



Rep. Jay Hoffman

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1 AMENDMENT TO SENATE BILL 1697

2 AMENDMENT NO. _____. Amend Senate Bill 1697 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Grant Accountability and Transparency Act
5 is amended by changing Sections 20, 25, and 45 as follows:

6 (30 ILCS 708/20)

7 Sec. 20. Adoption of federal rules applicable to grants.

8 (a) On or before July 1, 2016, the Governor's Office of
9 Management and Budget, with the advice and technical
10 assistance of the Illinois Single Audit Commission, shall
11 adopt rules which adopt the Uniform Guidance at 2 CFR 200. The
12 rules, which shall apply to all State and federal pass-through
13 awards effective on and after July 1, 2016, shall include the
14 following:

15 (1) Administrative requirements. In accordance with
16 Subparts B through D of 2 CFR 200, the rules shall set

1 forth the uniform administrative requirements for grant
2 and cooperative agreements, including the requirements for
3 the management by State awarding agencies of federal grant
4 programs before State and federal pass-through awards have
5 been made and requirements that State awarding agencies
6 may impose on non-federal entities in State and federal
7 pass-through awards.

8 (2) Cost principles. In accordance with Subpart E of 2
9 CFR 200, the rules shall establish principles for
10 determining the allowable costs incurred by non-federal
11 entities under State and federal pass-through awards. The
12 principles are intended for cost determination, but are
13 not intended to identify the circumstances or dictate the
14 extent of State or federal pass-through participation in
15 financing a particular program or project. The principles
16 shall provide that State and federal awards bear their
17 fair share of cost recognized under these principles,
18 except where restricted or prohibited by State or federal
19 law.

20 (3) Audit and single audit requirements and audit
21 follow-up. In accordance with Subpart F of 2 CFR 200 and
22 the federal Single Audit Act Amendments of 1996, the rules
23 shall set forth standards to obtain consistency and
24 uniformity among State and federal pass-through awarding
25 agencies for the audit of non-federal entities expending
26 State and federal awards. These provisions shall also set

1 forth the policies and procedures for State and federal
2 pass-through entities when using the results of these
3 audits.

4 The provisions of this item (3) do not apply to
5 for-profit subrecipients because for-profit subrecipients
6 are not subject to the requirements of 2 CFR 200, Subpart
7 F, Audits of States, Local and Non-Profit Organizations.
8 Audits of for-profit subrecipients must be conducted
9 pursuant to a Program Audit Guide issued by the Federal
10 awarding agency. If a Program Audit Guide is not
11 available, the State awarding agency must prepare a
12 Program Audit Guide in accordance with the 2 CFR 200,
13 Subpart F - Audit Requirements - Compliance Supplement.
14 For-profit entities are subject to all other general
15 administrative requirements and cost principles applicable
16 to grants.

17 (b) This Act addresses only State and federal pass-through
18 auditing functions and does not address the external audit
19 function of the Auditor General.

20 (c) For public institutions of higher education, the
21 provisions of this Section apply only to awards funded by
22 ~~State appropriations and~~ federal pass-through awards from a
23 State agency to public institutions of higher education.
24 Federal pass-through awards from a State agency to public
25 institutions of higher education are governed by and must
26 comply with federal guidelines under 2 CFR 200.

1 (d) The State grant-making agency is responsible for
2 establishing requirements, as necessary, to ensure compliance
3 by for-profit subrecipients. The agreement with the for-profit
4 subrecipient shall describe the applicable compliance
5 requirements and the for-profit subrecipient's compliance
6 responsibility. Methods to ensure compliance for State and
7 federal pass-through awards made to for-profit subrecipients
8 shall include pre-award, audits, monitoring during the
9 agreement, and post-award audits. The Governor's Office of
10 Management and Budget shall provide such advice and technical
11 assistance to the State grant-making agency as is necessary or
12 indicated.

13 (Source: P.A. 99-523, eff. 6-30-16; 100-676, eff. 1-1-19.)

14 (30 ILCS 708/25)

15 Sec. 25. Supplemental rules. On or before July 1, 2017,
16 the Governor's Office of Management and Budget, with the
17 advice and technical assistance of the Illinois Single Audit
18 Commission, shall adopt supplemental rules pertaining to the
19 following:

20 (1) Criteria to define mandatory formula-based grants
21 and discretionary grants.

22 (2) The award of one-year grants for new applicants.

23 (3) The award of competitive grants in 3-year terms
24 (one-year initial terms with the option to renew for up to
25 2 additional years) to coincide with the federal award.

1 (4) The issuance of grants, including:

2 (A) public notice of announcements of funding
3 opportunities;

4 (B) the development of uniform grant applications;

5 (C) State agency review of merit of proposals and
6 risk posed by applicants;

7 (D) specific conditions for individual recipients
8 (including the use of a fiscal agent and additional
9 corrective conditions);

10 (E) certifications and representations;

11 (F) pre-award costs;

12 (G) performance measures and statewide prioritized
13 goals under Section 50-25 of the State Budget Law of
14 the Civil Administrative Code of Illinois, commonly
15 referred to as "Budgeting for Results"; and

16 (H) for mandatory formula grants, the merit of the
17 proposal and the risk posed should result in
18 additional reporting, monitoring, or measures such as
19 reimbursement-basis only.

20 (5) The development of uniform budget requirements,
21 which shall include:

22 (A) mandatory submission of budgets as part of the
23 grant application process;

24 (B) mandatory requirements regarding contents of
25 the budget including, at a minimum, common detail line
26 items specified under guidelines issued by the

1 Governor's Office of Management and Budget;

2 (C) a requirement that the budget allow
3 flexibility to add lines describing costs that are
4 common for the services provided as outlined in the
5 grant application;

6 (D) a requirement that the budget include
7 information necessary for analyzing cost and
8 performance for use in Budgeting for Results; and

9 (E) caps on the amount of salaries that may be
10 charged to grants based on the limitations imposed by
11 federal agencies.

12 (6) The development of pre-qualification requirements
13 for applicants, including the fiscal condition of the
14 organization and the provision of the following
15 information:

16 (A) organization name;

17 (B) Federal Employee Identification Number;

18 (C) Data Universal Numbering System (DUNS) number;

19 (D) fiscal condition;

20 (E) whether the applicant is in good standing with
21 the Secretary of State;

22 (F) past performance in administering grants;

23 (G) whether the applicant is on the Debarred and
24 Suspended List maintained by the Governor's Office of
25 Management and Budget;

26 (H) whether the applicant is on the federal

1 Excluded Parties List; and

2 (I) whether the applicant is on the Sanctioned
3 Party List maintained by the Illinois Department of
4 Healthcare and Family Services.

5 Nothing in this Act affects the provisions of the Fiscal
6 Control and Internal Auditing Act nor the requirement that the
7 management of each State agency is responsible for maintaining
8 effective internal controls under that Act.

9 For public institutions of higher education, the
10 provisions of this Section apply only to awards funded by
11 ~~State appropriations and~~ federal pass-through awards from a
12 State agency to public institutions of higher education.

13 (Source: P.A. 100-676, eff. 1-1-19; 100-997, eff. 8-20-18;
14 101-81, eff. 7-12-19.)

15 (30 ILCS 708/45)

16 Sec. 45. Applicability.

17 (a) Except as otherwise provided in this Section, the ~~The~~
18 requirements established under this Act apply to State
19 grant-making agencies that make State and federal pass-through
20 awards to non-federal entities. These requirements apply to
21 all costs related to State and federal pass-through awards.
22 The requirements established under this Act do not apply to
23 private awards, to allocations of State revenues paid over by
24 the Comptroller to units of local government and other taxing
25 districts pursuant to the State Revenue Sharing Act from the

1 Local Government Distributive Fund or the Personal Property
2 Tax Replacement Fund, or to allotments of State motor fuel tax
3 revenues distributed by the Department of Transportation to
4 units of local government pursuant to the Motor Fuel Tax Law
5 from the Motor Fuel Tax Fund or the Transportation Renewal
6 Fund.

7 (a-5) Nothing in this Act shall prohibit the use of State
8 funds for purposes of federal match or maintenance of effort.

9 (b) The terms and conditions of State, federal, and
10 pass-through awards apply to subawards and subrecipients
11 unless a particular Section of this Act or the terms and
12 conditions of the State or federal award specifically indicate
13 otherwise. Non-federal entities shall comply with requirements
14 of this Act regardless of whether the non-federal entity is a
15 recipient or subrecipient of a State or federal pass-through
16 award. Pass-through entities shall comply with the
17 requirements set forth under the rules adopted under
18 subsection (a) of Section 20 of this Act, but not to any
19 requirements in this Act directed towards State or federal
20 awarding agencies, unless the requirements of the State or
21 federal awards indicate otherwise.

22 When a non-federal entity is awarded a cost-reimbursement
23 contract, only 2 CFR 200.330 through 200.332 are incorporated
24 by reference into the contract. However, when the Cost
25 Accounting Standards are applicable to the contract, they take
26 precedence over the requirements of this Act unless they are

1 in conflict with Subpart F of 2 CFR 200. In addition, costs
2 that are made unallowable under 10 U.S.C. 2324(e) and 41
3 U.S.C. 4304(a), as described in the Federal Acquisition
4 Regulations, subpart 31.2 and subpart 31.603, are always
5 unallowable. For requirements other than those covered in
6 Subpart D of 2 CFR 200.330 through 200.332, the terms of the
7 contract and the Federal Acquisition Regulations apply.

8 With the exception of Subpart F of 2 CFR 200, which is
9 required by the Single Audit Act, in any circumstances where
10 the provisions of federal statutes or regulations differ from
11 the provisions of this Act, the provision of the federal
12 statutes or regulations govern. This includes, for agreements
13 with Indian tribes, the provisions of the Indian
14 Self-Determination and Education and Assistance Act, as
15 amended, 25 U.S.C. 450-458ddd-2.

16 (c) State grant-making agencies may apply subparts A
17 through E of 2 CFR 200 to for-profit entities, foreign public
18 entities, or foreign organizations, except where the awarding
19 agency determines that the application of these subparts would
20 be inconsistent with the international obligations of the
21 United States or the statute or regulations of a foreign
22 government.

23 (d) 2 CFR 200.101 specifies how 2 CFR 200 is applicable to
24 different types of awards. The same applicability applies to
25 this Act.

26 (e) (Blank).

1 (f) For public institutions of higher education, the
2 provisions of this Act apply only to awards funded by ~~State~~
3 ~~appropriations~~ and federal pass-through awards from a State
4 agency to public institutions of higher education. This Act
5 shall recognize provisions in 2 CFR 200 as applicable to
6 public institutions of higher education, including Appendix
7 III of Part 200 and the cost principles under Subpart E.

8 (g) Each grant-making agency shall enhance its processes
9 to monitor and address noncompliance with reporting
10 requirements and with program performance standards. Where
11 applicable, the process may include a corrective action plan.
12 The monitoring process shall include a plan for tracking and
13 documenting performance-based contracting decisions.

14 (Source: P.A. 100-676, eff. 1-1-19; 100-863, eff. 8-14-18;
15 101-81, eff. 7-12-19.)

16 Section 10. The Downstate Public Transportation Act is
17 amended by changing Sections 2-3, 2-4, 2-5, 2-5.1, 2-7, 2-9,
18 2-10, 2-11, 2-12, 2-13, 2-14, 2-15.2, 2-15.3, and 2-17 as
19 follows:

20 (30 ILCS 740/2-3) (from Ch. 111 2/3, par. 663)

21 Sec. 2-3. (a) As soon as possible after the first day of
22 each month, beginning July 1, 1984, upon certification of the
23 Department of Revenue, the Comptroller shall order
24 transferred, and the Treasurer shall transfer, from the

1 General Revenue Fund to a special fund in the State Treasury
2 which is hereby created, to be known as the Downstate Public
3 Transportation Fund, an amount equal to 2/32 (beginning July
4 1, 2005, 3/32) of the net revenue realized from the Retailers'
5 Occupation Tax Act, the Service Occupation Tax Act, the Use
6 Tax Act, and the Service Use Tax Act from persons incurring
7 municipal or county retailers' or service occupation tax
8 liability for the benefit of any municipality or county
9 located wholly within the boundaries of each participant,
10 other than any Metro-East Transit District participant
11 certified pursuant to subsection (c) of this Section during
12 the preceding month, except that the Department shall pay into
13 the Downstate Public Transportation Fund 2/32 (beginning July
14 1, 2005, 3/32) of 80% of the net revenue realized under the
15 State tax Acts named above within any municipality or county
16 located wholly within the boundaries of each participant,
17 other than any Metro-East participant, for tax periods
18 beginning on or after January 1, 1990. Net revenue realized
19 for a month shall be the revenue collected by the State
20 pursuant to such Acts during the previous month from persons
21 incurring municipal or county retailers' or service occupation
22 tax liability for the benefit of any municipality or county
23 located wholly within the boundaries of a participant, less
24 the amount paid out during that same month as refunds or credit
25 memoranda to taxpayers for overpayment of liability under such
26 Acts for the benefit of any municipality or county located

1 wholly within the boundaries of a participant.

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

9 (b) As soon as possible after the first day of each month,
10 beginning July 1, 1989, upon certification of the Department
11 of Revenue, the Comptroller shall order transferred, and the
12 Treasurer shall transfer, from the General Revenue Fund to a
13 special fund in the State Treasury which is hereby created, to
14 be known as the Metro-East Public Transportation Fund, an
15 amount equal to $\frac{2}{32}$ of the net revenue realized, as above,
16 from within the boundaries of Madison, Monroe, and St. Clair
17 Counties, except that the Department shall pay into the
18 Metro-East Public Transportation Fund $\frac{2}{32}$ of 80% of the net
19 revenue realized under the State tax Acts specified in
20 subsection (a) of this Section within the boundaries of
21 Madison, Monroe and St. Clair Counties for tax periods
22 beginning on or after January 1, 1990. A local match
23 equivalent to an amount which could be raised by a tax levy at
24 the rate of .05% on the assessed value of property within the
25 boundaries of Madison County is required annually to cause a
26 total of $\frac{2}{32}$ of the net revenue to be deposited in the

1 Metro-East Public Transportation Fund. Failure to raise the
2 required local match annually shall result in only 1/32 being
3 deposited into the Metro-East Public Transportation Fund after
4 July 1, 1989, or 1/32 of 80% of the net revenue realized for
5 tax periods beginning on or after January 1, 1990.

6 (b-5) As soon as possible after the first day of each
7 month, beginning July 1, 2005, upon certification of the
8 Department of Revenue, the Comptroller shall order
9 transferred, and the Treasurer shall transfer, from the
10 General Revenue Fund to the Downstate Public Transportation
11 Fund, an amount equal to 3/32 of 80% of the net revenue
12 realized from within the boundaries of Monroe and St. Clair
13 Counties under the State Tax Acts specified in subsection (a)
14 of this Section and provided further that, beginning July 1,
15 2005, the provisions of subsection (b) shall no longer apply
16 with respect to such tax receipts from Monroe and St. Clair
17 Counties.

18 Notwithstanding any provision of law to the contrary,
19 beginning on July 6, 2017 (the effective date of Public Act
20 100-23), those amounts required under this subsection (b-5) to
21 be transferred by the Treasurer into the Downstate Public
22 Transportation Fund from the General Revenue Fund shall be
23 directly deposited into the Downstate Public Transportation
24 Fund as the revenues are realized from the taxes indicated.

25 (b-6) As soon as possible after the first day of each
26 month, beginning July 1, 2008, upon certification by the

1 Department of Revenue, the Comptroller shall order transferred
2 and the Treasurer shall transfer, from the General Revenue
3 Fund to the Downstate Public Transportation Fund, an amount
4 equal to $\frac{3}{32}$ of 80% of the net revenue realized from within
5 the boundaries of Madison County under the State Tax Acts
6 specified in subsection (a) of this Section and provided
7 further that, beginning July 1, 2008, the provisions of
8 subsection (b) shall no longer apply with respect to such tax
9 receipts from Madison County.

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

17 (b-7) Beginning July 1, 2018, notwithstanding the other
18 provisions of this Section, instead of the Comptroller making
19 monthly transfers from the General Revenue Fund to the
20 Downstate Public Transportation Fund, the Department of
21 Revenue shall deposit the designated fraction of the net
22 revenue realized from collections under the Retailers'
23 Occupation Tax Act, the Service Occupation Tax Act, the Use
24 Tax Act, and the Service Use Tax Act directly into the
25 Downstate Public Transportation Fund.

26 (c) The Department shall certify to the Department of

1 Revenue the eligible participants under this Article and the
2 territorial boundaries of such participants for the purposes
3 of the Department of Revenue in subsections (a) and (b) of this
4 Section.

5 (d) For the purposes of this Article, beginning in fiscal
6 year 2009 the General Assembly shall appropriate an amount
7 from the Downstate Public Transportation Fund equal to the sum
8 total of funds projected to be paid to the participants
9 pursuant to Section 2-7. If the General Assembly fails to make
10 appropriations sufficient to cover the amounts projected to be
11 paid pursuant to Section 2-7, this Act shall constitute an
12 irrevocable and continuing appropriation from the Downstate
13 Public Transportation Fund of all amounts necessary for those
14 purposes.

15 (e) (Blank).

16 (f) (Blank).

17 (g) (Blank).

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

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

26 (j) Commencing with State fiscal year 2022 programs, and

1 for each fiscal year thereafter, all appropriations made under
2 the provisions of this Act are direct appropriations and shall
3 not constitute a grant program subject to the requirements of
4 the Grant Accountability and Transparency Act. The Department
5 shall approve programs of proposed expenditures and services
6 submitted by participants under the requirements of Sections
7 2-5 and 2-11.

8 (Source: P.A. 100-23, eff. 7-6-17; 100-363, eff. 7-1-18;
9 100-587, eff. 6-4-18; 100-863, eff. 8-14-18; 101-10, eff.
10 6-5-19; 101-636, eff. 6-10-20.)

11 (30 ILCS 740/2-4) (from Ch. 111 2/3, par. 664)

12 Sec. 2-4. The Department shall establish forms for the
13 reporting of projected and actual operating deficits and
14 expenses and other required information by the participants,
15 and has the power to promulgate rules and regulations for the
16 filing of such reports within the limitations set out in
17 Sections 2-5, 2-6 and 2-7. Each participant shall be governed
18 by the rules and regulations established under this Section.

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

20 (30 ILCS 740/2-5) (from Ch. 111 2/3, par. 665)

21 Sec. 2-5. Applications.

22 (a) Through State fiscal year 2021, each ~~Each~~ participant
23 making application for grants pursuant to this Article shall
24 submit to the Department at the time of making such

1 application, on forms provided by the Department: (1) ~~(a)~~ an
2 estimate of projected operating deficits and a separate
3 statement of eligible operating expenses and an estimate of
4 all projected operating income or revenues; and (2) ~~(b)~~ a
5 program of proposed expenditures; all such submittals to be
6 for the period of such grant. The program of proposed
7 expenditures shall be directly related to the operation,
8 maintenance or improvement of an existing system of public
9 transportation serving the residents of the participant, and
10 shall include the proposed expenditures for eligible operating
11 expenses.

12 For Fiscal Year 1980 grant applications shall be submitted
13 to the Department within 60 days of the effective date of this
14 amendatory Act of 1979. Beginning with Fiscal Year 1981 and
15 thereafter, grant applications shall be submitted to the
16 Department by April 1 of the preceding fiscal year.

17 (b) For Fiscal Year 2022 applications for funding, and for
18 each fiscal year thereafter, each participant making
19 application for funding shall submit to the Department by
20 April 1 of the preceding fiscal year, a program of proposed
21 expenditures and services on forms provided by the Department,
22 consisting of the following information: (1) an estimate of
23 projected operating deficits and a separate statement of
24 eligible operating expenses and an estimate of all projected
25 operating income or revenues; and (2) a program of proposed
26 expenditures and services; all such submittals to be for the

1 period of such project. The program of proposed expenditures
2 and services shall be directly related to the operation,
3 maintenance, or improvement of an existing system of public
4 transportation serving the residents of the participant, and
5 shall include the proposed expenditures and services for
6 eligible operating expenses.

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

8 (30 ILCS 740/2-5.1)

9 Sec. 2-5.1. Additional requirements.

10 (a) Through State fiscal year 2021, any ~~Any~~ unit of local
11 government that becomes a participant on or after the
12 effective date of this amendatory Act of the 94th General
13 Assembly shall, in addition to any other requirements under
14 this Article, meet all of the following requirements when
15 applying for grants under this Article:

16 (1) The grant application must demonstrate the
17 participant's plan to provide general public
18 transportation with an emphasis on persons with
19 disabilities and elderly and economically disadvantaged
20 populations.

21 (2) The grant application must demonstrate the
22 participant's plan for interagency coordination that, at a
23 minimum, allows the participation of all State-funded and
24 federally-funded agencies and programs with transportation
25 needs in the proposed service area in the development of

1 the applicant's public transportation program.

2 (3) Any participant serving a nonurbanized area that
3 is not receiving Federal Section 5311 funding must meet
4 the operating and safety compliance requirements as set
5 forth in that federal program.

6 (4) The participant is required to hold public
7 hearings to allow comment on the proposed service plan in
8 all municipalities with populations of 1,500 inhabitants
9 or more within the proposed service area.

10 (a-5) Any unit of local government that becomes a
11 participant on or after the effective date of this amendatory
12 Act of the 102nd General Assembly shall, in addition to any
13 other requirements under this Article, meet all of the
14 following requirements when applying for the approval of the
15 program of proposed expenditures and services under this
16 Article:

17 (1) The program of proposed expenditures and services
18 must demonstrate the participant's plan to provide general
19 public transportation with an emphasis on persons with
20 disabilities and elderly and economically disadvantaged
21 populations.

22 (2) The program of proposed expenditures and services
23 must demonstrate the participant's plan for interagency
24 coordination that, at a minimum, allows the participation
25 of all State-funded and federally-funded agencies and
26 programs with transportation needs in the proposed service

1 area in the development of the applicant's public
2 transportation program.

3 (3) Any participant serving a non-urbanized area that
4 is not receiving Federal Section 5311 Program funding must
5 meet the operating and safety compliance requirements as
6 set forth in that federal program.

7 (4) The participant is required to hold public
8 hearings to allow comment on the proposed service plan in
9 all municipalities with populations of 1,500 inhabitants
10 or more within the proposed service area.

11 (b) Service extensions by any participant after July 1,
12 2005 by either annexation or intergovernmental agreement must
13 meet the 4 requirements of subsection (a).

14 (c) In order to receive funding, the Department shall
15 certify that the participant has met the requirements of this
16 Section. Funding priority shall be given to service extension,
17 multi-county, and multi-jurisdictional projects.

18 (d) The Department shall develop an annual application
19 process for existing or potential participants to request an
20 initial appropriation or an appropriation exceeding the
21 formula amount found in subsection (b-10) of Section 2-7 for
22 funding service in new areas in the next fiscal year. The
23 application shall include, but not be limited to, a
24 description of the new service area, proposed service in the
25 new area, and a budget for providing existing and new service.
26 The Department shall review the application for reasonableness

1 and compliance with the requirements of this Section, and, if
2 it approves the application, shall recommend to the Governor
3 an appropriation for the next fiscal year in an amount
4 sufficient to provide 65% of projected eligible operating
5 expenses associated with a new participant's service area or
6 the portion of an existing participant's service area that has
7 been expanded by annexation or intergovernmental agreement.
8 The recommended appropriation for the next fiscal year may
9 exceed the formula amount found in subsection (b-10) of
10 Section 2-7.

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

12 (30 ILCS 740/2-7) (from Ch. 111 2/3, par. 667)

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

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

1 the Metro-East Public Transportation Fund.

2 (b) Each participant other than any Metro-East Transit
3 District participant shall, 30 days before the end of each
4 quarter, file with the Department on forms provided by the
5 Department for such purposes a report of the projected
6 eligible operating expenses to be incurred in the next quarter
7 and 30 days before the third and fourth quarters of any fiscal
8 year a statement of actual eligible operating expenses
9 incurred in the preceding quarters. Except as otherwise
10 provided in subsection (b-5), within 45 days of receipt by the
11 Department of such quarterly report, the Comptroller shall
12 order paid and the Treasurer shall pay from the Downstate
13 Public Transportation Fund to each participant an amount equal
14 to one-third of such participant's eligible operating
15 expenses; provided, however, that in Fiscal Year 1997, the
16 amount paid to each participant from the Downstate Public
17 Transportation Fund shall be an amount equal to 47% of such
18 participant's eligible operating expenses and shall be
19 increased to 49% in Fiscal Year 1998, 51% in Fiscal Year 1999,
20 53% in Fiscal Year 2000, 55% in Fiscal Years 2001 through 2007,
21 and 65% in Fiscal Year 2008 and thereafter; however, in any
22 year that a participant receives funding under subsection (i)
23 of Section 2705-305 of the Department of Transportation Law
24 (20 ILCS 2705/2705-305), that participant shall be eligible
25 only for assistance equal to the following percentage of its
26 eligible operating expenses: 42% in Fiscal Year 1997, 44% in

1 Fiscal Year 1998, 46% in Fiscal Year 1999, 48% in Fiscal Year
2 2000, and 50% in Fiscal Year 2001 and thereafter. Any such
3 payment for the third and fourth quarters of any fiscal year
4 shall be adjusted to reflect actual eligible operating
5 expenses for preceding quarters of such fiscal year. However,
6 no participant shall receive an amount less than that which
7 was received in the immediate prior year, provided in the
8 event of a shortfall in the fund those participants receiving
9 less than their full allocation pursuant to Section 2-6 of
10 this Article shall be the first participants to receive an
11 amount not less than that received in the immediate prior
12 year.

13 (b-5) (Blank.)

14 (b-10) On July 1, 2008, each participant shall receive an
15 appropriation in an amount equal to 65% of its fiscal year 2008
16 eligible operating expenses adjusted by the annual 10%
17 increase required by Section 2-2.04 of this Act. In no case
18 shall any participant receive an appropriation that is less
19 than its fiscal year 2008 appropriation. Every fiscal year
20 thereafter, each participant's appropriation shall increase by
21 10% over the appropriation established for the preceding
22 fiscal year as required by Section 2-2.04 of this Act.

23 (b-15) Beginning on July 1, 2007, and for each fiscal year
24 thereafter, each participant shall maintain a minimum local
25 share contribution (from farebox and all other local revenues)
26 equal to the actual amount provided in Fiscal Year 2006 or, for

1 new recipients, an amount equivalent to the local share
2 provided in the first year of participation. The local share
3 contribution shall be reduced by an amount equal to the total
4 amount of lost revenue for services provided under Section
5 2-15.2 and Section 2-15.3 of this Act.

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

14 (c) No later than 180 days following the last day of the
15 Fiscal Year each participant shall provide the Department with
16 an audit prepared by a Certified Public Accountant covering
17 that Fiscal Year. For those participants other than a
18 Metro-East Transit District, any discrepancy between the funds
19 ~~grants~~ paid and the percentage of the eligible operating
20 expenses provided for by paragraph (b) of this Section shall
21 be reconciled by appropriate payment or credit. In the case of
22 any Metro-East Transit District, any amount of payments from
23 the Metro-East Public Transportation Fund which exceed the
24 eligible deficit of the participant shall be reconciled by
25 appropriate payment or credit.

26 (Source: P.A. 94-70, eff. 6-22-05; 95-708, eff. 1-18-08;

1 95-906, eff. 8-26-08.)

2 (30 ILCS 740/2-9) (from Ch. 111 2/3, par. 669)

3 Sec. 2-9. Each program of proposed expenditures and
4 services shall, in the case of a system of public
5 transportation owned and operated by a participant, undertake
6 to meet operating deficits directly. The purchase of service
7 agreements with a provider of public transportation services
8 shall constitute an eligible expense ~~Grants to a participant~~
9 ~~may be made for services provided through purchase of service~~
10 ~~agreements with a provider of public transportation services.~~

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

12 (30 ILCS 740/2-10) (from Ch. 111 2/3, par. 670)

13 Sec. 2-10. Cooperative projects. Nothing in this Act shall
14 prohibit any participant from including in a program of
15 proposed expenditures and services funding for a portion of a
16 cooperative public transportation project or purpose, the
17 total cost of which is shared among one or more other
18 participants or other financial contributors, as long as the
19 residents of the participant are served by any such project or
20 purpose.

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

22 (30 ILCS 740/2-11) (from Ch. 111 2/3, par. 671)

23 Sec. 2-11. The Department shall review and approve or

1 disapprove within 45 days of receipt each program of proposed
2 expenditures and services submitted by any participant
3 ~~pursuant to the provisions of Section 2-5.~~ In order to receive
4 funding, the Department shall certify that the participant has
5 met the requirements of this Section no later than: (i) the
6 beginning of the applicable fiscal year provided the
7 participant's application is filed in a timely manner; or (ii)
8 within 45 days after the submission of an untimely
9 application. Notwithstanding the above, in the event the
10 Department is prevented from processing applications or
11 certifying that a participant meets the requirements of this
12 Section due to extraordinary circumstances beyond its control,
13 the certification deadline for that application shall be
14 stayed until the Department is able to process and certify the
15 same. Written notice from the Department, as well as an
16 explanation of the extraordinary circumstances, shall be
17 provided to each participant affected by such delay. During
18 such stay period, no provision of this Article, nor any rule or
19 regulation, shall require or mandate: (A) that the Department
20 certify that the participant has met the requirements of this
21 Section to receive funding; (B) that a participant enter into
22 an agreement or contract with the Department to qualify as a
23 participant or receive funding under this Article; or (C) that
24 a participant receive the express approval of its program of
25 proposed expenditures and services by the Department to
26 qualify as a participant or receive funding under this Article

1 after the expiration of the review period established in
2 Section 2-11. Following the stay period, the Department shall
3 comply with the provisions of this Article and shall be
4 authorized to set-off future vouchers to the extent past
5 vouchers paid as certified during the stay period include
6 costs that do not qualify as eligible operating expenses under
7 this Article. The Department may disapprove a program of
8 proposed expenditures and services or portions thereof only
9 for the following reasons:

10 (a) A finding that expenditures are proposed for projects
11 or purposes which are not in compliance with Section 2-5; or

12 (b) A finding that expenditures are proposed for projects
13 or purposes which are in conflict with established
14 comprehensive transportation plans for a participant or a
15 region of which it is a part; or

16 (c) In Fiscal Year 1980, with regard to the participants
17 which have not received State operating assistance prior to
18 the effective date of this amendatory Act of 1979, a finding by
19 the Department that a proposed program submitted by such
20 participant or any portion thereof is not in the public
21 interest in that levels or kinds of service proposed exceeds
22 the reasonable needs of the community served by such
23 participant as demonstrated in the transportation development
24 plan for such community or other studies and information
25 available to the Department.

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

1 (30 ILCS 740/2-12) (from Ch. 111 2/3, par. 672)

2 Sec. 2-12. Disapproval of program. Upon disapproval of any
3 program of proposed expenditures and services, the Department
4 shall so notify the chief official of the participant having
5 submitted such program, setting forth in detail the reasons
6 for such disapproval. Thereupon, any such participant shall
7 have 45 days from the date of receipt of such notice of
8 disapproval by the Department to submit to the Department one
9 or more amended programs of proposed expenditures and
10 services.

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

12 (30 ILCS 740/2-13) (from Ch. 111 2/3, par. 673)

13 Sec. 2-13. Review of amended programs. The Department
14 shall review each amended program of proposed expenditures and
15 services submitted to it pursuant to the provisions of Section
16 2-12 and may disapprove any such amended program of proposed
17 expenditures and services only for the reasons and in the same
18 fashion set forth in Section 2-11.

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

20 (30 ILCS 740/2-14) (from Ch. 111 2/3, par. 674)

21 Sec. 2-14. Grants.

22 (a) Upon a determination by the Department that any
23 initial or amended program of proposed expenditures is in

1 compliance with the provisions of this Act, and upon approval
2 thereof, the Department shall enter into one or more grant
3 agreements with and shall make grants to that participant as
4 necessary to implement the adopted program of expenditures.

5 (b) All grants by the Department pursuant to this Act
6 shall be administered upon such conditions as the Secretary of
7 Transportation shall determine, consistent with the provisions
8 and purpose of this Act.

9 (c) For State fiscal year 2022 or any fiscal year
10 thereafter, upon a determination by the Department that any
11 initial or amended program of proposed expenditure is in
12 compliance with the provisions of this Act, and upon approval
13 thereof, the Department shall enter into one or more
14 agreements with the participant and shall obligate for payment
15 to that participant as necessary to implement the adopted
16 program of expenditure.

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

18 (30 ILCS 740/2-15.2)

19 Sec. 2-15.2. Free services; eligibility.

20 (a) Notwithstanding any law to the contrary, no later than
21 60 days following the effective date of this amendatory Act of
22 the 95th General Assembly and until subsection (b) is
23 implemented, any fixed route public transportation services
24 provided by, or under grant or purchase of service contracts
25 of, every participant, as defined in Section 2-2.02 (1)(a),

1 shall be provided without charge to all senior citizen
2 residents of the participant aged 65 and older, under such
3 conditions as shall be prescribed by the participant.

4 (b) Notwithstanding any law to the contrary, no later than
5 180 days following the effective date of this amendatory Act
6 of the 96th General Assembly, but only through State fiscal
7 year 2021, any fixed route public transportation services
8 provided by, or under grant or purchase of service contracts
9 of, every participant, as defined in Section 2-2.02 (1)(a),
10 shall be provided without charge to senior citizens aged 65
11 and older who meet the income eligibility limitation set forth
12 in subsection (a-5) of Section 4 of the Senior Citizens and
13 Persons with Disabilities Property Tax Relief Act, under such
14 conditions as shall be prescribed by the participant. The
15 Department on Aging shall furnish all information reasonably
16 necessary to determine eligibility, including updated lists of
17 individuals who are eligible for services without charge under
18 this Section. Nothing in this Section shall relieve the
19 participant from providing reduced fares as may be required by
20 federal law.

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

22 (30 ILCS 740/2-15.3)

23 Sec. 2-15.3. Transit services for individuals with
24 disabilities. Notwithstanding any law to the contrary, no
25 later than 60 days following the effective date of this

1 amendatory Act of the 95th General Assembly, but only through
2 State fiscal year 2021, all fixed route public transportation
3 services provided by, or under grant or purchase of service
4 contract of, any participant shall be provided without charge
5 to all persons with disabilities who meet the income
6 eligibility limitation set forth in subsection (a-5) of
7 Section 4 of the Senior Citizens and Persons with Disabilities
8 Property Tax Relief Act, under such procedures as shall be
9 prescribed by the participant. The Department on Aging shall
10 furnish all information reasonably necessary to determine
11 eligibility, including updated lists of individuals who are
12 eligible for services without charge under this Section.

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

14 (30 ILCS 740/2-17) (from Ch. 111 2/3, par. 678)

15 Sec. 2-17. County authorization to provide public
16 transportation and to receive funds from appropriations to
17 apply for funding ~~grants~~ in connection therewith. (a) Any
18 county or counties may, by ordinance, operate or otherwise
19 provide for public transportation within such county or
20 counties. In order to so provide for such public
21 transportation, any county or counties may enter into
22 agreements with any individual, corporation or other person or
23 private or public entity to operate or otherwise assist in the
24 provision of such public transportation services. Upon the
25 execution of an agreement for the operation of such public

1 transportation, the operator shall file 3 copies of such
2 agreement certified by the clerk of the county executing the
3 same with the Illinois Commerce Commission. Thereafter the
4 Illinois Commerce Commission shall enter an order directing
5 compliance by the operator with the provisions of Sections 55a
6 and 55b of "An Act concerning public utilities", approved June
7 28, 1921, as amended.

8 (b) Any county may apply for, accept and expend moneys
9 ~~grants~~, loans or other funds from the State of Illinois or any
10 department or agency thereof, from any unit of local
11 government, from the federal government or any department or
12 agency thereof, or from any other person or entity, for use in
13 connection with any public transportation provided pursuant to
14 this Section.

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

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."