of  
20 \$200,000,000 and the reducing amounts of costs provided by  
21 this amendatory Act of the 95th General Assembly from the  
22 farebox recovery ratio or system generated revenues recovery  
23 ratio of each Service Board.

24 (b) (1) Not later than the next preceding November 15 prior  
25 to the commencement of such fiscal year, each Service Board  
26 shall submit to the Authority its proposed budget for such

1 fiscal year and its proposed financial plan for the two  
2 following fiscal years. Such budget and financial plan shall  
3 (i) be prepared in the format, follow the financial and  
4 budgetary practices, and be based on any assumptions and  
5 projections required by the Authority and (ii) not project or  
6 assume a receipt of revenues from the Authority in amounts  
7 greater than those set forth in the estimates provided by the  
8 Authority pursuant to subsection (a) of this Section.

9 (2) The Board shall review the proposed budget and  
10 two-year financial plan submitted by each Service Board. The  
11 Board shall approve the budget and two-year financial plan of  
12 a Service Board if:

13 (i) such budget and plan show a balance between (A)  
14 anticipated revenues from all sources including operating  
15 subsidies and (B) the costs of providing the services  
16 specified and of funding any operating deficits or  
17 encumbrances incurred in prior periods, including  
18 provision for payment when due of principal and interest  
19 on outstanding indebtedness;

20 (ii) such budget and plan show cash balances including  
21 the proceeds of any anticipated cash flow borrowing  
22 sufficient to pay with reasonable promptness all costs and  
23 expenses as incurred;

24 (iii) such budget and plan provide for a level of  
25 fares or charges and operating or administrative costs for  
26 the public transportation provided by or subject to the

1 jurisdiction of such Service Board sufficient to allow the  
2 Service Board to meet its required system generated  
3 revenue recovery ratio and, beginning with the 2007 fiscal  
4 year, system generated ADA paratransit services revenue  
5 recovery ratio;

6 (iv) such budget and plan are based upon and employ  
7 assumptions and projections which are reasonable and  
8 prudent;

9 (v) such budget and plan have been prepared in  
10 accordance with sound financial practices as determined by  
11 the Board;

12 (vi) such budget and plan meet such other financial,  
13 budgetary, or fiscal requirements that the Board may by  
14 rule or regulation establish; and

15 (vii) such budget and plan are consistent with the  
16 goals and objectives adopted by the Authority in the  
17 Strategic Plan.

18 (3) (Blank).

19 (4) Unless the Board by an affirmative vote of 12 of the  
20 then Directors, prior to February 1, 2026, and by the  
21 affirmative vote of at least 14 of the then Directors,  
22 beginning February 1, 2026, determines that the budget and  
23 financial plan of a Service Board meets the criteria specified  
24 in clauses (i) through (vii) of subparagraph (2) of this  
25 paragraph (b), the Board shall withhold from that Service  
26 Board 25% of the cash proceeds of taxes imposed by the

1 Authority under Section 4.03 and Section 4.03.1 and received  
2 after February 1 and 25% of the amounts transferred to the  
3 Authority from the Public Transportation Fund under Section  
4 4.09(a) (but not including Section 4.09(a)(3)(iv)) after  
5 February 1 that the Board has estimated to be available to that  
6 Service Board under Section 4.11(a). Such funding shall be  
7 released to the Service Board only upon approval of a budget  
8 and financial plan under this Section or adoption of a budget  
9 and financial plan on behalf of the Service Board by the  
10 Authority.

11 (5) If the Board has not found that the budget and  
12 financial plan of a Service Board meets the criteria specified  
13 in clauses (i) through (vii) of subparagraph (2) of this  
14 paragraph (b), the Board, by the affirmative vote of at least  
15 12 of its then Directors, prior to February 1, 2026, and by the  
16 affirmative vote of at least 14 of the then Directors,  
17 beginning February 1, 2026, shall adopt a budget and financial  
18 plan meeting such criteria for that Service Board.

19 (c)(1) If the Board shall at any time have received a  
20 revised estimate, or revises any estimate the Board has made,  
21 pursuant to this Section of the receipts to be collected by the  
22 Authority which, in the judgment of the Board, requires a  
23 change in the estimates on which the budget of any Service  
24 Board is based, the Board shall advise the affected Service  
25 Board of such revised estimates, and such Service Board shall  
26 within 30 days after receipt of such advice submit a revised

1 budget incorporating such revised estimates. If the revised  
2 estimates require, in the judgment of the Board, that the  
3 system generated revenues recovery ratio of one or more  
4 Service Boards be revised in order to allow the Authority to  
5 meet its required ratio, the Board shall advise any such  
6 Service Board of its revised ratio and such Service Board  
7 shall within 30 days after receipt of such advice submit a  
8 revised budget incorporating such revised estimates or ratio.

9 (2) Each Service Board shall, within such period after the  
10 end of each fiscal quarter as shall be specified by the Board,  
11 report to the Authority its financial condition and results of  
12 operations and the financial condition and results of  
13 operations of the public transportation services subject to  
14 its jurisdiction, as at the end of and for such quarter. If in  
15 the judgment of the Board such condition and results are not  
16 substantially in accordance with such Service Board's budget  
17 for such period, the Board shall so advise such Service Board  
18 and such Service Board shall within the period specified by  
19 the Board submit a revised budget incorporating such results.

20 (3) If the Board shall determine that a revised budget  
21 submitted by a Service Board pursuant to subparagraph (1) or  
22 (2) of this paragraph (c) does not meet the criteria specified  
23 in clauses (i) through (vii) of subparagraph (2) of paragraph  
24 (b) of this Section, the Board shall withhold from that  
25 Service Board 25% of the cash proceeds of taxes imposed by the  
26 Authority under Section 4.03 or 4.03.1 and received by the

1 Authority after February 1 and 25% of the amounts transferred  
2 to the Authority from the Public Transportation Fund under  
3 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))  
4 after February 1 that the Board has estimated to be available  
5 to that Service Board under Section 4.11(a). If the Service  
6 Board submits a revised financial plan and budget which plan  
7 and budget shows that the criteria will be met within a four  
8 quarter period, the Board shall release any such withheld  
9 funds to the Service Board. The Board by the affirmative vote  
10 of at least 12 of its then Directors, prior to February 1,  
11 2026, and by the affirmative vote of at least 14 of its then  
12 Directors, beginning February 1, 2026, may require a Service  
13 Board to submit a revised financial plan and budget which  
14 shows that the criteria will be met in a time period less than  
15 4 ~~four~~ quarters.

16 (d) All budgets and financial plans, financial statements,  
17 audits and other information presented to the Authority  
18 pursuant to this Section or which may be required by the Board  
19 to permit it to monitor compliance with the provisions of this  
20 Section shall be prepared and presented in such manner and  
21 frequency and in such detail as shall have been prescribed by  
22 the Board, shall be prepared on both an accrual and cash flow  
23 basis as specified by the Board, shall present such  
24 information as the Authority shall prescribe that fairly  
25 presents the condition of any pension plan or trust for health  
26 care benefits with respect to retirees established by the

1 Service Board and describes the plans of the Service Board to  
2 meet the requirements of Sections 4.02a and 4.02b, and shall  
3 identify and describe the assumptions and projections employed  
4 in the preparation thereof to the extent required by the  
5 Board. If the Executive Director certifies that a Service  
6 Board has not presented its budget and two-year financial plan  
7 in conformity with the rules adopted by the Authority under  
8 the provisions of Section 4.01(f) and this subsection (d), and  
9 such certification is accepted by the affirmative vote of at  
10 least 12 of the then Directors of the Authority, prior to  
11 February 1, 2026, and by the affirmative vote of at least 14 of  
12 the then Directors of the Authority, beginning February 1,  
13 2026, the Authority shall not distribute to that Service Board  
14 any funds for operating purposes in excess of the amounts  
15 distributed for such purposes to the Service Board in the  
16 previous fiscal year. Except when the Board adopts a budget  
17 and a financial plan for a Service Board under paragraph  
18 (b)(5), a Service Board shall provide for such levels of  
19 transportation services and fares or charges therefor as it  
20 deems appropriate and necessary in the preparation of a budget  
21 and financial plan meeting the criteria set forth in clauses  
22 (i) through (vii) of subparagraph (2) of paragraph (b) of this  
23 Section. The Authority shall have access to and the right to  
24 examine and copy all books, documents, papers, records, or  
25 other source data of a Service Board relevant to any  
26 information submitted pursuant to this Section.

1 (e) Whenever this Section requires the Board to make  
2 determinations with respect to estimates, budgets or financial  
3 plans, or rules or regulations with respect thereto such  
4 determinations shall be made upon the affirmative vote of at  
5 least 12 of the then Directors, prior to February 1, 2026, and  
6 by the affirmative vote of at least 14 of the then Directors,  
7 beginning February 1, 2026 and shall be incorporated in a  
8 written report of the Board and such report shall be submitted  
9 within 10 days after such determinations are made to the  
10 Governor, the Mayor of Chicago (if such determinations relate  
11 to the Chicago Transit Authority), and the Auditor General of  
12 Illinois.

13 (Source: P.A. 97-399, eff. 8-16-11.)

14 (70 ILCS 3615/4.13) (from Ch. 111 2/3, par. 704.13)

15 Sec. 4.13. Annual Capital Improvement Plan.

16 (a) With respect to each calendar year, the Authority  
17 shall prepare as part of its Five Year Program an Annual  
18 Capital Improvement Plan (the "Plan") which shall describe its  
19 intended development and implementation of the Strategic  
20 Capital Improvement Program. The Plan shall include the  
21 following information:

22 (i) a list of projects for which approval is sought  
23 from the Governor, with a description of each project  
24 stating at a minimum the project cost, its category, its  
25 location and the entity responsible for its

1 implementation;

2 (ii) a certification by the Authority that the  
3 Authority and the Service Boards have applied for all  
4 grants, loans and other moneys made available by the  
5 federal government or the State of Illinois during the  
6 preceding federal and State fiscal years for financing its  
7 capital development activities;

8 (iii) a certification that, as of September 30 of the  
9 preceding calendar year or any later date, the balance of  
10 all federal capital grant funds and all other funds to be  
11 used as matching funds therefor which were committed to or  
12 possessed by the Authority or a Service Board but which  
13 had not been obligated was less than \$350,000,000, or a  
14 greater amount as authorized in writing by the Governor  
15 (for purposes of this subsection (a), "obligated" means  
16 committed to be paid by the Authority or a Service Board  
17 under a contract with a nongovernmental entity in  
18 connection with the performance of a project or committed  
19 under a force account plan approved by the federal  
20 government);

21 (iv) a certification that the Authority has adopted a  
22 balanced budget with respect to such calendar year under  
23 Section 4.01 of this Act;

24 (v) a schedule of all bonds or notes previously issued  
25 for Strategic Capital Improvement Projects and all debt  
26 service payments to be made with respect to all such bonds

1 and the estimated additional debt service payments through  
2 June 30 of the following calendar year expected to result  
3 from bonds to be sold prior thereto;

4 (vi) a long-range summary of the Strategic Capital  
5 Improvement Program describing the projects to be funded  
6 through the Program with respect to project cost,  
7 category, location, and implementing entity, and  
8 presenting a financial plan including an estimated time  
9 schedule for obligating funds for the performance of  
10 approved projects, issuing bonds, expending bond proceeds  
11 and paying debt service throughout the duration of the  
12 Program; and

13 (vii) the source of funding for each project in the  
14 Plan. For any project for which full funding has not yet  
15 been secured and which is not subject to a federal full  
16 funding contract, the Authority must identify alternative,  
17 dedicated funding sources available to complete the  
18 project. The Governor may waive this requirement on a  
19 project by project basis.

20 (b) The Authority shall submit the Plan with respect to  
21 any calendar year to the Governor on or before January 15 of  
22 that year, or as soon as possible thereafter; provided,  
23 however, that the Plan shall be adopted on the affirmative  
24 votes of 12 of the then Directors, prior to February 1, 2026,  
25 and by the affirmative vote of at least 14 of the then  
26 Directors, beginning February 1, 2026. The Plan may be revised

1 or amended at any time, but any revision in the projects  
2 approved shall require the Governor's approval.

3 (c) The Authority shall seek approval from the Governor  
4 only through the Plan or an amendment thereto. The Authority  
5 shall not request approval of the Plan from the Governor in any  
6 calendar year in which it is unable to make the certifications  
7 required under items (ii), (iii) and (iv) of subsection (a).  
8 In no event shall the Authority seek approval of the Plan from  
9 the Governor for projects in an aggregate amount exceeding the  
10 proceeds of bonds or notes for Strategic Capital Improvement  
11 Projects issued under Section 4.04 of this Act.

12 (d) The Governor may approve the Plan for which approval  
13 is requested. The Governor's approval is limited to the amount  
14 of the project cost stated in the Plan. The Governor shall not  
15 approve the Plan in a calendar year if the Authority is unable  
16 to make the certifications required under items (ii), (iii)  
17 and (iv) of subsection (a). In no event shall the Governor  
18 approve the Plan for projects in an aggregate amount exceeding  
19 the proceeds of bonds or notes for Strategic Capital  
20 Improvement Projects issued under Section 4.04 of this Act.

21 (e) With respect to capital improvements, only those  
22 capital improvements which are in a Plan approved by the  
23 Governor shall be financed with the proceeds of bonds or notes  
24 issued for Strategic Capital Improvement Projects.

25 (f) Before the Authority or a Service Board obligates any  
26 funds for a project for which the Authority or Service Board

1 intends to use the proceeds of bonds or notes for Strategic  
2 Capital Improvement Projects, but which project is not  
3 included in an approved Plan, the Authority must notify the  
4 Governor of the intended obligation. No project costs incurred  
5 prior to approval of the Plan including that project may be  
6 paid from the proceeds of bonds or notes for Strategic Capital  
7 Improvement Projects issued under Section 4.04 of this Act.

8 (Source: P.A. 94-839, eff. 6-6-06; 95-708, eff. 1-18-08.)

9 (70 ILCS 3615/4.14) (from Ch. 111 2/3, par. 704.14)

10 Sec. 4.14. Rate Protection Contract. "Rate Protection  
11 Contract" means interest rate price exchange agreements;  
12 currency exchange agreements; forward payment conversion  
13 agreements; contracts providing for payment or receipt of  
14 funds based on levels of, or changes in, interest rates,  
15 currency exchange rates, stock or other indices; contracts to  
16 exchange cash flows or a series of payments; contracts,  
17 including without limitation, interest rate caps; interest  
18 rate floor; interest rate locks; interest rate collars; rate  
19 of return guarantees or assurances, to manage payment,  
20 currency, rate, spread or similar exposure; the obligation,  
21 right, or option to issue, put, lend, sell, grant a security  
22 interest in, buy, borrow or otherwise acquire, a bond, note or  
23 other security or interest therein as an investment, as  
24 collateral, as a hedge, or otherwise as a source or assurance  
25 of payment to or by the Authority or as a reduction of the

1 Authority's or an obligor's risk exposure; repurchase  
2 agreements; securities lending agreements; and other  
3 agreements or arrangements similar to the foregoing.

4 Notwithstanding any provision in Section 2.20 (a) (ii) of  
5 this Act to the contrary, in connection with or incidental to  
6 the issuance by the Authority of its bonds or notes under the  
7 provisions of Section 4.04 or the exercise of its powers under  
8 subsection (b) of Section 2.20, the Authority, for its own  
9 benefit or for the benefit of the holders of its obligations or  
10 their trustee, may enter into rate protection contracts. The  
11 Authority may enter into rate protection contracts only  
12 pursuant to a determination by a vote of 12 of the then  
13 Directors, prior to February 1, 2026, and by the affirmative  
14 vote of at least 14 of the then Directors, beginning February  
15 1, 2026 that the terms of the contracts and any related  
16 agreements reduce the risk of loss to the Authority, or  
17 protect, preserve or enhance the value of its assets, or  
18 provide compensation to the Authority for losses resulting  
19 from changes in interest rates. The Authority's obligations  
20 under any rate protection contract or credit enhancement or  
21 liquidity agreement shall not be considered bonds or notes for  
22 purposes of this Act. For purposes of this Section a rate  
23 protection contract is a contract determined by the Authority  
24 as necessary or appropriate to permit it to manage payment,  
25 currency or interest rate risks or levels.

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

1           Section 997. Severability. The provisions of this Act are  
2 severable, and if the application of any clause, sentence,  
3 paragraph, subdivision, Section, or part of this Act to any  
4 person or circumstance is adjudged by any court of competent  
5 jurisdiction to be invalid, such judgment shall not  
6 necessarily affect, impair, or invalidate the application of  
7 any such clause, sentence, paragraph, subdivision, Section, or  
8 part of this Act or remainder thereof, as the case may be, to  
9 any other person or circumstance, but shall be confined in its  
10 operation to the clause, sentence, paragraph, subdivision,  
11 Section, or part thereof directly involved in the controversy  
12 in which such judgment was rendered.

13           Section 999. Effective date. This Act takes effect January  
14 1, 2026."