

1 AN ACT concerning finance.

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

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
17 forth the uniform administrative requirements for grant
18 and cooperative agreements, including the requirements for
19 the management by State awarding agencies of federal grant
20 programs before State and federal pass-through awards have
21 been made and requirements that State awarding agencies
22 may impose on non-federal entities in State and federal
23 pass-through awards.

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

13 (3) Audit and single audit requirements and audit
14 follow-up. In accordance with Subpart F of 2 CFR 200 and
15 the federal Single Audit Act Amendments of 1996, the rules
16 shall set forth standards to obtain consistency and
17 uniformity among State and federal pass-through awarding
18 agencies for the audit of non-federal entities expending
19 State and federal awards. These provisions shall also set
20 forth the policies and procedures for State and federal
21 pass-through entities when using the results of these
22 audits.

23 The provisions of this item (3) do not apply to
24 for-profit subrecipients because for-profit subrecipients
25 are not subject to the requirements of 2 CFR 200, Subpart
26 F, Audits of States, Local and Non-Profit Organizations.

1 Audits of for-profit subrecipients must be conducted
2 pursuant to a Program Audit Guide issued by the Federal
3 awarding agency. If a Program Audit Guide is not
4 available, the State awarding agency must prepare a
5 Program Audit Guide in accordance with the 2 CFR 200,
6 Subpart F - Audit Requirements - Compliance Supplement.
7 For-profit entities are subject to all other general
8 administrative requirements and cost principles applicable
9 to grants.

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

13 (c) For public institutions of higher education, the
14 provisions of this Section apply only to awards funded by
15 ~~State appropriations and~~ federal pass-through awards from a
16 State agency to public institutions of higher education.
17 Federal pass-through awards from a State agency to public
18 institutions of higher education are governed by and must
19 comply with federal guidelines under 2 CFR 200.

20 (d) The State grant-making agency is responsible for
21 establishing requirements, as necessary, to ensure compliance
22 by for-profit subrecipients. The agreement with the for-profit
23 subrecipient shall describe the applicable compliance
24 requirements and the for-profit subrecipient's compliance
25 responsibility. Methods to ensure compliance for State and
26 federal pass-through awards made to for-profit subrecipients

1 shall include pre-award, audits, monitoring during the
2 agreement, and post-award audits. The Governor's Office of
3 Management and Budget shall provide such advice and technical
4 assistance to the State grant-making agency as is necessary or
5 indicated.

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

7 (30 ILCS 708/25)

8 Sec. 25. Supplemental rules. On or before July 1, 2017,
9 the Governor's Office of Management and Budget, with the
10 advice and technical assistance of the Illinois Single Audit
11 Commission, shall adopt supplemental rules pertaining to the
12 following:

13 (1) Criteria to define mandatory formula-based grants
14 and discretionary grants.

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

16 (3) The award of competitive grants in 3-year terms
17 (one-year initial terms with the option to renew for up to
18 2 additional years) to coincide with the federal award.

19 (4) The issuance of grants, including:

20 (A) public notice of announcements of funding
21 opportunities;

22 (B) the development of uniform grant applications;

23 (C) State agency review of merit of proposals and
24 risk posed by applicants;

25 (D) specific conditions for individual recipients

1 (including the use of a fiscal agent and additional
2 corrective conditions);

3 (E) certifications and representations;

4 (F) pre-award costs;

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

9 (H) for mandatory formula grants, the merit of the
10 proposal and the risk posed should result in
11 additional reporting, monitoring, or measures such as
12 reimbursement-basis only.

13 (5) The development of uniform budget requirements,
14 which shall include:

15 (A) mandatory submission of budgets as part of the
16 grant application process;

17 (B) mandatory requirements regarding contents of
18 the budget including, at a minimum, common detail line
19 items specified under guidelines issued by the
20 Governor's Office of Management and Budget;

21 (C) a requirement that the budget allow
22 flexibility to add lines describing costs that are
23 common for the services provided as outlined in the
24 grant application;

25 (D) a requirement that the budget include
26 information necessary for analyzing cost and

1 performance for use in Budgeting for Results; and

2 (E) caps on the amount of salaries that may be
3 charged to grants based on the limitations imposed by
4 federal agencies.

5 (6) The development of pre-qualification requirements
6 for applicants, including the fiscal condition of the
7 organization and the provision of the following
8 information:

9 (A) organization name;

10 (B) Federal Employee Identification Number;

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

12 (D) fiscal condition;

13 (E) whether the applicant is in good standing with
14 the Secretary of State;

15 (F) past performance in administering grants;

16 (G) whether the applicant is on the Debarred and
17 Suspended List maintained by the Governor's Office of
18 Management and Budget;

19 (H) whether the applicant is on the federal
20 Excluded Parties List; and

21 (I) whether the applicant is on the Sanctioned
22 Party List maintained by the Illinois Department of
23 Healthcare and Family Services.

24 Nothing in this Act affects the provisions of the Fiscal
25 Control and Internal Auditing Act nor the requirement that the
26 management of each State agency is responsible for maintaining

1 effective internal controls under that Act.

2 For public institutions of higher education, the
3 provisions of this Section apply only to awards funded by
4 ~~State appropriations and~~ federal pass-through awards from a
5 State agency to public institutions of higher education.

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

8 (30 ILCS 708/45)

9 Sec. 45. Applicability.

10 (a) Except as otherwise provided in this Section, the ~~The~~
11 requirements established under this Act apply to State
12 grant-making agencies that make State and federal pass-through
13 awards to non-federal entities. These requirements apply to
14 all costs related to State and federal pass-through awards.
15 The requirements established under this Act do not apply to
16 private awards, to allocations of State revenues paid over by
17 the Comptroller to units of local government and other taxing
18 districts pursuant to the State Revenue Sharing Act from the
19 Local Government Distributive Fund or the Personal Property
20 Tax Replacement Fund, or to allotments of State motor fuel tax
21 revenues distributed by the Department of Transportation to
22 units of local government pursuant to the Motor Fuel Tax Law
23 from the Motor Fuel Tax Fund or the Transportation Renewal
24 Fund.

25 (a-5) Nothing in this Act shall prohibit the use of State

1 funds for purposes of federal match or maintenance of effort.

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

15 When a non-federal entity is awarded a cost-reimbursement
16 contract, only 2 CFR 200.330 through 200.332 are incorporated
17 by reference into the contract. However, when the Cost
18 Accounting Standards are applicable to the contract, they take
19 precedence over the requirements of this Act unless they are
20 in conflict with Subpart F of 2 CFR 200. In addition, costs
21 that are made unallowable under 10 U.S.C. 2324(e) and 41
22 U.S.C. 4304(a), as described in the Federal Acquisition
23 Regulations, subpart 31.2 and subpart 31.603, are always
24 unallowable. For requirements other than those covered in
25 Subpart D of 2 CFR 200.330 through 200.332, the terms of the
26 contract and the Federal Acquisition Regulations apply.

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

9 (c) State grant-making agencies may apply subparts A
10 through E of 2 CFR 200 to for-profit entities, foreign public
11 entities, or foreign organizations, except where the awarding
12 agency determines that the application of these subparts would
13 be inconsistent with the international obligations of the
14 United States or the statute or regulations of a foreign
15 government.

16 (d) 2 CFR 200.101 specifies how 2 CFR 200 is applicable to
17 different types of awards. The same applicability applies to
18 this Act.

19 (e) (Blank).

20 (f) For public institutions of higher education, the
21 provisions of this Act apply only to awards funded by ~~State~~
22 ~~appropriations and~~ federal pass-through awards from a State
23 agency to public institutions of higher education. This Act
24 shall recognize provisions in 2 CFR 200 as applicable to
25 public institutions of higher education, including Appendix
26 III of Part 200 and the cost principles under Subpart E.

1 (g) Each grant-making agency shall enhance its processes
2 to monitor and address noncompliance with reporting
3 requirements and with program performance standards. Where
4 applicable, the process may include a corrective action plan.
5 The monitoring process shall include a plan for tracking and
6 documenting performance-based contracting decisions.

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

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

13 (30 ILCS 740/2-3) (from Ch. 111 2/3, par. 663)

14 Sec. 2-3. (a) As soon as possible after the first day of
15 each month, beginning July 1, 1984, upon certification of the
16 Department of Revenue, the Comptroller shall order
17 transferred, and the Treasurer shall transfer, from the
18 General Revenue Fund to a special fund in the State Treasury
19 which is hereby created, to be known as the Downstate Public
20 Transportation Fund, an amount equal to 2/32 (beginning July
21 1, 2005, 3/32) of the net revenue realized from the Retailers'
22 Occupation Tax Act, the Service Occupation Tax Act, the Use
23 Tax Act, and the Service Use Tax Act from persons incurring
24 municipal or county retailers' or service occupation tax

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

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

1 Fund as the revenues are realized from the taxes indicated.

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

25 (b-5) As soon as possible after the first day of each
26 month, beginning July 1, 2005, upon certification of the

1 Department of Revenue, the Comptroller shall order
2 transferred, and the Treasurer shall transfer, from the
3 General Revenue Fund to the Downstate Public Transportation
4 Fund, an amount equal to $\frac{3}{32}$ of 80% of the net revenue
5 realized from within the boundaries of Monroe and St. Clair
6 Counties under the State Tax Acts specified in subsection (a)
7 of this Section and provided further that, beginning July 1,
8 2005, the provisions of subsection (b) shall no longer apply
9 with respect to such tax receipts from Monroe and St. Clair
10 Counties.

11 Notwithstanding any provision of law to the contrary,
12 beginning on July 6, 2017 (the effective date of Public Act
13 100-23), those amounts required under this subsection (b-5) to
14 be transferred by the Treasurer into the Downstate Public
15 Transportation Fund from the General Revenue Fund shall be
16 directly deposited into the Downstate Public Transportation
17 Fund as the revenues are realized from the taxes indicated.

18 (b-6) As soon as possible after the first day of each
19 month, beginning July 1, 2008, upon certification by the
20 Department of Revenue, the Comptroller shall order transferred
21 and the Treasurer shall transfer, from the General Revenue
22 Fund to the Downstate Public Transportation Fund, an amount
23 equal to $\frac{3}{32}$ of 80% of the net revenue realized from within
24 the boundaries of Madison County under the State Tax Acts
25 specified in subsection (a) of this Section and provided
26 further that, beginning July 1, 2008, the provisions of

1 subsection (b) shall no longer apply with respect to such tax
2 receipts from Madison County.

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

10 (b-7) Beginning July 1, 2018, notwithstanding the other
11 provisions of this Section, instead of the Comptroller making
12 monthly transfers from the General Revenue Fund to the
13 Downstate Public Transportation Fund, the Department of
14 Revenue shall deposit the designated fraction of the net
15 revenue realized from collections under the Retailers'
16 Occupation Tax Act, the Service Occupation Tax Act, the Use
17 Tax Act, and the Service Use Tax Act directly into the
18 Downstate Public Transportation Fund.

19 (c) The Department shall certify to the Department of
20 Revenue the eligible participants under this Article and the
21 territorial boundaries of such participants for the purposes
22 of the Department of Revenue in subsections (a) and (b) of this
23 Section.

24 (d) For the purposes of this Article, beginning in fiscal
25 year 2009 the General Assembly shall appropriate an amount
26 from the Downstate Public Transportation Fund equal to the sum

1 total of funds projected to be paid to the participants
2 pursuant to Section 2-7. If the General Assembly fails to make
3 appropriations sufficient to cover the amounts projected to be
4 paid pursuant to Section 2-7, this Act shall constitute an
5 irrevocable and continuing appropriation from the Downstate
6 Public Transportation Fund of all amounts necessary for those
7 purposes.

8 (e) (Blank).

9 (f) (Blank).

10 (g) (Blank).

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

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

19 (j) Commencing with State fiscal year 2022 programs, and
20 for each fiscal year thereafter, all appropriations made under
21 the provisions of this Act shall not constitute a grant
22 program subject to the requirements of the Grant
23 Accountability and Transparency Act. The Department shall
24 approve programs of proposed expenditures and services
25 submitted by participants under the requirements of Sections
26 2-5 and 2-11.

1 (Source: P.A. 100-23, eff. 7-6-17; 100-363, eff. 7-1-18;
2 100-587, eff. 6-4-18; 100-863, eff. 8-14-18; 101-10, eff.
3 6-5-19; 101-636, eff. 6-10-20.)

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

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

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

13 (30 ILCS 740/2-5) (from Ch. 111 2/3, par. 665)

14 Sec. 2-5. Applications.

15 (a) Through State fiscal year 2021, each ~~Each~~ participant
16 making application for grants pursuant to this Article shall
17 submit to the Department at the time of making such
18 application, on forms provided by the Department: (1) ~~(a)~~ an
19 estimate of projected operating deficits and a separate
20 statement of eligible operating expenses and an estimate of
21 all projected operating income or revenues; and (2) ~~(b)~~ a
22 program of proposed expenditures; all such submittals to be
23 for the period of such grant. The program of proposed
24 expenditures shall be directly related to the operation,

1 maintenance or improvement of an existing system of public
2 transportation serving the residents of the participant, and
3 shall include the proposed expenditures for eligible operating
4 expenses.

5 For Fiscal Year 1980 grant applications shall be submitted
6 to the Department within 60 days of the effective date of this
7 amendatory Act of 1979. Beginning with Fiscal Year 1981 and
8 thereafter, grant applications shall be submitted to the
9 Department by April 1 of the preceding fiscal year.

10 (b) For Fiscal Year 2022 applications for funding, and for
11 each fiscal year thereafter, each participant making
12 application for funding shall submit to the Department by
13 April 1 of the preceding fiscal year, a program of proposed
14 expenditures and services on forms provided by the Department,
15 consisting of the following information: (1) an estimate of
16 projected operating deficits and a separate statement of
17 eligible operating expenses and an estimate of all projected
18 operating income or revenues; and (2) a program of proposed
19 expenditures and services; all such submittals to be for the
20 period of such project. The program of proposed expenditures
21 and services shall be directly related to the operation,
22 maintenance, or improvement of an existing system of public
23 transportation serving the residents of the participant, and
24 shall include the proposed expenditures and services for
25 eligible operating expenses.

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

1 (30 ILCS 740/2-5.1)

2 Sec. 2-5.1. Additional requirements.

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

9 (1) The grant application must demonstrate the
10 participant's plan to provide general public
11 transportation with an emphasis on persons with
12 disabilities and elderly and economically disadvantaged
13 populations.

14 (2) The grant application must demonstrate the
15 participant's plan for interagency coordination that, at a
16 minimum, allows the participation of all State-funded and
17 federally-funded agencies and programs with transportation
18 needs in the proposed service area in the development of
19 the applicant's public transportation program.

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

24 (4) The participant is required to hold public
25 hearings to allow comment on the proposed service plan in

1 all municipalities with populations of 1,500 inhabitants
2 or more within the proposed service area.

3 (a-5) Any unit of local government that becomes a
4 participant on or after the effective date of this amendatory
5 Act of the 102nd General Assembly shall, in addition to any
6 other requirements under this Article, meet all of the
7 following requirements when applying for the approval of the
8 program of proposed expenditures and services under this
9 Article:

10 (1) The program of proposed expenditures and services
11 must demonstrate the participant's plan to provide general
12 public transportation with an emphasis on persons with
13 disabilities and elderly and economically disadvantaged
14 populations.

15 (2) The program of proposed expenditures and services
16 must demonstrate the participant's plan for interagency
17 coordination that, at a minimum, allows the participation
18 of all State-funded and federally-funded agencies and
19 programs with transportation needs in the proposed service
20 area in the development of the applicant's public
21 transportation program.

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

26 (4) The participant is required to hold public

1 hearings to allow comment on the proposed service plan in
2 all municipalities with populations of 1,500 inhabitants
3 or more within the proposed service area.

4 (b) Service extensions by any participant after July 1,
5 2005 by either annexation or intergovernmental agreement must
6 meet the 4 requirements of subsection (a).

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

11 (d) The Department shall develop an annual application
12 process for existing or potential participants to request an
13 initial appropriation or an appropriation exceeding the
14 formula amount found in subsection (b-10) of Section 2-7 for
15 funding service in new areas in the next fiscal year. The
16 application shall include, but not be limited to, a
17 description of the new service area, proposed service in the
18 new area, and a budget for providing existing and new service.
19 The Department shall review the application for reasonableness
20 and compliance with the requirements of this Section, and, if
21 it approves the application, shall recommend to the Governor
22 an appropriation for the next fiscal year in an amount
23 sufficient to provide 65% of projected eligible operating
24 expenses associated with a new participant's service area or
25 the portion of an existing participant's service area that has
26 been expanded by annexation or intergovernmental agreement.

1 The recommended appropriation for the next fiscal year may
2 exceed the formula amount found in subsection (b-10) of
3 Section 2-7.

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

5 (30 ILCS 740/2-7) (from Ch. 111 2/3, par. 667)

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

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

20 (b) Each participant other than any Metro-East Transit
21 District participant shall, 30 days before the end of each
22 quarter, file with the Department on forms provided by the
23 Department for such purposes a report of the projected
24 eligible operating expenses to be incurred in the next quarter
25 and 30 days before the third and fourth quarters of any fiscal

1 year a statement of actual eligible operating expenses
2 incurred in the preceding quarters. Except as otherwise
3 provided in subsection (b-5), within 45 days of receipt by the
4 Department of such quarterly report, the Comptroller shall
5 order paid and the Treasurer shall pay from the Downstate
6 Public Transportation Fund to each participant an amount equal
7 to one-third of such participant's eligible operating
8 expenses; provided, however, that in Fiscal Year 1997, the
9 amount paid to each participant from the Downstate Public
10 Transportation Fund shall be an amount equal to 47% of such
11 participant's eligible operating expenses and shall be
12 increased to 49% in Fiscal Year 1998, 51% in Fiscal Year 1999,
13 53% in Fiscal Year 2000, 55% in Fiscal Years 2001 through 2007,
14 and 65% in Fiscal Year 2008 and thereafter; however, in any
15 year that a participant receives funding under subsection (i)
16 of Section 2705-305 of the Department of Transportation Law
17 (20 ILCS 2705/2705-305), that participant shall be eligible
18 only for assistance equal to the following percentage of its
19 eligible operating expenses: 42% in Fiscal Year 1997, 44% in
20 Fiscal Year 1998, 46% in Fiscal Year 1999, 48% in Fiscal Year
21 2000, and 50% in Fiscal Year 2001 and thereafter. Any such
22 payment for the third and fourth quarters of any fiscal year
23 shall be adjusted to reflect actual eligible operating
24 expenses for preceding quarters of such fiscal year. However,
25 no participant shall receive an amount less than that which
26 was received in the immediate prior year, provided in the

1 event of a shortfall in the fund those participants receiving
2 less than their full allocation pursuant to Section 2-6 of
3 this Article shall be the first participants to receive an
4 amount not less than that received in the immediate prior
5 year.

6 (b-5) (Blank.)

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

16 (b-15) Beginning on July 1, 2007, and for each fiscal year
17 thereafter, each participant shall maintain a minimum local
18 share contribution (from farebox and all other local revenues)
19 equal to the actual amount provided in Fiscal Year 2006 or, for
20 new recipients, an amount equivalent to the local share
21 provided in the first year of participation. The local share
22 contribution shall be reduced by an amount equal to the total
23 amount of lost revenue for services provided under Section
24 2-15.2 and Section 2-15.3 of this Act.

25 (b-20) Any participant in the Downstate Public
26 Transportation Fund may use State operating assistance funding

1 pursuant to this Section to provide transportation services
2 within any county that is contiguous to its territorial
3 boundaries as defined by the Department and subject to
4 Departmental approval. Any such contiguous-area service
5 provided by a participant after July 1, 2007 must meet the
6 requirements of subsection (a) of Section 2-5.1.

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

19 (Source: P.A. 94-70, eff. 6-22-05; 95-708, eff. 1-18-08;
20 95-906, eff. 8-26-08.)

21 (30 ILCS 740/2-9) (from Ch. 111 2/3, par. 669)

22 Sec. 2-9. Each program of proposed expenditures and
23 services shall, in the case of a system of public
24 transportation owned and operated by a participant, undertake
25 to meet operating deficits directly. The purchase of service

1 agreements with a provider of public transportation services
2 shall constitute an eligible expense ~~Grants to a participant~~
3 ~~may be made for services provided through purchase of service~~
4 ~~agreements with a provider of public transportation services.~~

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

6 (30 ILCS 740/2-10) (from Ch. 111 2/3, par. 670)

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

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

16 (30 ILCS 740/2-11) (from Ch. 111 2/3, par. 671)

17 Sec. 2-11. The Department shall review and approve or
18 disapprove within 45 days of receipt each program of proposed
19 expenditures and services submitted by any participant
20 ~~pursuant to the provisions of Section 2-5. Notwithstanding the~~
21 above, in the event the Department is prevented from
22 processing applications or certifying that a participant meets
23 the requirements of this Section due to extraordinary
24 circumstances beyond its control, the certification deadline

1 for that application shall be stayed until the Department is
2 able to process and certify the same. Notice from the
3 Department, as well as an explanation of the extraordinary
4 circumstances, shall be provided to each participant affected
5 by such delay. The Department may disapprove a program of
6 proposed expenditures and services or portions thereof only
7 for the following reasons:

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

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

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

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

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

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

11 (30 ILCS 740/2-13) (from Ch. 111 2/3, par. 673)

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

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

19 (30 ILCS 740/2-14) (from Ch. 111 2/3, par. 674)

20 Sec. 2-14. Grants.

21 (a) Upon a determination by the Department that any
22 initial or amended program of proposed expenditures is in
23 compliance with the provisions of this Act, and upon approval
24 thereof, the Department shall enter into one or more grant

1 agreements with and shall make grants to that participant as
2 necessary to implement the adopted program of expenditures.

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

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

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

16 (30 ILCS 740/2-15.2)

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

18 (a) Notwithstanding any law to the contrary, no later than
19 60 days following the effective date of this amendatory Act of
20 the 95th General Assembly and until subsection (b) is
21 implemented, any fixed route public transportation services
22 provided by, or under grant or purchase of service contracts
23 of, every participant, as defined in Section 2-2.02 (1)(a),
24 shall be provided without charge to all senior citizen
25 residents of the participant aged 65 and older, under such

1 conditions as shall be prescribed by the participant.

2 (b) Notwithstanding any law to the contrary, no later than
3 180 days following the effective date of this amendatory Act
4 of the 96th General Assembly, but only through State fiscal
5 year 2021, any fixed route public transportation services
6 provided by, or under grant or purchase of service contracts
7 of, every participant, as defined in Section 2-2.02 (1)(a),
8 shall be provided without charge to senior citizens aged 65
9 and older who meet the income eligibility limitation set forth
10 in subsection (a-5) of Section 4 of the Senior Citizens and
11 Persons with Disabilities Property Tax Relief Act, under such
12 conditions as shall be prescribed by the participant. The
13 Department on Aging shall furnish all information reasonably
14 necessary to determine eligibility, including updated lists of
15 individuals who are eligible for services without charge under
16 this Section. Nothing in this Section shall relieve the
17 participant from providing reduced fares as may be required by
18 federal law.

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

20 (30 ILCS 740/2-15.3)

21 Sec. 2-15.3. Transit services for individuals with
22 disabilities. Notwithstanding any law to the contrary, no
23 later than 60 days following the effective date of this
24 amendatory Act of the 95th General Assembly, but only through
25 State fiscal year 2021, all fixed route public transportation

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

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

12 (30 ILCS 740/2-17) (from Ch. 111 2/3, par. 678)

13 Sec. 2-17. County authorization to provide public
14 transportation and to receive funds from appropriations to
15 apply for funding grants in connection therewith. (a) Any
16 county or counties may, by ordinance, operate or otherwise
17 provide for public transportation within such county or
18 counties. In order to so provide for such public
19 transportation, any county or counties may enter into
20 agreements with any individual, corporation or other person or
21 private or public entity to operate or otherwise assist in the
22 provision of such public transportation services. Upon the
23 execution of an agreement for the operation of such public
24 transportation, the operator shall file 3 copies of such
25 agreement certified by the clerk of the county executing the

1 same with the Illinois Commerce Commission. Thereafter the
2 Illinois Commerce Commission shall enter an order directing
3 compliance by the operator with the provisions of Sections 55a
4 and 55b of "An Act concerning public utilities", approved June
5 28, 1921, as amended.

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

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

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.