



Sen. Ram Villivalam

Filed: 10/26/2021

10200HB0106sam001

LRB102 03976 AWJ 30187 a

1 AMENDMENT TO HOUSE BILL 106

2 AMENDMENT NO. _____. Amend House Bill 106 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.15 as follows:

6 (5 ILCS 100/5-45.15 new)

7 Sec. 5-45.15. Emergency rulemaking; Secretary of State
8 emergency powers. To provide for the expeditious and timely
9 implementation of the provisions of Section 30 of the
10 Secretary of State Act, emergency rules implementing the
11 changes made to Section 30 of the Secretary of State Act by
12 this amendatory Act of the 102nd General Assembly may be
13 adopted by the Secretary in accordance with Section 5-45. The
14 adoption of emergency rules authorized by Section 5-45 and
15 this Section is deemed to be necessary for the public
16 interest, safety, and welfare.

1 This Section is repealed on January 1, 2023.

2 Section 10. The Secretary of State Act is amended by
3 changing Sections 12 and 30 as follows:

4 (15 ILCS 305/12) (from Ch. 124, par. 10.2)

5 Sec. 12. Parking fees; leases.

6 (a) The Secretary of State shall impose a fee of \$20 per
7 month payable by all State employees parking vehicles in the
8 underground parking facility located south of the William G.
9 Stratton State Office Building in Springfield and the parking
10 ramp located at 401 South College Street located west of the
11 William G. Stratton State Office Building in Springfield,
12 unless a non-State employee requests a space located in either
13 garage, in which case the Secretary shall set the fee by rule.
14 Except as otherwise provided in this Section, State officers
15 and employees who make application for and are allotted
16 parking places in such parking facilities shall authorize the
17 Comptroller to deduct the required fees from their payroll
18 checks under the State Salary and Annuity Withholding Act and
19 the amounts so withheld shall be deposited as provided in
20 Section 8 of that Act. Until December 31, 2024, members and
21 employees of the General Assembly who make application for and
22 are allotted parking places in such parking facilities may,
23 alternatively, upon application by the Secretary of the Senate
24 or the Clerk of the House of Representatives, have their

1 parking fee paid by the General Assembly. The amounts paid in
2 this instance would also be deposited as provided in Section 8
3 of the State Salary and Annuity Withholding Act. The President
4 of the Senate and the Speaker of the House of Representatives
5 may authorize payment of the fees from appropriations made to
6 the General Assembly. Persons who are not subject to the State
7 Salary and Annuity Withholding Act and who are allotted
8 parking places under this Section shall pay the required fees
9 directly to the Office of the Secretary of State and the
10 amounts so collected shall be deposited in the State Parking
11 Facility Maintenance Fund in the State Treasury.

12 (b) The Secretary of State may enter into agreements with
13 public or private entities or individuals to lease to those
14 entities or individuals parking spaces at State-owned
15 Secretary of State facilities. Such agreements may be executed
16 only upon a determination by the Secretary that leasing the
17 parking spaces will not adversely impact the delivery of
18 services to the public. The fee to be charged to the entity or
19 individual leasing the parking spaces shall be established by
20 rule. All funds collected by the Secretary pursuant to such
21 leases shall be deposited in the State Parking Facility
22 Maintenance Fund and shall be used for the maintenance and
23 repair of parking lots at State-owned Secretary of State
24 facilities.

25 (Source: P.A. 98-179, eff. 8-5-13; 98-1148, eff. 12-31-14.)

1 (15 ILCS 305/30)

2 (Section scheduled to be repealed on January 1, 2022)

3 Sec. 30. Emergency powers.

4 (a) In response to the interruption of services available
5 to the public as a result of the public health disaster caused
6 by Coronavirus Disease 2019 (COVID-19), a novel severe acute
7 respiratory illness that spreads rapidly through respiratory
8 transmissions, the extended closure of State government
9 offices and private sector businesses caused by COVID-19, and
10 the need to ameliorate any detrimental impact on members of
11 the public caused by that interruption of services, the
12 Secretary of State is hereby given the authority to adopt
13 emergency rulemakings, and to adopt permanent administrative
14 rules:

15 (1) extending until not later than December 31, 2022,
16 the expiration dates of driver's licenses, driving
17 permits, monitoring device driving permits, restricted
18 driving permits, and identification cards which were
19 issued with expiration dates on or after January 1, 2020.
20 During the period of any extensions implemented pursuant
21 to this subsection, all driver's licenses, driving
22 permits, monitoring device driving permits, restricted
23 driving permits, and identification cards, shall be
24 subject to any terms and conditions under which the
25 original document was issued; and

26 (2) modifying the requirements for the renewal of

1 driver's licenses, driving permits, monitoring device
2 driving permits, restricted driving permits, and
3 identification cards. No such modification shall apply for
4 more than one renewal cycle after the effective date of
5 the rulemaking.

6 (b) When the renewal of any driver's license, driving
7 permit, monitoring device driving permit, restricted driving
8 permit, or identification card has been extended pursuant to
9 this Section, it shall be renewed during the period of an
10 extension. Any such renewals shall be from the original
11 expiration date and shall be subject to the full fee which
12 would have been due had the renewals been issued based on the
13 original expiration date, except that no late filing fees or
14 penalties shall be imposed.

15 (c) All law enforcement agencies in the State of Illinois
16 and all State and local governmental entities shall recognize
17 the validity of, and give full legal force to, extensions
18 granted pursuant to this Section.

19 (d) Upon the request of any person whose driver's license,
20 driving permit, monitoring device driving permit, restricted
21 driving permit, or identification card has been subject to an
22 extension under this Section, the Secretary shall issue a
23 statement verifying the extension was issued pursuant to
24 Illinois law, and requesting any foreign jurisdiction to honor
25 the extension.

26 (e) This Section is repealed on January 1, 2023.

1 ~~(a) In response to the ongoing public health disaster~~
2 ~~caused by Coronavirus Disease 2019 (COVID-19), a novel severe~~
3 ~~acute respiratory illness that spreads rapidly through~~
4 ~~respiratory transmissions, and the need to regulate the number~~
5 ~~of individuals entering a Secretary of State facility at any~~
6 ~~one time in order to prevent the spread of the disease, the~~
7 ~~Secretary of State is hereby given the authority to adopt~~
8 ~~emergency rulemakings, as provided under subsection (b), and~~
9 ~~to adopt permanent administrative rules extending until no~~
10 ~~later than June 30, 2021, the expiration dates of driver's~~
11 ~~licenses, driving permits, monitoring device driving permits,~~
12 ~~restricted driving permits, identification cards, disabled~~
13 ~~parking placards and decals, and vehicle registrations that~~
14 ~~were issued with expiration dates on or after January 1, 2020.~~
15 ~~If, as of May 1, 2021, there remains in effect a proclamation~~
16 ~~issued by the Governor of the State of Illinois declaring a~~
17 ~~statewide disaster in response to the outbreak of COVID-19,~~
18 ~~the Secretary may further extend such expiration dates until~~
19 ~~no later than December 31, 2021.~~

20 ~~(a-5) During the period of any extensions implemented~~
21 ~~pursuant to this Section, all driver's licenses, driving~~
22 ~~permits, monitoring device driving permits, restricted driving~~
23 ~~permits, identification cards, disabled parking placards and~~
24 ~~decals, and vehicle registrations shall be subject to any~~
25 ~~terms and conditions under which the original document was~~
26 ~~issued.~~

1 ~~(b) To provide for the expeditious and timely~~
2 ~~implementation of this amendatory Act of the 101st General~~
3 ~~Assembly, any emergency rules to implement the extension~~
4 ~~provisions of this Section must be adopted by the Secretary of~~
5 ~~State, subject to the provisions of Section 5-45 of the~~
6 ~~Illinois Administrative Procedure Act. Any such rule shall:~~

7 ~~(1) (blank);~~

8 ~~(2) set forth the expirations being extended (for~~
9 ~~example, "this extension shall apply to all driver's~~
10 ~~licenses, driving permits, monitoring device driving~~
11 ~~permits, restricted driving permits, identification cards,~~
12 ~~disabled parking placards and decals, and vehicle~~
13 ~~registrations expiring on [date] through [date]"); and~~

14 ~~(3) set forth the date on which the extension period~~
15 ~~becomes effective, and the date on which the extension~~
16 ~~will terminate if not extended by subsequent emergency~~
17 ~~rulemaking.~~

18 ~~(c) Where the renewal of any driver's license, driving~~
19 ~~permit, monitoring device driving permit, restricted driving~~
20 ~~permit, identification card, disabled parking placard or~~
21 ~~decal, or vehicle registration has been extended pursuant to~~
22 ~~this Section, it shall be renewed during the period of an~~
23 ~~extension. Any such renewal shall be from the original~~
24 ~~expiration date and shall be subject to the full fee which~~
25 ~~would have been due had the renewal been issued based on the~~
26 ~~original expiration date, except that no late filing fees or~~

1 ~~penalties shall be imposed.~~

2 ~~(d) All law enforcement agencies in the State of Illinois~~
3 ~~and all State and local governmental entities shall recognize~~
4 ~~the validity of, and give full legal force to, extensions~~
5 ~~granted pursuant to this Section.~~

6 ~~(e) Upon the request of any person or entity whose~~
7 ~~driver's license, driving permit, monitoring device driving~~
8 ~~permit, restricted driving permit, identification card,~~
9 ~~disabled parking placard or decal, or vehicle registration has~~
10 ~~been subject to an extension under this Section, the Secretary~~
11 ~~shall issue a statement verifying the extension was issued~~
12 ~~pursuant to Illinois law, and requesting any foreign~~
13 ~~jurisdiction to honor the extension.~~

14 ~~(f) This Section is repealed on January 1, 2022.~~

15 (Source: P.A. 101-640, eff. 6-12-20; 102-39, eff. 6-25-21.)

16 Section 12. The State Finance Act is amended by changing
17 Section 6z-20.1 as follows:

18 (30 ILCS 105/6z-20.1)

19 Sec. 6z-20.1. The State Aviation Program Fund and the
20 Sound-Reducing Windows and Doors Replacement Fund.

21 (a) The State Aviation Program Fund is created in the
22 State Treasury. Moneys in the Fund shall be used by the
23 Department of Transportation for the purposes of administering
24 a State Aviation Program. Subject to appropriation, the moneys

1 shall be used for the purpose of making distributions
2 ~~distributing grants~~ to units of local government to be used
3 for airport-related purposes. Distributions ~~Grants~~ to units of
4 local government from the Fund shall be distributed
5 proportionately based on equal part enplanements, total cargo,
6 and airport operations. With regard to enplanements that occur
7 within a municipality with a population of over 500,000,
8 distributions ~~grants~~ shall be distributed only to the
9 municipality.

10 (b) For distributions ~~grants~~ to a unit of government other
11 than a municipality with a population of more than 500,000,
12 "airport-related purposes" means the capital or operating
13 costs of: (1) an airport; (2) a local airport system; or (3)
14 any other local facility that is owned or operated by the
15 person or entity that owns or operates the airport that is
16 directly and substantially related to the air transportation
17 of passengers or property as provided in 49 U.S.C. 47133,
18 including (i) the replacement of sound-reducing windows and
19 doors installed under the Residential Sound Insulation Program
20 and (ii) in-home air quality monitoring testing in residences
21 in which windows or doors were installed under the Residential
22 Sound Insulation Program.

23 (c) For distributions ~~grants~~ to a municipality with a
24 population of more than 500,000, "airport-related purposes"
25 means the capital costs of: (1) an airport; (2) a local airport
26 system; or (3) any other local facility that (i) is owned or

1 operated by a person or entity that owns or operates an airport
2 and (ii) is directly and substantially related to the air
3 transportation of passengers or property, as provided in 49
4 U.S.C. 47133. For distributions ~~grants~~ to a municipality with
5 a population of more than 500,000, "airport-related purposes"
6 also means costs, including administrative costs, associated
7 with the replacement of sound-reducing windows and doors
8 installed under the Residential Sound Insulation Program.

9 (d) In each State fiscal year, the first \$7,500,000
10 attributable to a municipality with a population of more than
11 500,000, as provided in subsection (a) of this Section, shall
12 be transferred to the Sound-Reducing Windows and Doors
13 Replacement Fund, a special fund created in the State
14 Treasury. Subject to appropriation, the moneys in the Fund
15 shall be used for costs, including administrative costs,
16 associated with the replacement of sound-reducing windows and
17 doors installed under the Residential Sound Insulation
18 Program, including repair costs for any mechanical issues with
19 replacement windows or doors and reimbursement for homeowners
20 who replaced sound-reducing windows and doors installed under
21 the Residential Sound Insulation Program of their own accord.
22 Residents who received reimbursement shall receive at least
23 15% of the costs upon proof of installation. Subject to
24 appropriation, the moneys shall also be used to service at
25 least 750 residences a year and at least \$1,000,000 must be
26 used to repair mechanical issues. Residents who altered or

1 modified a replacement window or accepted a replacement screen
2 for the window shall not be disqualified from compensation or
3 future services. Residents shall not be required to replace
4 doors and may instead receive repairs to doors. Any amounts
5 attributable to a municipality with a population of more than
6 500,000 in excess of \$7,500,000 in each State fiscal year
7 shall be distributed among the airports in that municipality
8 based on the same formula as prescribed in subsection (a) to be
9 used for airport-related purposes.

10 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20.)

11 Section 13. The Illinois Municipal Code is amended by
12 changing Section 11-101-3 as follows:

13 (65 ILCS 5/11-101-3)

14 Sec. 11-101-3. Noise mitigation; air quality.

15 (a) A municipality that has implemented a Residential
16 Sound Insulation Program to mitigate aircraft noise shall
17 perform indoor air quality monitoring and laboratory analysis
18 of windows and doors installed pursuant to the Residential
19 Sound Insulation Program to determine whether there are any
20 adverse health impacts associated with off-gassing from such
21 windows and doors. Such monitoring and analysis shall be
22 consistent with applicable professional and industry
23 standards. The municipality shall make any final reports
24 resulting from such monitoring and analysis available to the

1 public on the municipality's website. The municipality shall
2 develop a science-based mitigation plan to address significant
3 health-related impacts, if any, associated with such windows
4 and doors as determined by the results of the monitoring and
5 analysis. In a municipality that has implemented a Residential
6 Sound Insulation Program to mitigate aircraft noise, if
7 requested by the homeowner pursuant to a process established
8 by the municipality, which process shall include, at a
9 minimum, notification in a newspaper of general circulation
10 and a mailer sent to every address identified as a recipient of
11 windows and doors installed under the Residential Sound
12 Insulation Program, the municipality shall replace all windows
13 and doors installed under the Residential Sound Insulation
14 Program in such homes where one or more windows or doors have
15 been found to have caused offensive odors. Only those
16 homeowners who request that the municipality perform an odor
17 inspection as prescribed by the process established by the
18 municipality within 6 months of notification being published
19 and mailers being sent shall be eligible for odorous window
20 and odorous door replacement. Residents who are eligible to
21 receive replacement windows shall be allowed to choose the
22 color and type of replacement window. For purposes of aiding
23 in the selection of such replacement windows, a showcase and
24 display of available replacement window types shall be
25 established and located at Chicago Midway International
26 Airport. Homes that have been identified by the municipality

1 as having odorous windows or doors are not required to make
2 said request to the municipality. The right to make a claim for
3 replacement and have it considered pursuant to this Section
4 shall not be affected by the fact of odor-related claims made
5 or odor-related products received pursuant to the Residential
6 Sound Insulation Program prior to June 5, 2019 (the effective
7 date of this Section). The municipality shall also perform
8 in-home air quality testing in residences in which windows and
9 doors are replaced under this Section. In order to receive
10 in-home air quality testing, a homeowner must request such
11 testing from the municipality, and the total number of homes
12 tested in any given year shall not exceed 25% of the total
13 number of homes in which windows and doors were replaced under
14 this Section in the prior calendar year.

15 (b) An advisory committee shall be formed, composed of the
16 following: (i) 2 members of the municipality who reside in
17 homes that have received windows or doors pursuant to the
18 Residential Sound Insulation Program and have been identified
19 by the municipality as having odorous windows or doors,
20 appointed by the Secretary of Transportation; (ii) one
21 employee of the Aeronautics Division of the Department of
22 Transportation; ~~and~~ (iii) 2 employees of the municipality that
23 implemented the Residential Sound Insulation Program in
24 question; and (iv) 2 members appointed by the Speaker of the
25 House of Representatives and 2 members appointed by the
26 President of the Senate. The advisory committee shall

1 determine by majority vote which homes contain windows or
2 doors that cause offensive odors and thus are eligible for
3 replacement, shall promulgate a list of such homes, and shall
4 develop recommendations as to the order in which homes are to
5 receive window replacement. The recommendations shall include
6 reasonable and objective criteria for determining which
7 windows or doors are odorous, consideration of the date of
8 odor confirmation for prioritization, severity of odor,
9 geography and individual hardship, and shall provide such
10 recommendations to the municipality. The advisory committee
11 shall develop a process in which homeowners can demonstrate
12 extreme hardship. Extreme hardship shall be defined as: liquid
13 infiltration of the window or door; health and medical
14 condition of the resident; and residents with sensitivities
15 related to smell. At least 10% of the homes receiving a
16 replacement in a year shall be homes that have demonstrated
17 extreme hardship. The advisory committee shall compile a
18 report demonstrating: (i) the number of homes in line to
19 receive a replacement; (ii) the number of homes that received
20 replacement windows or doors, or both; (iii) the number of
21 homes that received financial compensation instead of a
22 replacement; and (iv) the number of homes with confirmed
23 mechanical issues. Until December 31, 2022, the report shall
24 be compiled monthly, after December 31, 2022, the report shall
25 be compiled quarterly. The advisory committee shall accept all
26 public questions and furnish a written response within 2

1 business days. The advisory committee shall comply with the
2 requirements of the Open Meetings Act. The Chicago Department
3 of Aviation shall provide administrative support to the
4 committee. The municipality shall consider the recommendations
5 of the committee but shall retain final decision-making
6 authority over replacement of windows and doors installed
7 under the Residential Sound Insulation Program, and shall
8 comply with all federal, State, and local laws involving
9 procurement. A municipality administering claims pursuant to
10 this Section shall provide to every address identified as
11 having submitted a valid claim under this Section a quarterly
12 report setting forth the municipality's activities undertaken
13 pursuant to this Section for that quarter. However, the
14 municipality shall replace windows and doors pursuant to this
15 Section only if, and to the extent, distributions ~~grants~~ are
16 distributed to, and received by, the municipality from the
17 Sound-Reducing Windows and Doors Replacement Fund for the
18 costs associated with the replacement of sound-reducing
19 windows and doors installed under the Residential Sound
20 Insulation Program pursuant to Section 6z-20.1 of the State
21 Finance Act. In addition, the municipality shall revise its
22 specifications for procurement of windows for the Residential
23 Sound Insulation Program to address potential off-gassing from
24 such windows in future phases of the program. A municipality
25 subject to the Section shall not legislate or otherwise
26 regulate with regard to indoor air quality monitoring,

1 laboratory analysis or replacement requirements, except as
2 provided in this Section, but the foregoing restriction shall
3 not limit said municipality's taxing power.

4 (c) A home rule unit may not regulate indoor air quality
5 monitoring and laboratory analysis, and related mitigation and
6 mitigation plans, in a manner inconsistent with this Section.
7 This Section is a limitation of home rule powers and functions
8 under subsection (i) of Section 6 of Article VII of the
9 Illinois Constitution on the concurrent exercise by home rule
10 units of powers and functions exercised by the State.

11 (d) This Section shall not be construed to create a
12 private right of action.

13 (Source: P.A. 101-10, eff. 6-5-19; 101-604, eff. 12-13-19;
14 101-636, eff. 6-10-20; 102-558, eff. 8-20-21.)

15 Section 15. The Regional Transportation Authority Act is
16 amended by changing Sections 4.01 and 4.09 as follows:

17 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

18 Sec. 4.01. Budget and Program.

19 (a) The Board shall control the finances of the Authority.
20 It shall by ordinance adopted by the affirmative vote of at
21 least 12 of its then Directors (i) appropriate money to
22 perform the Authority's purposes and provide for payment of
23 debts and expenses of the Authority, (ii) take action with
24 respect to the budget and two-year financial plan of each

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

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

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

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

2 (i) that the level of fares and charges for mass
3 transportation provided by, or under grant or purchase of
4 service contracts of, the Service Boards is sufficient to
5 cause the aggregate of all projected fare revenues from
6 such fares and charges received in each fiscal year to
7 equal at least 50% of the aggregate costs of providing
8 such public transportation in such fiscal year. However,
9 due to the fiscal impacts of the COVID-19 pandemic, the
10 aggregate of all projected fare revenues from such fares
11 and charges received in fiscal years 2021, 2022, and 2023
12 may be less than 50% of the aggregate costs of providing
13 such public transportation in those fiscal years. "Fare
14 revenues" include the proceeds of all fares and charges
15 for services provided, contributions received in
16 connection with public transportation from units of local
17 government other than the Authority, except for
18 contributions received by the Chicago Transit Authority
19 from a real estate transfer tax imposed under subsection
20 (i) of Section 8-3-19 of the Illinois Municipal Code, and
21 from the State pursuant to subsection (i) of Section
22 2705-305 of the Department of Transportation Law (20 ILCS
23 2705/2705-305), and all other operating revenues properly
24 included consistent with generally accepted accounting
25 principles but do not include: the proceeds of any
26 borrowings, and, beginning with the 2007 fiscal year, all

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

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

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

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

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

1 subsection (b) of Section 2.20 of this Act; and (6) any
2 payments with respect to rate protection contracts, credit
3 enhancements or liquidity agreements made pursuant to Section
4 4.14.

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

1 Transit Authority, 55% to the Commuter Rail Board and 15% to
2 the Suburban Bus Board; and (3) an amount equal to 85% of the
3 proceeds of the taxes collected within the Counties of DuPage,
4 Kane, Lake, McHenry and Will shall be allocated 70% to the
5 Commuter Rail Board and 30% to the Suburban Bus Board.

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

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

25 (g) All Service Boards, transportation agencies,
26 comprehensive planning agencies, including the Chicago

1 Metropolitan Agency for Planning, or transportation planning
2 agencies in the metropolitan region shall furnish to the
3 Authority such information pertaining to public transportation
4 or relevant for plans therefor as it may from time to time
5 require. The Executive Director, or his or her designee,
6 shall, for the purpose of securing any such information
7 necessary or appropriate to carry out any of the powers and
8 responsibilities of the Authority under this Act, have access
9 to, and the right to examine, all books, documents, papers or
10 records of a Service Board or any transportation agency
11 receiving funds from the Authority or Service Board, and such
12 Service Board or transportation agency shall comply with any
13 request by the Executive Director, or his or her designee,
14 within 30 days or an extended time provided by the Executive
15 Director.

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

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

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

1 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

2 Sec. 4.09. Public Transportation Fund and the Regional
3 Transportation Authority Occupation and Use Tax Replacement
4 Fund.

5 (a)(1) Except as otherwise provided in paragraph (4), as
6 soon as possible after the first day of each month, beginning
7 July 1, 1984, upon certification of the Department of Revenue,
8 the Comptroller shall order transferred and the Treasurer
9 shall transfer from the General Revenue Fund to a special fund
10 in the State Treasury to be known as the Public Transportation
11 Fund an amount equal to 25% of the net revenue, before the
12 deduction of the serviceman and retailer discounts pursuant to
13 Section 9 of the Service Occupation Tax Act and Section 3 of
14 the Retailers' Occupation Tax Act, realized from any tax
15 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
16 and 25% of the amounts deposited into the Regional
17 Transportation Authority tax fund created by Section 4.03 of
18 this Act, from the County and Mass Transit District Fund as
19 provided in Section 6z-20 of the State Finance Act and 25% of
20 the amounts deposited into the Regional Transportation
21 Authority Occupation and Use Tax Replacement Fund from the
22 State and Local Sales Tax Reform Fund as provided in Section
23 6z-17 of the State Finance Act. On the first day of the month
24 following the date that the Department receives revenues from
25 increased taxes under Section 4.03(m) as authorized by Public
26 Act 95-708, in lieu of the transfers authorized in the

1 preceding sentence, upon certification of the Department of
2 Revenue, the Comptroller shall order transferred and the
3 Treasurer shall transfer from the General Revenue Fund to the
4 Public Transportation Fund an amount equal to 25% of the net
5 revenue, before the deduction of the serviceman and retailer
6 discounts pursuant to Section 9 of the Service Occupation Tax
7 Act and Section 3 of the Retailers' Occupation Tax Act,
8 realized from (i) 80% of the proceeds of any tax imposed by the
9 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
10 proceeds of any tax imposed by the Authority at the rate of 1%
11 in Cook County, and (iii) one-third of the proceeds of any tax
12 imposed by the Authority at the rate of 0.75% in the Counties
13 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
14 Section 4.03, and 25% of the net revenue realized from any tax
15 imposed by the Authority pursuant to Section 4.03.1, and 25%
16 of the amounts deposited into the Regional Transportation
17 Authority tax fund created by Section 4.03 of this Act from the
18 County and Mass Transit District Fund as provided in Section
19 6z-20 of the State Finance Act, and 25% of the amounts
20 deposited into the Regional Transportation Authority
21 Occupation and Use Tax Replacement Fund from the State and
22 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
23 State Finance Act. As used in this Section, net revenue
24 realized for a month shall be the revenue collected by the
25 State pursuant to Sections 4.03 and 4.03.1 during the previous
26 month from within the metropolitan region, less the amount

1 paid out during that same month as refunds to taxpayers for
2 overpayment of liability in the metropolitan region under
3 Sections 4.03 and 4.03.1.

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

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

1 6z-20 of the State Finance Act, and 5% of the amounts deposited
2 into the Regional Transportation Authority Occupation and Use
3 Tax Replacement Fund from the State and Local Sales Tax Reform
4 Fund as provided in Section 6z-17 of the State Finance Act, and
5 5% of the revenue realized by the Chicago Transit Authority as
6 financial assistance from the City of Chicago from the
7 proceeds of any tax imposed by the City of Chicago under
8 Section 8-3-19 of the Illinois Municipal Code.

9 Notwithstanding any provision of law to the contrary,
10 beginning on July 6, 2017 (the effective date of Public Act
11 100-23), those amounts required under this paragraph (2) of
12 subsection (a) to be transferred by the Treasurer into the
13 Public Transportation Fund from the General Revenue Fund shall
14 be directly deposited into the Public Transportation Fund as
15 the revenues are realized from the taxes indicated.

16 (3) Except as otherwise provided in paragraph (4), as soon
17 as possible after the first day of January, 2009 and each month
18 thereafter, upon certification of the Department of Revenue
19 with respect to the taxes collected under Section 4.03, the
20 Comptroller shall order transferred and the Treasurer shall
21 transfer from the General Revenue Fund to the Public
22 Transportation Fund an amount equal to 25% of the net revenue,
23 before the deduction of the serviceman and retailer discounts
24 pursuant to Section 9 of the Service Occupation Tax Act and
25 Section 3 of the Retailers' Occupation Tax Act, realized from
26 (i) 20% of the proceeds of any tax imposed by the Authority at

1 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
2 tax imposed by the Authority at the rate of 1% in Cook County,
3 and (iii) one-third of the proceeds of any tax imposed by the
4 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
5 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
6 Comptroller shall order transferred and the Treasurer shall
7 transfer from the General Revenue Fund to the Public
8 Transportation Fund (iv) an amount equal to 25% of the revenue
9 realized by the Chicago Transit Authority as financial
10 assistance from the City of Chicago from the proceeds of any
11 tax imposed by the City of Chicago under Section 8-3-19 of the
12 Illinois Municipal Code.

13 Notwithstanding any provision of law to the contrary,
14 beginning on July 6, 2017 (the effective date of Public Act
15 100-23), those amounts required under this paragraph (3) of
16 subsection (a) to be transferred by the Treasurer into the
17 Public Transportation Fund from the General Revenue Fund shall
18 be directly deposited into the Public Transportation Fund as
19 the revenues are realized from the taxes indicated.

20 (4) Notwithstanding any provision of law to the contrary,
21 of the transfers to be made under paragraphs (1), (2), and (3)
22 of this subsection (a) from the General Revenue Fund to the
23 Public Transportation Fund, the first \$150,000,000 that would
24 have otherwise been transferred from the General Revenue Fund
25 shall be transferred from the Road Fund. The remaining balance
26 of such transfers shall be made from the General Revenue Fund.

1 (5) (Blank).

2 (6) (Blank).

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

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

11 (b)(1) All moneys deposited in the Public Transportation
12 Fund and the Regional Transportation Authority Occupation and
13 Use Tax Replacement Fund, whether deposited pursuant to this
14 Section or otherwise, are allocated to the Authority, except
15 for amounts appropriated to the Office of the Executive
16 Inspector General as authorized by subsection (h) of Section
17 4.03.3 and amounts transferred to the Audit Expense Fund
18 pursuant to Section 6z-27 of the State Finance Act. The
19 Comptroller, as soon as possible after each monthly transfer
20 provided in this Section and after each deposit into the
21 Public Transportation Fund, shall order the Treasurer to pay
22 to the Authority out of the Public Transportation Fund the
23 amount so transferred or deposited. Any Additional State
24 Assistance and Additional Financial Assistance paid to the
25 Authority under this Section shall be expended by the
26 Authority for its purposes as provided in this Act. The

1 balance of the amounts paid to the Authority from the Public
2 Transportation Fund shall be expended by the Authority as
3 provided in Section 4.03.3. The Comptroller, as soon as
4 possible after each deposit into the Regional Transportation
5 Authority Occupation and Use Tax Replacement Fund provided in
6 this Section and Section 6z-17 of the State Finance Act, shall
7 order the Treasurer to pay to the Authority out of the Regional
8 Transportation Authority Occupation and Use Tax Replacement
9 Fund the amount so deposited. Such amounts paid to the
10 Authority may be expended by it for its purposes as provided in
11 this Act. The provisions directing the distributions from the
12 Public Transportation Fund and the Regional Transportation
13 Authority Occupation and Use Tax Replacement Fund provided for
14 in this Section shall constitute an irrevocable and continuing
15 appropriation of all amounts as provided herein. The State
16 Treasurer and State Comptroller are hereby authorized and
17 directed to make distributions as provided in this Section.

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

25 (c) In recognition of the efforts of the Authority to
26 enhance the mass transportation facilities under its control,

1 the State shall provide financial assistance ("Additional
2 State Assistance") in excess of the amounts transferred to the
3 Authority from the General Revenue Fund under subsection (a)
4 of this Section. Additional State Assistance shall be
5 calculated as provided in subsection (d), but shall in no
6 event exceed the following specified amounts with respect to
7 the following State fiscal years:

| | | |
|----|----------------------|-------------------|
| 8 | 1990 | \$5,000,000; |
| 9 | 1991 | \$5,000,000; |
| 10 | 1992 | \$10,000,000; |
| 11 | 1993 | \$10,000,000; |
| 12 | 1994 | \$20,000,000; |
| 13 | 1995 | \$30,000,000; |
| 14 | 1996 | \$40,000,000; |
| 15 | 1997 | \$50,000,000; |
| 16 | 1998 | \$55,000,000; and |
| 17 | each year thereafter | \$55,000,000. |

18 (c-5) The State shall provide financial assistance
19 ("Additional Financial Assistance") in addition to the
20 Additional State Assistance provided by subsection (c) and the
21 amounts transferred to the Authority from the General Revenue
22 Fund under subsection (a) of this Section. Additional
23 Financial Assistance provided by this subsection shall be
24 calculated as provided in subsection (d), but shall in no
25 event exceed the following specified amounts with respect to
26 the following State fiscal years:

1 2000 \$0;
2 2001 \$16,000,000;
3 2002 \$35,000,000;
4 2003 \$54,000,000;
5 2004 \$73,000,000;
6 2005 \$93,000,000; and
7 each year thereafter \$100,000,000.

8 (d) Beginning with State fiscal year 1990 and continuing
9 for each State fiscal year thereafter, the Authority shall
10 annually certify to the State Comptroller and State Treasurer,
11 separately with respect to each of subdivisions (g)(2) and
12 (g)(3) of Section 4.04 of this Act, the following amounts:

13 (1) The amount necessary and required, during the
14 State fiscal year with respect to which the certification
15 is made, to pay its obligations for debt service on all
16 outstanding bonds or notes issued by the Authority under
17 subdivisions (g)(2) and (g)(3) of Section 4.04 of this
18 Act.

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

24 (3) Its debt service savings during the preceding
25 State fiscal year from refunding or advance refunding of
26 bonds or notes issued under subdivisions (g)(2) and (g)(3)

1 of Section 4.04.

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

7 The certification shall include a specific schedule of
8 debt service payments, including the date and amount of each
9 payment for all outstanding bonds or notes and an estimated
10 schedule of anticipated debt service for all bonds and notes
11 it intends to issue, if any, during that State fiscal year,
12 including the estimated date and estimated amount of each
13 payment.

14 Immediately upon the issuance of bonds for which an
15 estimated schedule of debt service payments was prepared, the
16 Authority shall file an amended certification with respect to
17 item (2) above, to specify the actual schedule of debt service
18 payments, including the date and amount of each payment, for
19 the remainder of the State fiscal year.

20 On the first day of each month of the State fiscal year in
21 which there are bonds outstanding with respect to which the
22 certification is made, the State Comptroller shall order
23 transferred and the State Treasurer shall transfer from the
24 Road Fund to the Public Transportation Fund the Additional
25 State Assistance and Additional Financial Assistance in an
26 amount equal to the aggregate of (i) one-twelfth of the sum of

1 the amounts certified under items (1) and (3) above less the
2 amount certified under item (4) above, plus (ii) the amount
3 required to pay debt service on bonds and notes issued during
4 the fiscal year, if any, divided by the number of months
5 remaining in the fiscal year after the date of issuance, or
6 some smaller portion as may be necessary under subsection (c)
7 or (c-5) of this Section for the relevant State fiscal year,
8 plus (iii) any cumulative deficiencies in transfers for prior
9 months, until an amount equal to the sum of the amounts
10 certified under items (1) and (3) above, plus the actual debt
11 service certified under item (2) above, less the amount
12 certified under item (4) above, has been transferred; except
13 that these transfers are subject to the following limits:

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

23 (B) In no event shall the total transfers in any State
24 fiscal year relating to outstanding bonds and notes issued
25 by the Authority under subdivision (g)(3) of Section 4.04
26 exceed the lesser of the annual maximum amount specified

1 in subsection (c-5) or the sum of the amounts certified
2 under items (1) and (3) above, plus the actual debt
3 service certified under item (2) above, less the amount
4 certified under item (4) above, with respect to those
5 bonds and notes.

6 The term "outstanding" does not include bonds or notes for
7 which refunding or advance refunding bonds or notes have been
8 issued.

9 (e) Neither Additional State Assistance nor Additional
10 Financial Assistance may be pledged, either directly or
11 indirectly as general revenues of the Authority, as security
12 for any bonds issued by the Authority. The Authority may not
13 assign its right to receive Additional State Assistance or
14 Additional Financial Assistance, or direct payment of
15 Additional State Assistance or Additional Financial
16 Assistance, to a trustee or any other entity for the payment of
17 debt service on its bonds.

18 (f) The certification required under subsection (d) with
19 respect to outstanding bonds and notes of the Authority shall
20 be filed as early as practicable before the beginning of the
21 State fiscal year to which it relates. The certification shall
22 be revised as may be necessary to accurately state the debt
23 service requirements of the Authority.

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

26 (i) whether the aggregate of all system generated

1 revenues for public transportation in the metropolitan
2 region which is provided by, or under grant or purchase of
3 service contracts with, the Service Boards equals 50% of
4 the aggregate of all costs of providing such public
5 transportation. "System generated revenues" include all
6 the proceeds of fares and charges for services provided,
7 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, and all other revenues properly
15 included consistent with generally accepted accounting
16 principles but may not include: the proceeds from any
17 borrowing, and, beginning with the 2007 fiscal year, all
18 revenues and receipts, including but not limited to fares
19 and grants received from the federal, State or any unit of
20 local government or other entity, derived from providing
21 ADA paratransit service pursuant to Section 2.30 of the
22 Regional Transportation Authority Act. "Costs" include all
23 items properly included as operating costs consistent with
24 generally accepted accounting principles, including
25 administrative costs, but do not include: depreciation;
26 payment of principal and interest on bonds, notes or other

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

1 Section 2.30 of the Regional Transportation Authority Act;
2 or in fiscal years 2008 through 2012 inclusive, costs in
3 the amount of \$200,000,000 in fiscal year 2008, reducing
4 by \$40,000,000 in each fiscal year thereafter until this
5 exemption is eliminated. If said system generated revenues
6 are less than 50% of said costs, the Board shall remit an
7 amount equal to the amount of the deficit to the State;
8 however, due to the fiscal impacts from the COVID-19
9 pandemic, for fiscal years 2021, 2022, and 2023, no such
10 payment shall be required. The Treasurer shall deposit any
11 such payment in the Road Fund; and

12 (ii) whether, beginning with the 2007 fiscal year, the
13 aggregate of all fares charged and received for ADA
14 paratransit services equals the system generated ADA
15 paratransit services revenue recovery ratio percentage of
16 the aggregate of all costs of providing such ADA
17 paratransit services.

18 (h) If the Authority makes any payment to the State under
19 paragraph (g), the Authority shall reduce the amount provided
20 to a Service Board from funds transferred under paragraph (a)
21 in proportion to the amount by which that Service Board failed
22 to meet its required system generated revenues recovery ratio.
23 A Service Board which is affected by a reduction in funds under
24 this paragraph shall submit to the Authority concurrently with
25 its next due quarterly report a revised budget incorporating
26 the reduction in funds. The revised budget must meet the

1 criteria specified in clauses (i) through (vi) of Section
2 4.11(b)(2). The Board shall review and act on the revised
3 budget as provided in Section 4.11(b)(3).

4 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
5 101-10, eff. 6-5-19; 101-636, eff. 6-10-20.)

6 Section 20. The Employee Sick Leave Act is amended by
7 changing Section 21 as follows:

8 (820 ILCS 191/21)

9 Sec. 21. Employments exempted from coverage.

10 (a) This Act does not apply to ~~an employee of an employer~~
11 ~~subject to the provisions of Title II of the Railway Labor Act~~
12 ~~(45 U.S.C. 181 et seq.) or to an employer or employee as~~
13 defined in either the federal Railroad Unemployment Insurance
14 Act (45 U.S.C. 351 et seq.) or the Federal Employers'
15 Liability Act, United States Code, Title 45, Sections 51
16 through 60, or other comparable federal law.

17 (b) Nothing in this Act shall be construed to invalidate,
18 diminish, or otherwise interfere with any collective
19 bargaining agreement nor shall it be construed to invalidate,
20 diminish, or otherwise interfere with any party's power to
21 collectively bargain such an agreement.

22 (c) This Act does not apply to any other employment
23 expressly exempted under rules adopted by the Department as
24 necessary to implement this Act in accordance with applicable

1 State and federal law.

2 (Source: P.A. 99-921, eff. 1-13-17.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".