



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1356

Introduced 1/31/2023, by Rep. Dan Ugaste

SYNOPSIS AS INTRODUCED:

See Index

Amends the Metropolitan Transit Authority Act. Provides that, on January 1, 2024 the Chicago Transit Authority shall become a division of the Regional Transportation Authority. Abolishes the Chicago Transit Board and provides that the Board of Directors of the Regional Transportation Authority will serve as the Board of the Chicago Transit Authority. Makes conforming changes. Amends the Regional Transportation Authority Act. Provides that, on January 1, 2024 the Suburban Bus Board and the Commuter Rail Board are abolished and that the Board of Directors of the Regional Transportation Authority will directly operate the Suburban Bus Division and the Commuter Rail Division of the Regional Transit Authority. Creates various committees composed of Directors of the Board of the Regional Transportation Authority, including committees to oversee the operations of each Division of the Authority. Makes conforming changes. Amends the Open Meetings Act, State Employees Group Insurance Act of 1971, and the Illinois Municipal Code making conforming changes. Effective January 1, 2024.

LRB103 25709 AWJ 52058 b

1 AN ACT concerning local government.

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

4 Section 5. The Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do
16 not require the holding of a closed meeting to discuss a
17 subject included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to
19 consider the following subjects:

20 (1) The appointment, employment, compensation,
21 discipline, performance, or dismissal of specific
22 employees, specific individuals who serve as independent
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or
2 legal counsel for the public body, including hearing
3 testimony on a complaint lodged against an employee, a
4 specific individual who serves as an independent
5 contractor in a park, recreational, or educational
6 setting, or a volunteer of the public body or against
7 legal counsel for the public body to determine its
8 validity. However, a meeting to consider an increase in
9 compensation to a specific employee of a public body that
10 is subject to the Local Government Wage Increase
11 Transparency Act may not be closed and shall be open to the
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the
22 public body is given power to remove the occupant under
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,
25 or in closed hearing where specifically authorized by law,
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for
2 public inspection a written decision setting forth its
3 determinative reasoning.

4 (5) The purchase or lease of real property for the use
5 of the public body, including meetings held for the
6 purpose of discussing whether a particular parcel should
7 be acquired.

8 (6) The setting of a price for sale or lease of
9 property owned by the public body.

10 (7) The sale or purchase of securities, investments,
11 or investment contracts. This exception shall not apply to
12 the investment of assets or income of funds deposited into
13 the Illinois Prepaid Tuition Trust Fund.

14 (8) Security procedures, school building safety and
15 security, and the use of personnel and equipment to
16 respond to an actual, a threatened, or a reasonably
17 potential danger to the safety of employees, students,
18 staff, the public, or public property.

19 (9) Student disciplinary cases.

20 (10) The placement of individual students in special
21 education programs and other matters relating to
22 individual students.

23 (11) Litigation, when an action against, affecting or
24 on behalf of the particular public body has been filed and
25 is pending before a court or administrative tribunal, or
26 when the public body finds that an action is probable or

1 imminent, in which case the basis for the finding shall be
2 recorded and entered into the minutes of the closed
3 meeting.

4 (12) The establishment of reserves or settlement of
5 claims as provided in the Local Governmental and
6 Governmental Employees Tort Immunity Act, if otherwise the
7 disposition of a claim or potential claim might be
8 prejudiced, or the review or discussion of claims, loss or
9 risk management information, records, data, advice or
10 communications from or with respect to any insurer of the
11 public body or any intergovernmental risk management
12 association or self insurance pool of which the public
13 body is a member.

14 (13) Conciliation of complaints of discrimination in
15 the sale or rental of housing, when closed meetings are
16 authorized by the law or ordinance prescribing fair
17 housing practices and creating a commission or
18 administrative agency for their enforcement.

19 (14) Informant sources, the hiring or assignment of
20 undercover personnel or equipment, or ongoing, prior or
21 future criminal investigations, when discussed by a public
22 body with criminal investigatory responsibilities.

23 (15) Professional ethics or performance when
24 considered by an advisory body appointed to advise a
25 licensing or regulatory agency on matters germane to the
26 advisory body's field of competence.

1 (16) Self evaluation, practices and procedures or
2 professional ethics, when meeting with a representative of
3 a statewide association of which the public body is a
4 member.

5 (17) The recruitment, credentialing, discipline or
6 formal peer review of physicians or other health care
7 professionals, or for the discussion of matters protected
8 under the federal Patient Safety and Quality Improvement
9 Act of 2005, and the regulations promulgated thereunder,
10 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
11 Health Insurance Portability and Accountability Act of
12 1996, and the regulations promulgated thereunder,
13 including 45 C.F.R. Parts 160, 162, and 164, by a
14 hospital, or other institution providing medical care,
15 that is operated by the public body.

16 (18) Deliberations for decisions of the Prisoner
17 Review Board.

18 (19) Review or discussion of applications received
19 under the Experimental Organ Transplantation Procedures
20 Act.

21 (20) The classification and discussion of matters
22 classified as confidential or continued confidential by
23 the State Government Suggestion Award Board.

24 (21) Discussion of minutes of meetings lawfully closed
25 under this Act, whether for purposes of approval by the
26 body of the minutes or semi-annual review of the minutes

1 as mandated by Section 2.06.

2 (22) Deliberations for decisions of the State
3 Emergency Medical Services Disciplinary Review Board.

4 (23) The operation by a municipality of a municipal
5 utility or the operation of a municipal power agency or
6 municipal natural gas agency when the discussion involves
7 (i) contracts relating to the purchase, sale, or delivery
8 of electricity or natural gas or (ii) the results or
9 conclusions of load forecast studies.

10 (24) Meetings of a residential health care facility
11 resident sexual assault and death review team or the
12 Executive Council under the Abuse Prevention Review Team
13 Act.

14 (25) Meetings of an independent team of experts under
15 Brian's Law.

16 (26) Meetings of a mortality review team appointed
17 under the Department of Juvenile Justice Mortality Review
18 Team Act.

19 (27) (Blank).

20 (28) Correspondence and records (i) that may not be
21 disclosed under Section 11-9 of the Illinois Public Aid
22 Code or (ii) that pertain to appeals under Section 11-8 of
23 the Illinois Public Aid Code.

24 (29) Meetings between internal or external auditors
25 and governmental audit committees, finance committees, and
26 their equivalents, when the discussion involves internal

1 control weaknesses, identification of potential fraud risk
2 areas, known or suspected frauds, and fraud interviews
3 conducted in accordance with generally accepted auditing
4 standards of the United States of America.

5 (30) Those meetings or portions of meetings of a
6 fatality review team or the Illinois Fatality Review Team
7 Advisory Council during which a review of the death of an
8 eligible adult in which abuse or neglect is suspected,
9 alleged, or substantiated is conducted pursuant to Section
10 15 of the Adult Protective Services Act.

11 (31) Meetings and deliberations for decisions of the
12 Concealed Carry Licensing Review Board under the Firearm
13 Concealed Carry Act.

14 (32) Meetings of ~~between~~ the Regional Transportation
15 Authority Board ~~and its Service Boards~~ when the discussion
16 involves review by the Regional Transportation Authority
17 Board of employment contracts under ~~Section 28d of the~~
18 ~~Metropolitan Transit Authority Act and~~ Sections 3A.18 and
19 3B.26 of the Regional Transportation Authority Act.

20 (33) Those meetings or portions of meetings of the
21 advisory committee and peer review subcommittee created
22 under Section 320 of the Illinois Controlled Substances
23 Act during which specific controlled substance prescriber,
24 dispenser, or patient information is discussed.

25 (34) Meetings of the Tax Increment Financing Reform
26 Task Force under Section 2505-800 of the Department of

1 Revenue Law of the Civil Administrative Code of Illinois.

2 (35) Meetings of the group established to discuss
3 Medicaid capitation rates under Section 5-30.8 of the
4 Illinois Public Aid Code.

5 (36) Those deliberations or portions of deliberations
6 for decisions of the Illinois Gaming Board in which there
7 is discussed any of the following: (i) personal,
8 commercial, financial, or other information obtained from
9 any source that is privileged, proprietary, confidential,
10 or a trade secret; or (ii) information specifically
11 exempted from the disclosure by federal or State law.

12 (37) Deliberations for decisions of the Illinois Law
13 Enforcement Training Standards Board, the Certification
14 Review Panel, and the Illinois State Police Merit Board
15 regarding certification and decertification.

16 (38) Meetings of the Ad Hoc Statewide Domestic
17 Violence Fatality Review Committee of the Illinois
18 Criminal Justice Information Authority Board that occur in
19 closed executive session under subsection (d) of Section
20 35 of the Domestic Violence Fatality Review Act.

21 (39) Meetings of the regional review teams under
22 subsection (a) of Section 75 of the Domestic Violence
23 Fatality Review Act.

24 (40) Meetings of the Firearm Owner's Identification
25 Card Review Board under Section 10 of the Firearm Owners
26 Identification Card Act.

1 (d) Definitions. For purposes of this Section:

2 "Employee" means a person employed by a public body whose
3 relationship with the public body constitutes an
4 employer-employee relationship under the usual common law
5 rules, and who is not an independent contractor.

6 "Public office" means a position created by or under the
7 Constitution or laws of this State, the occupant of which is
8 charged with the exercise of some portion of the sovereign
9 power of this State. The term "public office" shall include
10 members of the public body, but it shall not include
11 organizational positions filled by members thereof, whether
12 established by law or by a public body itself, that exist to
13 assist the body in the conduct of its business.

14 "Quasi-adjudicative body" means an administrative body
15 charged by law or ordinance with the responsibility to conduct
16 hearings, receive evidence or testimony and make
17 determinations based thereon, but does not include local
18 electoral boards when such bodies are considering petition
19 challenges.

20 (e) Final action. No final action may be taken at a closed
21 meeting. Final action shall be preceded by a public recital of
22 the nature of the matter being considered and other
23 information that will inform the public of the business being
24 conducted.

25 (Source: P.A. 101-31, eff. 6-28-19; 101-459, eff. 8-23-19;
26 101-652, eff. 1-1-22; 102-237, eff. 1-1-22; 102-520, eff.

1 8-20-21; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

2 (5 ILCS 375/2.6 rep.)

3 (5 ILCS 375/2.7 rep.)

4 Section 10. The State Employees Group Insurance Act of
5 1971 is amended by repealing Sections 2.6 and 2.7.

6 Section 15. The Illinois Municipal Code is amended by
7 changing Section 11-122.2-1 as follows:

8 (65 ILCS 5/11-122.2-1) (from Ch. 24, par. 11-122.2-1)

9 Sec. 11-122.2-1. In addition to all its other powers,
10 every municipality shall, in all its dealings with the
11 Regional Transportation Authority established by the "Regional
12 Transportation Authority Act", ~~enacted by the 78th General
13 Assembly~~, have the following powers:

14 (a) to cooperate with the Regional Transportation
15 Authority in the exercise by the Regional Transportation
16 Authority of all the powers granted it by the Act;

17 (b) to receive funds from the Regional Transportation
18 Authority upon such terms and conditions as shall be set forth
19 in an agreement between the municipality and the Suburban Bus
20 Division Board or the Commuter Rail Division Board, which
21 contract or agreement may be for such number of years or
22 duration as they may agree, all as provided in the "Regional
23 Transportation Authority Act";

1 (c) to receive financial grants from the Suburban Bus
2 Division, Commuter Rail Division, or Chicago Transit Authority
3 ~~a Service Board, as defined in the "Regional Transportation~~
4 ~~Authority Act"~~, upon such terms and conditions as shall be set
5 forth in a Purchase of Service Agreement or other grant
6 contract between the municipality and the Suburban Bus
7 Division, Commuter Rail Division, or Chicago Transit Authority
8 ~~Service Board~~, which contract or agreement may be for such
9 number of years or duration as the Suburban Bus Division,
10 Commuter Rail Division, or Chicago Transit Authority Service
11 ~~Board~~ and the municipality may agree, all as provided in the
12 "Regional Transportation Authority Act";

13 (d) to acquire from the Regional Transportation Authority,
14 Suburban Bus Division, Commuter Rail Division, or Chicago
15 Transit Authority ~~or a Service Board~~ any Public Transportation
16 Facility, as defined in the "Regional Transportation Authority
17 Act", by purchase contract, gift, grant, exchange for other
18 property or rights in property, lease (or sublease) or
19 installment or conditional purchase contracts, which contracts
20 or leases may provide for consideration to be paid in annual
21 installments during a period not exceeding 40 years; such
22 property may be acquired subject to such conditions,
23 restrictions, liens or security or other interests of other
24 parties as the municipality may deem appropriate and in each
25 case the municipality may acquire a joint, leasehold,
26 easement, license or other partial interest in such property;

1 (e) to sell, sell by installment contract, lease (or
2 sublease) as lessor, or transfer to, or grant to or provide for
3 the use by the Regional Transportation Authority, Suburban Bus
4 Division, Commuter Rail Division, or Chicago Transit Authority
5 ~~or a Service Board~~ any Public Transportation Facility, as
6 defined in the "Regional Transportation Authority Act" upon
7 such terms and for such consideration, or for no
8 consideration, as the municipality may deem proper;

9 (f) to cooperate with the Regional Transportation
10 Authority, Suburban Bus Division, Commuter Rail Division, or
11 Chicago Transit Authority ~~or a Service Board~~ for the
12 protection of employees and users of public transportation
13 facilities against crime and also to protect such facilities;
14 such cooperation may include, without limitation, agreements
15 for the coordination of police or security forces;

16 (g) to file such reports with and transfer such records,
17 papers or documents to the Regional Transportation Authority,
18 Suburban Bus Division, Commuter Rail Division, or Chicago
19 Transit Authority ~~or a Service Board~~ as may be agreed upon
20 with, or required by, the Regional Transportation Authority,
21 Suburban Bus Division, Commuter Rail Division, or Chicago
22 Transit Authority ~~or a Service Board~~.

23 In exercising any of the powers granted in this Section
24 the municipality shall not be subject to the provisions of
25 this Code or any Act making public bidding or notice a
26 requirement for any purchase or sale by a municipality.

1 Notwithstanding any provision of this Code to the contrary,
2 every municipality may enter into Purchase of Service
3 Agreements, grant contracts, other contracts, agreements or
4 leases, as provided in this Section, and may incur obligations
5 and expenses thereunder without making a previous
6 appropriation therefor.

7 (Source: P.A. 83-886.)

8 Section 20. The Metropolitan Transit Authority Act is
9 amended by changing Sections 2, 3, 9a, 12a, 12b, 12c, 19, 24,
10 27, 27a, 28, 28a, 30, and 34 as follows:

11 (70 ILCS 3605/2) (from Ch. 111 2/3, par. 302)

12 Sec. 2. When used in this Act:

13 "Transportation System" means all plants, equipment,
14 property and rights useful for transportation of passengers
15 for hire except taxicabs and includes, without limiting the
16 generality of the foregoing, street railways, elevated
17 railroads, subways and underground railroads, motor vehicles,
18 trolley buses, motor buses and any combination thereof.

19 "Metropolitan area of Cook County" embraces all the
20 territory in the County of Cook, State of Illinois East of the
21 east line of Range Eleven (11), East of the Third Principal
22 Meridian of the United States Government survey.

23 "Metropolitan area" means the metropolitan area of Cook
24 County, as above defined.

1 "Authority" means the Chicago Transit Authority, a
2 division of the Regional Transportation Authority ~~created by~~
3 ~~this Act.~~

4 "Board" means the Board of Directors of the Regional
5 Transportation Authority ~~Chicago Transit Board.~~

6 "Governor" means Governor of the State of Illinois.

7 "Mayor" means Mayor of the City of Chicago.

8 "Motor vehicle" means every vehicle which is
9 self-propelled or which is propelled by electric power
10 obtained from overhead trolley wires but not operated on
11 rails.

12 "Municipal government" means a "municipality" as defined
13 in Section 1 of Article VII of the Illinois Constitution.

14 "Service Board" means the Suburban Bus Division or
15 Commuter Rail Division of the Regional Transportation
16 Authority.

17 "Unit of local government" has the meaning ascribed to it
18 in Section 1 of Article VII of the Illinois Constitution.

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

20 (70 ILCS 3605/3) (from Ch. 111 2/3, par. 303)

21 Sec. 3. All the territory in the County of Cook, State of
22 Illinois, lying east of the east line of Range Eleven, East of
23 the Third Principal Meridian of the United States Government
24 Survey is hereby created a political subdivision, body politic
25 and municipal corporation under the name of Chicago Transit

1 Authority, which, on and after January 1, 2024, shall be a
2 division of the Regional Transportation Authority.

3 (Source: Laws 1945, p. 1171.)

4 (70 ILCS 3605/9a) (from Ch. 111 2/3, par. 309a)

5 Sec. 9a. In addition to all its other powers, the
6 Authority shall, ~~in all its dealings with the Regional~~
7 ~~Transportation Authority established by the "Regional~~
8 ~~Transportation Authority Act", enacted by the 78th General~~
9 ~~Assembly,~~ have the following powers and duties:

10 (a) (blank); ~~to cooperate with the Regional Transportation~~
11 ~~Authority in the exercise by the Regional Transportation~~
12 ~~Authority of all the powers granted it by such Act;~~

13 (b) to receive funds from the Regional Transportation
14 Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10
15 of the "Regional Transportation Authority Act", all as
16 provided in the "Regional Transportation Authority Act";

17 (c) to receive financial grants from the Regional
18 Transportation Authority or a Service Board, as defined in the
19 "Regional Transportation Authority Act", upon such terms and
20 conditions as shall be set forth in a grant contract ~~between~~
21 ~~either the Authority and the Regional Transportation Authority~~
22 ~~or the Authority and another Service Board,~~ which contract or
23 agreement may be for such number of years or duration as the
24 parties may agree, all as provided in the "Regional
25 Transportation Authority Act";

1 (d) to acquire from the Regional Transportation Authority
2 any Public Transportation Facility, as defined in the
3 "Regional Transportation Authority Act", by purchase contract,
4 gift, grant, exchange for other property or rights in
5 property, lease (or sublease) or installment or conditional
6 purchase contracts, which contracts or leases may provide for
7 consideration to be paid in annual installments during a
8 period not exceeding 40 years; such property may be acquired
9 subject to such conditions, restrictions, liens or security or
10 other interests of other parties as the Authority may deem
11 appropriate and in each case the Authority may acquire or
12 dispose of a joint, leasehold, easement, license or other
13 partial interest in such property;

14 (e) to sell, sell by installment contract, lease (or
15 sublease) as lessor, or transfer to, or grant to or provide for
16 the use by the Regional Transportation Authority any Public
17 Transportation Facility, as defined in the "Regional
18 Transportation Authority Act", upon such terms and for such
19 consideration, or for no consideration, as the Authority may
20 deem proper;

21 (f) to protect ~~cooperate with the Regional Transportation~~
22 ~~Authority for the protection of~~ employees of the Authority and
23 users of public transportation facilities against crime and
24 unsafe conditions and also to protect such facilities; such
25 protection ~~cooperation~~ may include, without limitation,
26 agreements for the coordination or merger of police or

1 security forces;

2 (g) to file such budgets, financial plans and reports with
3 and transfer such records, papers or documents to the Regional
4 Transportation Authority as may be agreed upon with, or
5 required by the Regional Transportation Authority, all as
6 provided in the "Regional Transportation Authority Act".

7 (Source: P.A. 90-273, eff. 7-30-97.)

8 (70 ILCS 3605/12a) (from Ch. 111 2/3, par. 312a)

9 Sec. 12a. (a) In addition to other powers provided in
10 Section 12b, the Authority may issue its notes from time to
11 time, in anticipation of tax receipts of the Regional
12 Transportation Authority allocated to the Authority or of
13 other revenues or receipts of the Authority, in order to
14 provide money for the Authority to cover any cash flow deficit
15 which the Authority anticipates incurring. ~~Provided, however,~~
16 ~~that no such notes may be issued unless the annual cost thereof~~
17 ~~is incorporated in a budget or revised budget of the Authority~~
18 ~~which has been approved by the Regional Transportation~~
19 ~~Authority.~~ Any such notes are referred to as "Working Cash
20 Notes". Provided further that, the Board ~~board~~ shall not issue
21 and have outstanding ~~or demand and direct that the Board of the~~
22 ~~Regional Transportation Authority issue and have outstanding~~
23 more than an aggregate of \$40,000,000 in Working Cash Notes.
24 No Working Cash Notes shall be issued for a term of longer than
25 18 months. Proceeds of Working Cash Notes may be used to pay

1 day to day operating expenses of the Authority, consisting of
2 wages, salaries and fringe benefits, professional and
3 technical services (including legal, audit, engineering and
4 other consulting services), office rental, furniture, fixtures
5 and equipment, insurance premiums, claims for self-insured
6 amounts under insurance policies, public utility obligations
7 for telephone, light, heat and similar items, travel expenses,
8 office supplies, postage, dues, subscriptions, public hearings
9 and information expenses, fuel purchases, and payments of
10 grants and payments under purchase of service agreements for
11 operations of transportation agencies, prior to the receipt by
12 the Authority from time to time of funds for paying such
13 expenses. Proceeds of the Working Cash Notes shall not be used
14 (i) to increase or provide a debt service reserve fund for any
15 bonds or notes other than Working Cash Notes of the same
16 Series, or (ii) to pay principal of or interest or redemption
17 premium on any capital bonds or notes, whether as such amounts
18 become due or by earlier redemption, issued by the Authority
19 or a transportation agency to construct or acquire public
20 transportation facilities, or to provide funds to purchase
21 such capital bonds or notes.

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

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

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

21 (c) All notes of the Authority issued pursuant to this
22 Section shall be general obligations of the Authority to which
23 shall be pledged the full faith and credit of the Authority, as
24 provided in this Section. Such notes shall be secured as
25 provided in the authorizing ordinance, which may,
26 notwithstanding any other provision of this Act, include in

1 addition to any other security, a specific pledge or
2 assignment of and lien on or security interest in any or all
3 tax receipts of the Regional Transportation Authority
4 allocated to the Authority and on any or all other revenues or
5 moneys of the Authority from whatever source which may by law
6 be utilized for debt service purposes and a specific pledge or
7 assignment of and lien on or security interest in any funds or
8 accounts established or provided for by the ordinance of the
9 Board authorizing the issuance of such notes. Any such pledge,
10 assignment, lien or security interest for the benefit of
11 holders of notes of the Authority shall be valid and binding
12 from the time the notes are issued without any physical
13 delivery or further act, and shall be valid and binding as
14 against and prior to the claims of all other parties having
15 claims of any kind against the Authority or any other person
16 irrespective of whether such other parties have notice of such
17 pledge, assignment, lien or security interest. The obligations
18 of the Authority incurred pursuant to this Section shall be
19 superior to and have priority over any other obligations of
20 the Authority except for obligations under Section 12. The
21 Board may provide in the ordinance authorizing the issuance of
22 any notes issued pursuant to this Section for the creation of,
23 deposits in, and regulation and disposition of sinking fund or
24 reserve accounts relating to such notes. The ordinance
25 authorizing the issuance of any notes pursuant to this Section
26 may contain provisions as part of the contract with the

1 holders of the notes, for the creation of a separate fund to
2 provide for the payment of principal and interest on such
3 notes and for the deposit in such fund from any or all the tax
4 receipts of the Regional Transportation Authority allocated to
5 the Authority and from any or all such other moneys or revenues
6 of the Authority from whatever source which may by law be
7 utilized for debt service purposes, all as provided in such
8 ordinance, of amounts to meet the debt service requirements on
9 such notes, including principal and interest, and any sinking
10 fund or reserve fund account requirements as may be provided
11 by such ordinance, and all expenses incident to or in
12 connection with such fund and accounts or the payment of such
13 notes. Such ordinance may also provide limitations on the
14 issuance of additional notes of the Authority. No such notes
15 of the Authority shall constitute a debt of the State of
16 Illinois.

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

1 ordinance with respect to the notes. The ordinance shall
2 provide that amounts so paid to the trustee which are not
3 required to be deposited, held or invested in funds and
4 accounts created by the ordinance with respect to notes or
5 used for paying notes to be paid by the trustee to the
6 Authority.

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

19 (f) The State of Illinois pledges to and agrees with the
20 holders of the notes of the Authority issued pursuant to this
21 Section that the State will not limit or alter the rights and
22 powers vested in the Authority by this Act or in the Regional
23 Transportation Authority by the Regional Transportation
24 Authority Act so as to impair the terms of any contract made by
25 the Authority with such holders or in any way impair the rights
26 and remedies of such holders until such notes, together with

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

13 (g) The Board shall not at any time issue, sell or deliver
14 any Interim Financing Notes pursuant to this Section which
15 will cause it to have issued and outstanding at any time in
16 excess of \$40,000,000 of Working Cash Notes. Notes which are
17 being paid or retired by such issuance, sale or delivery of
18 notes, and notes for which sufficient funds have been
19 deposited with the paying agency of such notes to provide for
20 payment of principal and interest thereon or to provide for
21 the redemption thereof, all pursuant to the ordinance
22 authorizing the issuance of such notes, shall not be
23 considered to be outstanding for the purposes of this
24 paragraph.

25 (h) The Board, subject to the terms of any agreements with
26 noteholders as may then exist, shall have power, out of any

1 funds available therefor, to purchase notes of the Authority
2 which shall thereupon be cancelled.

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

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

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

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

1 Authority.

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

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

4 Sec. 12b. Working Cash Borrowing. In addition to the
5 powers provided in Section 12a, the Board with the affirmative
6 vote of 11 ~~5~~ of its Directors may ~~demand and direct the Board~~
7 ~~of the Regional Transportation Authority to~~ issue Working Cash
8 Notes at such time and in such amounts and having such
9 maturities as the Authority deems proper, provided however any
10 such borrowing shall have been specifically identified in the
11 budget of the Authority as approved by the Board of the
12 Regional Transportation Authority. Provided further, that the
13 Board may not issue and have outstanding ~~or demand and direct~~
14 ~~the Board of the Regional Transportation Authority to issue~~
15 ~~and have outstanding~~ more than an aggregate of \$40,000,000 in
16 Working Cash Notes for the Authority.

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

18 (70 ILCS 3605/12c)

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

20 (a) In addition to all other bonds or notes that it is
21 authorized to issue, the Authority is authorized to issue its
22 bonds or notes for the purposes of providing funds for the
23 Authority to make the deposits described in Section 12c(b)(1)
24 and (2), for refunding any bonds authorized to be issued under

1 this Section, as well as for the purposes of paying costs of
2 issuance, obtaining bond insurance or other credit enhancement
3 or liquidity facilities, paying costs of obtaining related
4 swaps as authorized in the Bond Authorization Act ("Swaps"),
5 providing a debt service reserve fund, paying Debt Service (as
6 defined in paragraph (i) of this Section 12c), and paying all
7 other costs related to any such bonds or notes.

8 (b) (1) After its receipt of a certified copy of a report of
9 the Auditor General of the State of Illinois meeting the
10 requirements of Section 3-2.3 of the Illinois State Auditing
11 Act, the Authority may issue \$1,348,550,000 aggregate original
12 principal amount of bonds and notes. After payment of the
13 costs of issuance and necessary deposits to funds and accounts
14 established with respect to debt service, the net proceeds of
15 such bonds or notes shall be deposited only in the Retirement
16 Plan for Chicago Transit Authority Employees and used only for
17 the purposes required by Section 22-101 of the Illinois
18 Pension Code. Provided that no less than \$1,110,500,000 has
19 been deposited in the Retirement Plan, remaining proceeds of
20 bonds issued under this subparagraph (b) (1) may be used to pay
21 costs of issuance and make necessary deposits to funds and
22 accounts with respect to debt service for bonds and notes
23 issued under this subparagraph or subparagraph (b) (2).

24 (2) After its receipt of a certified copy of a report of
25 the Auditor General of the State of Illinois meeting the
26 requirements of Section 3-2.3 of the Illinois State Auditing

1 Act, the Authority may issue \$639,680,000 aggregate original
2 principal amount of bonds and notes. After payment of the
3 costs of issuance and necessary deposits to funds and accounts
4 established with respect to debt service, the net proceeds of
5 such bonds or notes shall be deposited only in the Retiree
6 Health Care Trust and used only for the purposes required by
7 Section 22-101B of the Illinois Pension Code. Provided that no
8 less than \$528,800,000 has been deposited in the Retiree
9 Health Care Trust, remaining proceeds of bonds issued under
10 this subparagraph (b) (2) may be used to pay costs of issuance
11 and make necessary deposits to funds and accounts with respect
12 to debt service for bonds and notes issued under this
13 subparagraph or subparagraph (b) (1).

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

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

24 (5) With respect to bonds and notes issued under
25 subparagraph (b), scheduled aggregate annual payments of
26 interest or deposits into funds and accounts established for

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

1 the bonds or notes of such maturity or maturities shall be
2 determined as if such bonds or notes bore interest at the fixed
3 interest rate payable by the Authority under such Swap.

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

6 (c) The ~~Chicago Transit~~ Board shall provide for the
7 issuance of bonds or notes as authorized in this Section 12c by
8 the adoption of an ordinance. The ordinance, together with the
9 bonds or notes, shall constitute a contract among the
10 Authority, the owners from time to time of the bonds or notes,
11 any bond trustee with respect to the bonds or notes, any
12 related credit enhancer and any provider of any related Swaps.

13 (d) The Authority is authorized to cause the proceeds of
14 the bonds or notes, and any interest or investment earnings on
15 the bonds or notes, and of any Swaps, to be invested until the
16 proceeds and any interest or investment earnings have been
17 deposited with the Retirement Plan or the Retiree Health Care
18 Trust.

19 (e) Bonds or notes issued pursuant to this Section 12c may
20 be general obligations of the Authority, to which shall be
21 pledged the full faith and credit of the Authority, or may be
22 obligations payable solely from particular sources of funds
23 all as may be provided in the authorizing ordinance. The
24 authorizing ordinance for the bonds and notes, whether or not
25 general obligations of the Authority, may provide for the Debt
26 Service (as defined in paragraph (i) of this Section 12c) to

1 have a claim for payment from particular sources of funds,
2 including, without limitation, amounts to be paid to the
3 Authority or a bond trustee. The authorizing ordinance may
4 provide for the means by which the bonds or notes (and any
5 related Swaps) may be secured, which may include, a pledge of
6 any revenues or funds of the Authority from whatever source
7 which may by law be utilized for paying Debt Service. In
8 addition to any other security, upon ordinance of the ~~written~~
9 ~~approval of the~~ Regional Transportation Authority by the
10 affirmative vote of 12 of its ~~then~~ Directors, the ordinance
11 may provide a specific pledge or assignment of and lien on or
12 security interest in amounts to be paid to the Authority by the
13 Regional Transportation Authority and direct payment thereof
14 to the bond trustee for payment of Debt Service with respect to
15 the bonds or notes, subject to the provisions of existing
16 lease agreements of the Authority with any public building
17 commission. The authorizing ordinance may also provide a
18 specific pledge or assignment of and lien on or security
19 interest in and direct payment to the trustee of all or a
20 portion of the moneys otherwise payable to the Authority from
21 the City of Chicago pursuant to an intergovernmental agreement
22 with the Authority to provide financial assistance to the
23 Authority. Any such pledge, assignment, lien or security
24 interest for the benefit of owners of bonds or notes shall be
25 valid and binding from the time the bonds or notes are issued,
26 without any physical delivery or further act, and shall be

1 valid and binding as against and prior to the claims of all
2 other parties having claims of any kind against the Authority
3 or any other person, irrespective of whether such other
4 parties have notice of such pledge, assignment, lien or
5 security interest, all as provided in the Local Government
6 Debt Reform Act, as it may be amended from time to time. The
7 bonds or notes of the Authority issued pursuant to this
8 Section 12c shall have such priority of payment and as to their
9 claim for payment from particular sources of funds, including
10 their priority with respect to obligations of the Authority
11 issued under other Sections of this Act, all as shall be
12 provided in the ordinances authorizing the issuance of the
13 bonds or notes. The ordinance authorizing the issuance of any
14 bonds or notes under this Section may provide for the creation
15 of, deposits in, and regulation and disposition of sinking
16 fund or reserve accounts relating to those bonds or notes and
17 related agreements. The ordinance authorizing the issuance of
18 any such bonds or notes authorized under this Section 12c may
19 contain provisions for the creation of a separate fund to
20 provide for the payment of principal of and interest on those
21 bonds or notes and related agreements. The ordinance may also
22 provide limitations on the issuance of additional bonds or
23 notes of the Authority.

24 (f) Bonds or notes issued under this Section 12c shall not
25 constitute an indebtedness of the Regional Transportation
26 Authority, the State of Illinois, or of any other political

1 subdivision of or municipality within the State, except the
2 Authority.

3 (g) The ordinance of the ~~Chicago Transit~~ Board authorizing
4 the issuance of bonds or notes pursuant to this Section 12c may
5 provide for the appointment of a corporate trustee (which may
6 be any trust company or bank having the powers of a trust
7 company within Illinois) with respect to bonds or notes issued
8 pursuant to this Section 12c. The ordinance shall prescribe
9 the rights, duties, and powers of the trustee to be exercised
10 for the benefit of the Authority and the protection of the
11 owners of bonds or notes issued pursuant to this Section 12c.
12 The ordinance may provide for the trustee to hold in trust,
13 invest and use amounts in funds and accounts created as
14 provided by the ordinance with respect to the bonds or notes in
15 accordance with this Section 12c. The Authority may apply, as
16 it shall determine, any amounts received upon the sale of the
17 bonds or notes to pay any Debt Service on the bonds or notes.
18 The ordinance may provide for a trust indenture to set forth
19 terms of, sources of payment for and security for the bonds and
20 notes.

21 (h) The State of Illinois pledges to and agrees with the
22 owners of the bonds or notes issued pursuant to Section 12c
23 that the State of Illinois will not limit the powers vested in
24 the Authority by this Act to pledge and assign its revenues and
25 funds as security for the payment of the bonds or notes, or
26 vested in the Regional Transportation Authority by the

1 Regional Transportation Authority Act or this Act, so as to
2 materially impair the payment obligations of the Authority
3 under the terms of any contract made by the Authority with
4 those owners or to materially impair the rights and remedies
5 of those owners until those bonds or notes, together with
6 interest and any redemption premium, and all costs and
7 expenses in connection with any action or proceedings by or on
8 behalf of such owners are fully met and discharged. The
9 Authority is authorized to include these pledges and
10 agreements of the State of Illinois in any contract with
11 owners of bonds or notes issued pursuant to this Section 12c.

12 (i) For purposes of this Section, "Debt Service" with
13 respect to bonds or notes includes, without limitation,
14 principal (at maturity or upon mandatory redemption),
15 redemption premium, interest, periodic, upfront, and
16 termination payments on Swaps, fees for bond insurance or
17 other credit enhancement, liquidity facilities, the funding of
18 bond or note reserves, bond trustee fees, and all other costs
19 of providing for the security or payment of the bonds or notes.

20 (j) The Authority shall adopt a procurement program with
21 respect to contracts relating to the following service
22 providers in connection with the issuance of debt for the
23 benefit of the Retirement Plan for Chicago Transit Authority
24 Employees: underwriters, bond counsel, financial advisors, and
25 accountants. The program shall include goals for the payment
26 of not less than 30% of the total dollar value of the fees from

1 these contracts to minority-owned businesses and women-owned
2 businesses as defined in the Business Enterprise for
3 Minorities, Women, and Persons with Disabilities Act. The
4 Authority shall conduct outreach to minority-owned businesses
5 and women-owned businesses. Outreach shall include, but is not
6 limited to, advertisements in periodicals and newspapers,
7 mailings, and other appropriate media. The Authority shall
8 submit to the General Assembly a comprehensive report that
9 shall include, at a minimum, the details of the procurement
10 plan, outreach efforts, and the results of the efforts to
11 achieve goals for the payment of fees. The ~~service providers~~
12 ~~selected by the Authority pursuant to such program shall not~~
13 ~~be subject to approval by the Regional Transportation~~
14 ~~Authority, and the Regional Transportation Authority's~~
15 approval pursuant to subsection (e) of this Section 12c
16 related to the issuance of debt shall not be based in any way
17 on the service providers selected by the Authority pursuant to
18 this Section.

19 (k) No person holding an elective office in this State,
20 holding a seat in the General Assembly, serving as a director,
21 trustee, officer, or employee of the Regional Transportation
22 Authority or the Chicago Transit Authority, including the
23 spouse or minor child of that person, may receive a legal,
24 banking, consulting, or other fee related to the issuance of
25 any bond issued by the Chicago Transit Authority pursuant to
26 this Section.

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

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

3 Sec. 19. On January 1, 2024: (1) the terms of the members
4 of the Chicago Transit Board are terminated; (2) the powers
5 and duties of the Chicago Transit Board shall be exercised and
6 performed by the Regional Transportation Authority Board; and
7 (3) the powers and duties of the Chicago Transit Authority
8 shall be exercised and performed by the Regional
9 Transportation Authority. The governing and administrative
10 body of the Authority shall be a board consisting of seven
11 members, to be known as Chicago Transit Board. Members of the
12 Board shall be residents of the metropolitan area and persons
13 of recognized business ability. No member of the Board of the
14 Authority shall hold any other office or employment under the
15 Federal, State or any County or any municipal government, or
16 any other unit of local government, except an honorary office
17 without compensation or an office in the National Guard. No
18 employee of the Authority shall hold any other office or
19 employment under the Federal, State or any County or any
20 municipal government, or any other unit of local government,
21 except an office with compensation not exceeding \$15,000
22 annually or a position in the National Guard or the United
23 States military reserves. Provided, however, that the Chairman
24 may be a member of the Board of the Regional Transportation
25 Authority. No member of the Board or employee of the Authority

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

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

16 (70 ILCS 3605/24) (from Ch. 111 2/3, par. 324)

17 Sec. 24. The Board shall appoint a secretary and a
18 treasurer of the Authority, who need not be members of the
19 Board, to hold office during the pleasure of the Board, and fix
20 their duties and compensation. The Secretary shall not be
21 engaged in any other business or employment during his or her
22 tenure of office as Secretary of the Authority ~~Board~~. Before
23 entering upon the duties of their respective offices they
24 shall take and subscribe the constitutional oath of office,
25 and the treasurer shall execute a bond with corporate sureties

1 to be approved by the Board. The bond shall be payable to the
2 Authority in whatever penal sum may be directed by the Board
3 conditioned upon the faithful performance of the duties of the
4 office and the payment of all money received by him or her
5 according to law and the orders of the Board. The Board may, at
6 any time, require a new bond from the treasurer in such penal
7 sum as may then be determined by the Board. The obligation of
8 the sureties shall not extend to any loss sustained by the
9 insolvency, failure or closing of any savings and loan
10 association or national or State bank wherein the treasurer
11 has deposited funds if the bank has been approved by the Board
12 as a depository for these funds. The oaths of office and the
13 treasurer's bond shall be filed in the principal office of the
14 Authority. A person appointed under this Section whose term
15 has not expired on January 1, 2024 shall continue in his or her
16 position with the Authority until the expiration of his or her
17 appointment, resignation, or removal by the Board.

18 (Source: P.A. 83-541.)

19 (70 ILCS 3605/27) (from Ch. 111 2/3, par. 327)

20 Sec. 27. The Executive Director of the Regional
21 Transportation Authority, with the advice and consent of the
22 Chicago Transit Authority Committee, Board may appoint an
23 Executive Director of the Authority who shall be a person of
24 recognized ability and experience in the operation of
25 transportation systems to hold office during the pleasure of

1 the Chicago Transit Authority Committee ~~Board~~. The Executive
2 Director shall have management of the properties and business
3 of the Authority and the employees thereof, subject to the
4 general control of the Chicago Transit Authority Committee
5 ~~Board~~, shall direct the enforcement of all ordinances,
6 resolutions, rules and regulations of the Board and the
7 Chicago Transit Authority Committee, and shall perform such
8 other duties as may be prescribed from time to time by the
9 Board and the Chicago Transit Authority Committee. The Board
10 may appoint a General Counsel and a Chief Engineer of the
11 Authority, and shall provide for the appointment of other
12 officers, attorneys, engineers, consultants, agents and
13 employees as may be necessary for the construction, extension,
14 operation, maintenance, and policing of its properties. It
15 shall define their duties and require bonds of such of them as
16 the Board may designate. The Executive Director, General
17 Counsel, Chief Engineer, and all other officers provided for
18 pursuant to this section shall be exempt from taking and
19 subscribing any oath of office. The compensation of the
20 Executive Director, General Counsel, Chief Engineer, and all
21 other officers, attorneys, consultants, agents and employees
22 shall be fixed by the Board. A person appointed under this
23 Section whose term has not expired on January 1, 2024 shall
24 continue in his or her position with the Authority until the
25 expiration of his or her appointment, resignation, or removal
26 by the Chicago Transit Authority Committee.

1 In the policing of its properties the Board may provide
2 for the appointment and maintenance, from time to time, of
3 such police force as it may find necessary and practicable to
4 aid and supplement the police forces of any municipality in
5 the protection of its property and the protection of the
6 persons and property of its passengers and employees, or
7 otherwise in furtherance of the purposes for which such
8 Authority was organized. The members of such police force
9 shall have and exercise like police powers to those conferred
10 upon the police of cities. Neither the Authority, the Regional
11 Transit Authority, the members of its Board, nor its officers
12 or employees shall be held liable for failure to provide a
13 security or police force or, if a security or police force is
14 provided, for failure to provide adequate police protection or
15 security, failure to prevent the commission of crimes by
16 fellow passengers or other third persons or for the failure to
17 apprehend criminals.

18 (Source: P.A. 84-939; 87-597.)

19 (70 ILCS 3605/27a) (from Ch. 111 2/3, par. 327a)

20 Sec. 27a. In addition to annually expending moneys equal
21 to moneys expended by the Authority in the fiscal year ending
22 December 31, 1988 for the protection against crime of its
23 properties, employees and consumers of its public
24 transportation services, the Authority also shall annually
25 expend for the protection against crime of its employees and

1 consumers, an amount that is equal to not less than 15 percent
2 of all direct grants it receives from the State of Illinois as
3 reimbursement for providing reduced fares for mass
4 transportation services to students, persons with
5 disabilities, and the elderly. ~~The Authority shall provide to~~
6 ~~the Regional Transportation Authority such information as is~~
7 ~~required by the Regional Transportation Authority in~~
8 ~~determining whether the Authority has expended moneys in~~
9 ~~compliance with the provisions of this Section.~~ The provisions
10 of this Section shall apply in any fiscal year of the Authority
11 only after all debt service requirements are met for that
12 fiscal year.

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

14 (70 ILCS 3605/28) (from Ch. 111 2/3, par. 328)

15 Sec. 28. The Board shall classify all the offices,
16 positions, and grades of regular and exempt employment
17 required, ~~excepting that of the Chairman of the Board,~~ the
18 Executive Director, Secretary, Treasurer, General Counsel, and
19 Chief Engineer, with reference to the duties, job title, job
20 schedule number, and the compensation fixed therefor, and
21 adopt rules governing appointments to any of such offices or
22 positions on the basis of merit and efficiency. The job title
23 shall be generally descriptive of the duties performed in that
24 job, and the job schedule number shall be used to identify a
25 job title and to further classify positions within a job

1 title. No discrimination shall be made in any appointment or
2 promotion to any office, position, or grade of regular
3 employment because of race, creed, color, sex, national
4 origin, physical or mental disability unrelated to ability, or
5 political or religious affiliations. No officer or employee in
6 regular employment shall be discharged or demoted except for
7 cause which is detrimental to the service. Any officer or
8 employee in regular employment who is discharged or demoted
9 may file a complaint in writing with the Board within ten days
10 after notice of his or her discharge or demotion. If an
11 employee is a member of a labor organization the complaint may
12 be filed by such organization for and in behalf of such
13 employee. The Board shall grant a hearing on such complaint
14 within thirty (30) days after it is filed. The time and place
15 of the hearing shall be fixed by the Board and due notice
16 thereof given to the complainant, the labor organization by or
17 through which the complaint was filed and the Executive
18 Director. The hearing shall be conducted by the Board, or any
19 member thereof or any officers' committee or employees'
20 committee appointed by the Board. The complainant may be
21 represented by counsel. If the Board finds, or approves a
22 finding of the member or committee appointed by the Board,
23 that the complainant has been unjustly discharged or demoted,
24 he or she shall be restored to his or her office or position
25 with back pay. The decision of the Board shall be final and not
26 subject to review. The Board may designate such offices,

1 positions, and grades of employment as exempt as it deems
2 necessary for the efficient operation of the business of the
3 Authority. The total number of employees occupying exempt
4 offices, positions, or grades of employment may not exceed 3%
5 of the total employment of the Authority. All exempt offices,
6 positions, and grades of employment shall be at will. No
7 discrimination shall be made in any appointment or promotion
8 to any office, position, or grade of exempt employment because
9 of race, creed, color, sex, national origin, physical or
10 mental disability unrelated to ability, or religious or
11 political affiliation. The Board may abolish any vacant or
12 occupied office or position. Additionally, the Board may
13 reduce the force of employees for lack of work or lack of funds
14 as determined by the Board. When the number of positions or
15 employees holding positions of regular employment within a
16 particular job title and job schedule number are reduced,
17 those employees with the least company seniority in that job
18 title and job schedule number shall be first released from
19 regular employment service. For a period of one year, an
20 employee released from service shall be eligible for
21 reinstatement to the job title and job schedule number from
22 which he or she was released, in order of company seniority, if
23 additional force of employees is required. "Company seniority"
24 as used in this Section means the overall employment service
25 credited to an employee by the Authority since the employee's
26 most recent date of hire irrespective of job titles held. If 2

1 or more employees have the same company seniority date, time
2 in the affected job title and job schedule number shall be used
3 to break the company seniority tie. For purposes of this
4 Section, company seniority shall be considered a working
5 condition. When employees are represented by a labor
6 organization that has a labor agreement with the Authority,
7 the wages, hours, and working conditions (including, but not
8 limited to, seniority rights) shall be governed by the terms
9 of the agreement. Exempt employment shall not include any
10 employees who are represented by a labor organization that has
11 a labor agreement with the Authority.

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

19 (Source: P.A. 98-1027, eff. 1-1-15; 99-143, eff. 7-27-15.)

20 (70 ILCS 3605/28a) (from Ch. 111 2/3, par. 328a)

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

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

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

23 (b)(1) The provisions of this paragraph (b) apply to
24 collective bargaining agreements (including extensions and
25 amendments of existing agreements) entered into on or after
26 January 1, 1984.

1 (2) The Board shall deal with and enter into written
2 contracts with their employees of the Authority, through
3 accredited representatives of such employees authorized to act
4 for such employees concerning wages, salaries, hours, working
5 conditions, and pension or retirement provisions about which a
6 collective bargaining agreement has been entered prior to the
7 effective date of this amendatory Act of the 103rd General
8 Assembly 1983. ~~Any such agreement of the Authority shall~~
9 ~~provide that the agreement may be reopened if the amended~~
10 ~~budget submitted pursuant to Section 2.18a of the Regional~~
11 ~~Transportation Authority Act is not approved by the Board of~~
12 ~~the Regional Transportation Authority~~. The agreement may not
13 include a provision requiring the payment of wage increases
14 based on changes in the Consumer Price Index. The Board shall
15 not have the authority to enter into collective bargaining
16 agreements with respect to inherent management rights, which
17 include such areas of discretion or policy as the functions of
18 the employer, standards of services, its overall budget, the
19 organizational structure and selection of new employees and
20 direction of personnel. Employers, however, shall be required
21 to bargain collectively with regard to policy matters directly
22 affecting wages, hours and terms and conditions of employment,
23 as well as the impact thereon upon request by employee
24 representatives. To preserve the rights of employers and
25 exclusive representatives which have established collective
26 bargaining relationships or negotiated collective bargaining

1 agreements prior to the effective date of this amendatory Act
2 of the 103rd General Assembly 1983, employers shall be
3 required to bargain collectively with regard to any matter
4 concerning wages, hours or conditions of employment about
5 which they have bargained prior to the effective date of this
6 amendatory Act of the 103rd General Assembly 1983.

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

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

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

1 (70 ILCS 3605/30) (from Ch. 111 2/3, par. 330)

2 Sec. 30. The Board shall make all rules and regulations
3 governing the operation of the transportation system of the
4 Authority, shall determine all routings and change the same
5 whenever it is deemed advisable by the Board, subject to the
6 provisions of any ordinance granting rights to the Authority.
7 Except as provided in Sections 2.04 and 4.11(b)(5) of the
8 Regional Transportation Authority Act, the Board shall fix
9 rates, fares and charges for transportation, provided that
10 they shall be at all times sufficient in the aggregate to
11 provide revenues (a) for the payment of the interest on and
12 principal of all bonds, certificates and other obligations
13 payable from said revenues and to meet all other charges upon
14 such revenues as provided by any trust agreement executed by
15 the Authority in connection with the issuance of bonds or
16 certificates under this Act, (b) for the payment of all
17 operating costs including all charges which may be incurred
18 pursuant to Sections 29 and 39 of this Act and all other costs
19 and charges incidental to the operation of the transportation
20 system, (c) for the payment of all costs and charges incurred
21 pursuant to Sections 37 and 38 of this Act and any other costs
22 and charges for acquisition, installation, construction or for
23 replacement or reconstruction of equipment, structures or
24 rights of way not financed through issuance of bonds or
25 certificates under Section 12 of this Act, and (d) for any
26 compensation required to be paid to any municipality for the

1 use of streets, subways and other public ways. The Board may
2 provide free transportation within any municipality in and by
3 which they are employed for firemen and public health nurses,
4 when in uniform, and policemen when in uniform or, when not in
5 uniform, upon presentation of identification as policemen, and
6 shall provide free transportation to sworn law enforcement
7 personnel of the Cook County Sheriff's Department when in
8 uniform or, when not in uniform, upon presentation of
9 identification as sworn law enforcement personnel of the Cook
10 County Sheriff's Department, and may provide free
11 transportation for employees of the Authority when in uniform
12 or upon presentation of identification as such employees, and
13 may enter into agreements with the United States Post Office
14 Department for the transportation of mail, and the payment of
15 compensation to the Authority in lieu of fares for the
16 transportation of letter carriers, when in uniform at all
17 times.

18 The Board may also provide free transportation, or
19 transportation at reduced fares, to all or designated classes
20 of pupils in attendance at public schools of school districts
21 within or partly within the territorial limits of the
22 Authority, or in attendance at private schools offering grades
23 of instruction comparable to those offered in public schools,
24 under such conditions as shall be prescribed by the Board,
25 and, if otherwise authorized by law, the Board may contract
26 with public school boards and representatives of private

1 schools, for reimbursement of pupil transportation costs from
2 public funds.

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

4 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

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

1 funds estimated to be on hand at the beginning of the fiscal
2 year, the funds estimated to be received from all sources for
3 such year and the funds estimated to be on hand at the end of
4 such year. The proposed budget, financial plan, and five-year
5 capital program shall be available at no cost for public
6 inspection at the Authority's main office and at the Regional
7 Transportation Authority's main office at least 3 weeks prior
8 to any public hearing. Before the proposed budget, financial
9 plan, and five-year capital program are approved by ~~submitted~~
10 ~~to~~ the Regional Transportation Authority, the Authority shall
11 hold at least one public hearing thereon in each of the
12 counties in which the Authority provides service. All Board
13 members of the Regional Transportation Authority shall attend
14 a majority of the public hearings unless reasonable cause is
15 given for their absence. After the public hearings, the Board
16 ~~of the Authority~~ shall hold at least one meeting for
17 consideration of the proposed program and budget with the Cook
18 County Board. After conducting such hearings and holding such
19 meetings and after making such changes in the proposed budget,
20 financial plan, and five-year capital program as the Board
21 deems appropriate, it shall adopt an annual budget ordinance
22 at least by November 15th preceding the beginning of each
23 fiscal year. ~~The budget, financial plan, and five-year capital~~
24 ~~program shall then be submitted to the Regional Transportation~~
25 ~~Authority as provided in Section 4.11 of the Regional~~
26 ~~Transportation Authority Act. In the event that the Board of~~

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

18 The budget shall:

19 (i) show a balance between (A) anticipated revenues
20 from all sources including operating subsidies and (B) the
21 costs of providing the services specified and of funding
22 any operating deficits or encumbrances incurred in prior
23 periods, including provision for payment when due of
24 principal and interest on outstanding indebtedness;

25 (ii) show cash balances including the proceeds of any
26 anticipated cash flow borrowing sufficient to pay with

1 reasonable promptness all costs and expenses as incurred;

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

10 (iv) be based upon and employ assumptions and
11 projections which are reasonable and prudent;

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

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

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

21 The Board shall establish a fiscal operating year. At
22 least thirty days prior to the beginning of the first full
23 fiscal year after the creation of the Authority, and annually
24 thereafter, the Board shall cause to be prepared a tentative
25 budget which shall include all operation and maintenance
26 expense for the ensuing fiscal year. The tentative budget

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

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

16 (70 ILCS 3605/4 rep.)

17 (70 ILCS 3605/6.1 rep.)

18 (70 ILCS 3605/9b rep.)

19 (70 ILCS 3605/20 rep.)

20 (70 ILCS 3605/21 rep.)

21 (70 ILCS 3605/22 rep.)

22 (70 ILCS 3605/23 rep.)

23 (70 ILCS 3605/28d rep.)

24 (70 ILCS 3605/44 rep.)

25 Section 25. The Metropolitan Transit Authority Act is

1 amended by repealing Sections 4, 6.1, 9b, 20, 21, 22, 23, 28d,
2 and 44.

3 Section 30. The Regional Transportation Authority Act is
4 amended by changing Sections 1.03, 2.01, 2.01a, 2.01b, 2.01c,
5 2.01d, 2.01e, 2.20, 2.21, 2.30, 3.01, 3.04, 3.08, 3A.01,
6 3A.02, 3A.05, 3A.09, 3A.10, 3A.11, 3A.12, 3A.14, 3A.15, 3A.16,
7 3A.17, 3A.18, 3B.01, 3B.02, 3B.05, 3B.09, 3B.10, 3B.11, 3B.12,
8 3B.13, 3B.14, 3B.15, 3B.26, 4.01, 4.02b, 4.03.3, 4.04, 4.11,
9 4.15, and 5.05 and by adding the heading of Article III-C and
10 Sections 1.06, 3.12, and 3C.05 as follows:

11 (70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

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

13 "Authority" means the Regional Transportation Authority;

14 "Board" means the Board of Directors of the Regional
15 Transportation Authority;

16 "Construct or acquire" means plan, design, construct,
17 reconstruct, improve, modify, extend, landscape, expand or
18 acquire;

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

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

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

4 "Public Transportation" means the transportation or
5 conveyance of persons within the metropolitan region by means
6 available to the general public, including groups of the
7 general public with special needs, except for transportation
8 by automobiles not used for conveyance of the general public
9 as passengers;

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

18 "Service Boards" means the ~~Board of the~~ Commuter Rail
19 Division of the Authority, the ~~Board of the~~ Suburban Bus
20 Division of the Authority and the ~~Board of the~~ Chicago Transit
21 Authority established pursuant to the "~~Metropolitan Transit~~
22 ~~Authority Act~~", ~~approved April 12, 1945, as now or hereafter~~
23 ~~amended~~.

24 "Transportation Agency" means any individual, firm,
25 partnership, corporation, association, body politic, municipal
26 corporation, public authority, unit of local government or

1 other person, other than the Authority and the Service Boards,
2 which provides public transportation, any local mass transit
3 district created pursuant to the "Local Mass Transit District
4 Act", as now or hereafter amended, and any urban
5 transportation district created pursuant to the "Urban
6 Transportation District Act", as now or hereafter amended,
7 which districts are located in whole or in part within the
8 metropolitan region.

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

10 (70 ILCS 3615/1.06 new)

11 Sec. 1.06. Authority of the Regional Transportation
12 Authority and Service Boards. On and after January 1, 2024:

13 (1) Notwithstanding any other provision of law, the
14 Authority is primarily responsible for setting policy and
15 strategic direction, determining allocation of funds, and
16 prioritizing investments for the operation of public
17 transportation in the metropolitan region by the Commuter
18 Rail Division, Suburban Bus Division, and the Chicago
19 Transit Authority.

20 (2) Notwithstanding any other provision of law, the
21 Commuter Rail Committee, Suburban Bus Committee, and the
22 Chicago Transit Authority Committee are primarily
23 responsible for the day-to-day operation of public
24 transportation in the metropolitan region in each of those
25 Committee's respective Divisions.

1 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

2 Sec. 2.01. General Allocation of Responsibility for Public
3 Transportation.

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

8 (i) adopt plans that implement the public policy of
9 the State to provide adequate, efficient, geographically
10 equitable and coordinated public transportation throughout
11 the metropolitan region;

12 (ii) set goals, objectives, and standards for the
13 Authority, the Service Boards, and transportation
14 agencies;

15 (iii) develop performance measures to inform the
16 public about the extent to which the provision of public
17 transportation in the metropolitan region meets those
18 goals, objectives, and standards;

19 (iv) allocate operating and capital funds made
20 available to support public transportation in the
21 metropolitan region;

22 (v) provide financial oversight of the Service Boards;
23 and

24 (vi) coordinate the provision of public transportation
25 and the investment in public transportation facilities to

1 enhance the integration of public transportation
2 throughout the metropolitan region, all as provided in
3 this Act.

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

19 (b) The Authority shall subject the operating and capital
20 plans and expenditures of the Service Boards in the
21 metropolitan region with regard to public transportation to
22 continuing review so that the Authority may budget and expend
23 its funds with maximum effectiveness and efficiency. The
24 Authority shall conduct audits of each of the Service Boards
25 no less than every 5 years. Such audits may include
26 management, performance, financial, and infrastructure

1 condition audits. The Authority may conduct management,
2 performance, financial, and infrastructure condition audits of
3 transportation agencies that receive funds from the Authority.
4 The Authority may ~~direct a Service Board to~~ conduct any such
5 audit of a transportation agency that receives funds from a
6 ~~such Service Board, and the Service Board shall comply with~~
7 ~~such request to the extent it has the right to do so.~~ These
8 audits of the Service Boards or transportation agencies may be
9 project or service specific audits to evaluate their
10 achievement of the goals and objectives of that project or
11 service and their compliance with any applicable requirements.
12 (Source: P.A. 98-1027, eff. 1-1-15.)

13 (70 ILCS 3615/2.01a)

14 Sec. 2.01a. Strategic Plan.

15 (a) By the affirmative vote of at least 12 of its then
16 Directors, the Authority shall adopt a Strategic Plan, no less
17 than every 5 years, ~~after consultation with the Service Boards~~
18 and after holding a minimum of 3 public hearings in Cook County
19 and one public hearing in each of the other counties in the
20 region. The Executive Director of the Authority shall review
21 the Strategic Plan on an ongoing basis and make
22 recommendations to the Board of the Authority with respect to
23 any update or amendment of the Strategic Plan. The Strategic
24 Plan shall describe the specific actions to be taken by the
25 Authority and the Service Boards to provide adequate,

1 efficient, and coordinated public transportation.

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

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

6 (ii) coordination of public transportation services
7 and the investment in public transportation facilities to
8 enhance the integration of public transportation
9 throughout the metropolitan region;

10 (iii) coordination of fare and transfer policies to
11 promote transfers by riders among Service Boards,
12 transportation agencies, and public transportation modes,
13 which may include goals and objectives for development of
14 a universal fare instrument that riders may use
15 interchangeably on all public transportation funded by the
16 Authority, and methods to be used to allocate revenues
17 from transfers;

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

23 (v) access for transit-dependent populations,
24 including access by low-income communities to places of
25 employment, utilizing analyses provided by the Chicago
26 Metropolitan Agency for Planning regarding employment and

1 transportation availability, and giving consideration to
2 the location of employment centers in each county and the
3 availability of public transportation at off-peak hours
4 and on weekends;

5 (vi) the financial viability of the public
6 transportation system, including both operating and
7 capital programs;

8 (vii) limiting road congestion within the metropolitan
9 region and enhancing transit options to improve mobility;
10 and

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

15 (c) The Strategic Plan shall establish the process and
16 criteria by which proposals for capital improvements by a
17 Service Board or a transportation agency will be evaluated by
18 the Authority for inclusion in the Five-Year Capital Program,
19 which may include criteria for:

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

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

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

26 (iv) design and location of station or transit

1 improvements intended to promote transfers, increase
2 ridership, and support transit-oriented land development;

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

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

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

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

16 (ii) ridership data;

17 (iii) equipment failure rates;

18 (iv) employee and customer safety; and

19 (v) customer satisfaction.

20 The Service Boards and transportation agencies that
21 receive funding from the Authority or Service Boards shall
22 prepare, publish, and submit to the Authority such reports
23 with regard to these standards and measurements in the
24 frequency and form required by the Authority; however, the
25 frequency of such reporting shall be no less than annual. The
26 Service Boards shall publish such reports on their respective

1 websites. The Authority shall compile and publish such reports
2 on its website. Such performance standards and measures shall
3 not be used as the basis for disciplinary action against any
4 employee of the Authority or Service Boards, except to the
5 extent the employment and disciplinary practices of the
6 Authority or Service Board provide for such action.

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

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

22 (g) In developing the Strategic Plan, the Authority shall
23 rely on such demographic and other data, forecasts, and
24 assumptions developed by the Chicago Metropolitan Agency for
25 Planning with respect to the patterns of population density
26 and growth, projected commercial and residential development,

1 and environmental factors, within the metropolitan region and
2 in areas outside the metropolitan region that may impact
3 public transportation utilization in the metropolitan region.
4 The Authority shall also consult with the Illinois Department
5 of Transportation's Office of Planning and Programming when
6 developing the Strategic Plan. Before adopting or amending any
7 Strategic Plan, the Authority shall consult with the Chicago
8 Metropolitan Agency for Planning regarding the consistency of
9 the Strategic Plan with the Regional Comprehensive Plan
10 adopted pursuant to the Regional Planning Act.

11 (h) The Authority may adopt, by the affirmative vote of at
12 least 12 of its then Directors, sub-regional or corridor plans
13 for specific geographic areas of the metropolitan region in
14 order to improve the adequacy, efficiency, geographic equity
15 and coordination of existing, or the delivery of new, public
16 transportation. Such plans may also address areas outside the
17 metropolitan region that may impact public transportation
18 utilization in the metropolitan region. In preparing a
19 sub-regional or corridor plan, the Authority may identify
20 changes in operating practices or capital investment in the
21 sub-region or corridor that could increase ridership, reduce
22 costs, improve coordination, or enhance transit-oriented
23 development. The Authority shall consult with any affected
24 Service Boards in the preparation of any sub-regional or
25 corridor plans.

26 (i) If the Authority determines, by the affirmative vote

1 of at least 12 of its then Directors, that, with respect to any
2 proposed new public transportation service or facility, (i)
3 multiple Service Boards or transportation agencies are
4 potential service providers and (ii) the public transportation
5 facilities to be constructed or purchased to provide that
6 service have an expected construction cost of more than
7 \$25,000,000, the Authority shall have sole responsibility for
8 conducting any alternatives analysis and preliminary
9 environmental assessment required by federal or State law.
10 Nothing in this subparagraph (i) shall prohibit a Service
11 Board from undertaking alternatives analysis and preliminary
12 environmental assessment for any public transportation service
13 or facility identified in items (i) and (ii) above that is
14 included in the Five-Year Capital Program as of the effective
15 date of this amendatory Act of the 95th General Assembly;
16 however, any expenditure related to any such public
17 transportation service or facility must be included in a
18 Five-Year Capital Program under the requirements of Sections
19 2.01b and 4.02 of this Act.

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

21 (70 ILCS 3615/2.01b)

22 Sec. 2.01b. The Five-Year Capital Program. By the
23 affirmative vote of at least 12 of its then Directors, the
24 Authority, ~~after consultation with the Service Boards and~~
25 after holding a minimum of 3 public hearings in Cook County and

1 one public hearing in each of the other counties in the
2 metropolitan region, shall each year adopt a Five-Year Capital
3 Program that shall include each capital improvement to be
4 undertaken by or on behalf of a Service Board provided that the
5 Authority finds that the improvement meets any criteria for
6 capital improvements contained in the Strategic Plan, is not
7 inconsistent with any sub-regional or corridor plan adopted by
8 the Authority, and can be funded within amounts available with
9 respect to the capital and operating costs of such
10 improvement. In reviewing proposals for improvements to be
11 included in a Five-Year Capital Program, the Authority may
12 give priority to improvements that are intended to bring
13 public transportation facilities into a state of good repair.
14 The Five-Year Capital Program shall also identify capital
15 improvements to be undertaken by a Service Board, a
16 transportation agency, or a unit of local government and
17 funded by the Authority from amounts in the Innovation,
18 Coordination, and Enhancement Fund, provided that no
19 improvement that is included in the Five-Year Capital Program
20 as of the effective date of this amendatory Act of the 95th
21 General Assembly may receive funding from the Innovation,
22 Coordination, and Enhancement Fund. Before adopting a
23 Five-Year Capital Program, the Authority shall consult with
24 the Chicago Metropolitan Agency for Planning regarding the
25 consistency of the Five-Year Capital Program with the Regional
26 Comprehensive Plan adopted pursuant to the Regional Planning

1 Act.

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

3 (70 ILCS 3615/2.01c)

4 Sec. 2.01c. Innovation, Coordination, and Enhancement
5 Fund.

6 (a) The Authority shall establish an Innovation,
7 Coordination, and Enhancement Fund and deposit into the Fund
8 an amount equal to \$10,000,000 in 2008, and, each year
9 thereafter, an amount equal to the amount deposited in the
10 previous year increased or decreased by the percentage growth
11 or decline in revenues received by the Authority from taxes
12 imposed under Section 4.03 in the previous year. Amounts on
13 deposit in such Fund and interest and other earnings on those
14 amounts may be used by the Authority, upon the affirmative
15 vote of 12 of its then Directors, and after a public
16 participation process, for operating or capital grants ~~or~~
17 ~~loans~~ to Service Boards, transportation agencies, or units of
18 local government that advance the goals and objectives
19 identified by the Authority in its Strategic Plan, provided
20 that no improvement that has been included in a Five-Year
21 Capital Program as of the effective date of this amendatory
22 Act of the 95th General Assembly may receive any funding from
23 the Innovation, Coordination, and Enhancement Fund. Unless the
24 Board has determined by a vote of 12 of its then Directors that
25 an emergency exists requiring the use of some or all of the

1 funds then in the Innovation, Coordination, and Enhancement
2 Fund, such funds may only be used to enhance the coordination
3 and integration of public transportation and develop and
4 implement innovations to improve the quality and delivery of
5 public transportation.

6 (b) Any grantee that receives funds from the Innovation,
7 Coordination, and Enhancement Fund for the operation of
8 eligible programs must (i) implement such programs within one
9 year of receipt of such funds and (ii) within 2 years following
10 commencement of any program utilizing such funds, determine
11 whether it is desirable to continue the program, and upon such
12 a determination, either incorporate such program into its
13 annual operating budget and capital program or discontinue
14 such program. No additional funds from the Innovation,
15 Coordination, and Enhancement Fund may be distributed to a
16 grantee for any individual program beyond 2 years unless the
17 Authority by the affirmative vote of at least 12 of its then
18 Directors waives this limitation. Any such waiver will be with
19 regard to an individual program and with regard to a one
20 year-period, and any further waivers for such individual
21 program require a subsequent vote of the Board.

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

23 (70 ILCS 3615/2.01d)

24 Sec. 2.01d. ADA Paratransit Fund. The Authority shall
25 establish an ADA Paratransit Fund and, each year, deposit into

1 that Fund the following amounts: (i) a base amount equal to
2 \$115,000,000 in 2012, and, each year thereafter, an amount
3 equal to the final budgeted funding for ADA paratransit
4 services for the current year, (ii) any funds received from
5 the State pursuant to appropriations for the purpose of
6 funding ADA paratransit services, and (iii) any additional
7 funds necessary to fund the budget or amended budget for ADA
8 paratransit services adopted or approved by the Board for the
9 current year. The amounts on deposit in the Fund and interest
10 and other earnings on those amounts shall be used by the
11 Authority to make grants to the Suburban Bus Division ~~Board~~
12 for ADA paratransit services provided pursuant to plans
13 approved by the Authority under Section 2.30 of this Act.
14 Funds received by the Suburban Bus Division ~~Board~~ from the
15 Authority's ADA Paratransit Fund shall be used only to provide
16 ADA paratransit services to individuals who are determined to
17 be eligible for such services by the Authority under the
18 Americans with Disabilities Act of 1990 and its implementing
19 regulations. Revenues from and costs of services provided by
20 the Suburban Bus Division ~~Board~~ with grants made under this
21 Section shall be included in the Annual Budget and Two-Year
22 Financial Program of the Suburban Bus Division ~~Board~~ and shall
23 be subject to all budgetary and financial requirements under
24 this Act that apply to ADA paratransit services. Beginning in
25 2008, the Executive Director shall, no later than August 15 of
26 each year, provide to the Board a written determination of the

1 projected annual costs of ADA paratransit services that are
2 required to be provided pursuant to the Americans with
3 Disabilities Act of 1990 and its implementing regulations for
4 the current year. The Authority shall conduct triennial
5 financial, compliance, and performance audits of ADA
6 paratransit services to assist in this determination.

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

8 (70 ILCS 3615/2.01e)

9 Sec. 2.01e. Suburban Community Mobility Fund. The
10 Authority shall establish a Suburban Community Mobility Fund
11 and deposit into that Fund an amount equal to \$20,000,000 in
12 2008, and, each year thereafter, an amount equal to the amount
13 deposited in the previous year increased or decreased by the
14 percentage growth or decline in revenues received by the
15 Authority from taxes imposed under Section 4.03 in the
16 previous year. The amounts on deposit in the Fund and interest
17 and other earnings on those amounts shall be used by the
18 Authority to make grants to the Suburban Bus Division ~~Board~~
19 for the purpose of operating transit services, other than
20 traditional fixed-route services, that enhance suburban
21 mobility, including, but not limited to, demand-responsive
22 transit services, ride sharing, van pooling, service
23 coordination, centralized dispatching and call taking, reverse
24 commuting, service restructuring, and bus rapid transit.
25 Revenues from and costs of services provided by the Suburban

1 Bus Division ~~Board~~ with moneys from the Suburban Community
2 Mobility Fund shall be included in the Annual Budget and
3 Two-Year Financial Program of the Suburban Bus Division ~~Board~~
4 and shall be subject to all budgetary and financial
5 requirements under this Act.

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

7 (70 ILCS 3615/2.20) (from Ch. 111 2/3, par. 702.20)

8 Sec. 2.20. General Powers.

9 (a) Except as otherwise limited by this Act, the Authority
10 shall also have all powers necessary to meet its
11 responsibilities and to carry out its purposes, including, but
12 not limited to, the following powers:

13 (i) To sue and be sued;

14 (ii) To invest any funds or any monies not required
15 for immediate use or disbursement, as provided in "An Act
16 relating to certain investments of public funds by public
17 agencies", approved July 23, 1943, as now or hereafter
18 amended;

19 (iii) To make, amend and repeal by-laws, rules and
20 regulations, and ordinances not inconsistent with this
21 Act;

22 (iv) To hold, sell, sell by installment contract,
23 lease as lessor, transfer or dispose of such real or
24 personal property as it deems appropriate in the exercise
25 of its powers or to provide for the use thereof by any

1 transportation agency and to mortgage, pledge or otherwise
2 grant security interests in any such property;

3 (v) To enter at reasonable times upon such lands,
4 waters or premises as in the judgment of the Authority may
5 be necessary, convenient or desirable for the purpose of
6 making surveys, soundings, borings and examinations to
7 accomplish any purpose authorized by this Act after having
8 given reasonable notice of such proposed entry to the
9 owners and occupants of such lands, waters or premises,
10 the Authority being liable only for actual damage caused
11 by such activity;

12 (vi) To make and execute all contracts and other
13 instruments necessary or convenient to the exercise of its
14 powers;

15 (vii) To enter into contracts of group insurance for
16 the benefit of its employees and to provide for retirement
17 or pensions or other employee benefit arrangements for
18 such employees, and to assume obligations for pensions or
19 other employee benefit arrangements for employees of
20 transportation agencies, all or part of the facilities of
21 which are acquired by the Authority;

22 (viii) To provide for the insurance of any property,
23 directors, officers, employees or operations of the
24 Authority against any risk or hazard, and to self-insure
25 or participate in joint self-insurance pools or entities
26 to insure against such risk or hazard;

1 (ix) To appear before the Illinois Commerce Commission
2 in all proceedings concerning the Authority, a Service
3 Board or any transportation agency; and

4 (x) To pass all ordinances and make all rules and
5 regulations proper or necessary to regulate the use,
6 operation and maintenance of its property and facilities
7 and, by ordinance, to prescribe fines or penalties for
8 violations thereof. No fine or penalty shall exceed \$1,000
9 per offense. Any ordinance providing for any fine or
10 penalty shall be published in a newspaper of general
11 circulation in the metropolitan region. No such ordinance
12 shall take effect until 10 days after its publication.

13 The Authority may enter into arbitration arrangements,
14 which may be final and binding.

15 The ~~Commuter Rail~~ Board shall continue the separate public
16 corporation, known as the Northeast Illinois Regional Commuter
17 Railroad Corporation, as a separate operating unit to operate
18 on behalf of the Commuter Rail Division ~~Board~~ commuter
19 railroad facilities, subject at all times to the supervision
20 and direction of the ~~Commuter Rail~~ Board and may, by
21 ordinance, dissolve such Corporation. Such Corporation shall
22 be governed by a Board of Directors which shall consist of the
23 ~~members of the Transition Board until such time as all of the~~
24 ~~members of the Commuter Rail Board are appointed and qualified~~
25 ~~and thereafter the members of the Commuter Rail~~ Board. Such
26 Corporation shall have all the powers given the Authority and

1 the Commuter Rail Division ~~Board~~ under Article II of this Act
2 (other than under Section 2.13) as are delegated to it by
3 ordinance of the ~~Commuter Rail~~ Board with regard to such
4 operation of facilities and the same exemptions, restrictions
5 and limitations as are provided by law with regard to the
6 Authority shall apply to such Corporation. Such Corporation
7 shall be a transportation agency as provided in this Act
8 except for purposes of paragraph (e) of Section 3.01 of this
9 Act.

10 The Authority shall cooperate with the Illinois Commerce
11 Commission and local law enforcement agencies in establishing
12 a two year pilot program in DuPage County to determine the
13 effectiveness of an automated railroad grade crossing
14 enforcement system.

15 (b) In each case in which this Act gives the Authority the
16 power to construct or acquire real or personal property, the
17 Authority shall have the power to acquire such property by
18 contract, purchase, gift, grant, exchange for other property
19 or rights in property, lease (or sublease) or installment or
20 conditional purchase contracts, which leases or contracts may
21 provide for consideration therefor to be paid in annual
22 installments during a period not exceeding 40 years. Property
23 may be acquired subject to such conditions, restrictions,
24 liens, or security or other interests of other parties as the
25 Authority may deem appropriate, and in each case the Authority
26 may acquire a joint, leasehold, easement, license or other

1 partial interest in such property. Any such acquisition may
2 provide for the assumption of, or agreement to pay, perform or
3 discharge outstanding or continuing duties, obligations or
4 liabilities of the seller, lessor, donor or other transferor
5 of or of the trustee with regard to such property. In
6 connection with the acquisition of public transportation
7 equipment, including, but not limited to, rolling stock,
8 vehicles, locomotives, buses or rapid transit equipment, the
9 Authority may also execute agreements concerning such
10 equipment leases, equipment trust certificates, conditional
11 purchase agreements and such other security agreements and may
12 make such agreements and covenants as required, in the form
13 customarily used in such cases appropriate to effect such
14 acquisition. Obligations of the Authority incurred pursuant to
15 this Section shall not be considered bonds or notes within the
16 meaning of Section 4.04 of this Act.

17 (c) The Authority shall assume all costs of rights,
18 benefits and protective conditions to which any employee is
19 entitled under this Act from any transportation agency in the
20 event of the inability of the transportation agency to meet
21 its obligations in relation thereto due to bankruptcy or
22 insolvency, provided that the Authority shall retain the right
23 to proceed against the bankrupt or insolvent transportation
24 agency or its successors, trustees, assigns or debtors for the
25 costs assumed. The Authority may mitigate its liability under
26 this paragraph (c) and under Section 2.16 to the extent of

1 employment and employment benefits which it tenders.

2 (Source: P.A. 97-333, eff. 8-12-11.)

3 (70 ILCS 3615/2.21) (from Ch. 111 2/3, par. 702.21)

4 Sec. 2.21. (a) The Authority or the Commuter Rail Division
5 ~~Board~~ may not in the exercise of its powers to provide
6 effective public transportation as provided by this Act:

7 (i) require or authorize the operation of, or operate
8 or acquire by eminent domain or otherwise, any public
9 transportation facility or service on terms or in a manner
10 which unreasonably interferes with the ability of a
11 railroad to provide efficient freight or inter-city
12 passenger service. This subparagraph shall not bar the
13 Authority from acquiring title to any property pursuant to
14 Section 2.13 in a manner consistent with this
15 subparagraph.

16 (ii) obtain by eminent domain any interest in any
17 right of way or any other real property of a railroad which
18 is not a public body in excess of the interest to be used
19 for public transportation as provided in this Act.

20 (iii) prohibit the operation of public transportation
21 by a private carrier that does not receive a grant or
22 purchase of service contract from the Authority or a
23 Service Board.

24 (b) If in connection with any construction, acquisition,
25 or other activity undertaken by or for the Authority or a

1 Service Board, or pursuant to any purchase of service or grant
2 agreement with the Authority or a Service Board, any facility
3 of a public utility (as defined in the Public Utilities Act),
4 is removed or relocated from its then-existing site all costs
5 and expenses of such relocation or removal, including the cost
6 of installing such facilities in a new location or locations,
7 and the cost of any land or lands, or interest in land, or any
8 rights required to accomplish such relocation or removal,
9 shall be paid by the Authority or a Service Board. If any such
10 facilities are so relocated onto the properties of the
11 Authority or the Service Board or onto properties made
12 available for that purpose by the Authority or the Service
13 Board, there shall be no rent, fee, or other charge of any kind
14 imposed upon the public utility owning or operating such
15 facilities in excess of that imposed prior to such relocation
16 and such public utility, and its successors and assigns, shall
17 be granted the right to operate such facilities in the new
18 location or locations for as long a period and upon the same
19 terms and conditions as it had the right to maintain and
20 operate such facilities in their former location. Nothing in
21 this paragraph (b) shall prevent the Authority or the Service
22 Board and a transportation agency from agreeing in a purchase
23 of service agreement or otherwise to make different
24 arrangements for such relocations or the costs thereof.

25 (Source: P.A. 100-863, eff. 8-14-18.)

1 (70 ILCS 3615/2.30)

2 Sec. 2.30. Paratransit services.

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

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

22 (c) No later than January 1, 2006, the Authority, in
23 collaboration with the Suburban Bus Division ~~Board~~ and the
24 Chicago Transit Authority, shall develop a plan for the
25 provision of ADA paratransit services and submit such plan to
26 the Federal Transit Administration for approval. Approval of

1 such plan by the Authority shall require the affirmative votes
2 of 12 of the then Directors. The Suburban Bus Division Board,
3 the Chicago Transit Authority and the Authority shall comply
4 with the requirements of the Americans with Disabilities Act
5 of 1990 and its implementing regulations in developing and
6 approving such plan including, without limitation, consulting
7 with individuals with disabilities and groups representing
8 them in the community, and providing adequate opportunity for
9 public comment and public hearings. The plan shall include the
10 contents required for a paratransit plan pursuant to the
11 Americans with Disabilities Act of 1990 and its implementing
12 regulations. The plan shall also include, without limitation,
13 provisions to:

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

18 (2) transfer the appropriate ADA paratransit services,
19 management, personnel, service contracts and assets from
20 the Chicago Transit Authority to the Authority or the
21 Suburban Bus Division Board, as necessary, by no later
22 than July 1, 2006, except that this date may be extended to
23 the extent necessary to obtain approval from the Federal
24 Transit Administration of the plan prepared pursuant to
25 this subsection (c);

26 (3) provide for consistent policies throughout the

1 metropolitan region for scheduling of ADA paratransit
2 service trips to and from destinations, with consideration
3 of scheduling of return trips on a "will-call" open-ended
4 basis upon request of the rider, if practicable, and with
5 consideration of an increased number of trips available by
6 subscription service than are available as of the
7 effective date of this amendatory Act;

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

14 (5) provide for fares, fare collection and billing
15 procedures for ADA paratransit services throughout the
16 metropolitan region;

17 (6) provide for performance standards for all ADA
18 paratransit service transportation carriers, with
19 consideration of door-to-door service;

20 (7) provide, in cooperation with the Illinois
21 Department of Transportation, the Illinois Department of
22 Public Aid and other appropriate public agencies and
23 private entities, for the application and receipt of
24 grants, including, without limitation, reimbursement from
25 Medicaid or other programs for ADA paratransit services;

26 (8) provide for a system of dispatch of ADA

1 paratransit services transportation carriers throughout
2 the metropolitan region, with consideration of
3 county-based dispatch systems already in place as of the
4 effective date of this amendatory Act;

5 (9) provide for a process of determining eligibility
6 for ADA paratransit services that complies with the
7 Americans with Disabilities Act of 1990 and its
8 implementing regulations;

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

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

18 (d) All revisions and annual updates to the ADA
19 paratransit services plan developed pursuant to subsection (c)
20 of this Section, or certifications of continued compliance in
21 lieu of plan updates, that are required to be provided to the
22 Federal Transit Administration shall be developed by the
23 Authority, in collaboration with the Suburban Bus Division
24 ~~Board~~ and the Chicago Transit Authority, and the Authority
25 shall submit such revision, update or certification to the
26 Federal Transit Administration for approval. Approval of such

1 revisions, updates or certifications by the Authority shall
2 require the affirmative votes of 12 of the then Directors.

3 (e) The Illinois Department of Transportation, the
4 Illinois Department of Public Aid, the Authority, the Suburban
5 Bus Division ~~Board~~ and the Chicago Transit Authority shall
6 enter into intergovernmental agreements as may be necessary to
7 provide funding and accountability for, and implementation of,
8 the requirements of this Section.

9 (f) By no later than April 1, 2007, the Authority shall
10 develop and submit to the General Assembly and the Governor a
11 funding plan for ADA paratransit services. Approval of such
12 plan by the Authority shall require the affirmative votes of
13 12 of the then Directors. The funding plan shall, at a minimum,
14 contain an analysis of the current costs of providing ADA
15 paratransit services, projections of the long-term costs of
16 providing ADA paratransit services, identification of and
17 recommendations for possible cost efficiencies in providing
18 ADA paratransit services, and identification of and
19 recommendations for possible funding sources for providing ADA
20 paratransit services. The Illinois Department of
21 Transportation, the Illinois Department of Public Aid, the
22 Suburban Bus Division ~~Board~~, the Chicago Transit Authority and
23 other State and local public agencies as appropriate shall
24 cooperate with the Authority in the preparation of such
25 funding plan.

26 (g) Any funds derived from the federal Medicaid program

1 for reimbursement of the costs of providing ADA paratransit
2 services within the metropolitan region shall be directed to
3 the Authority and shall be used to pay for or reimburse the
4 costs of providing such services.

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

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

9 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

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

14 (a) Four Directors appointed by the Mayor of the City of
15 Chicago, with the advice and consent of the City Council of the
16 City of Chicago, ~~and, only until April 1, 2008, a fifth~~
17 ~~director who shall be the Chairman of the Chicago Transit~~
18 ~~Authority. After April 1, 2008, the Mayor of the City of~~
19 ~~Chicago, with the advice and consent of the City Council of the~~
20 ~~City of Chicago, shall appoint a fifth Director. The Directors~~
21 ~~appointed by the Mayor of the City of Chicago shall not be the~~
22 ~~Chairman or a Director of the Chicago Transit Authority.~~ Each
23 such Director shall reside in the City of Chicago.

24 (b) Four Directors ~~appointed by the votes of a majority of~~
25 ~~the members of the Cook County Board elected from districts, a~~

1 ~~majority of the electors of which reside outside Chicago.~~
2 ~~After April 1, 2008, a fifth Director~~ appointed by the
3 President of the Cook County Board with the advice and consent
4 of the members of the Cook County Board. Each Director
5 appointed under this subparagraph shall reside in that part of
6 Cook County outside Chicago.

7 (c) Four Directors appointed by the Governor, with the
8 advice and consent of the Mayor of the City of Chicago, the
9 President of the Cook County Board, and a majority of the
10 county boards of DuPage, Kane, Lake, McHenry, and Will
11 Counties as follows: Until April 1, 2008, 3 Directors
12 appointed by the Chairmen of the County Boards of DuPage,
13 Kane, Lake, McHenry, and Will Counties, as follows:

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

23 (ii) One Director who shall be the Chairman of the
24 Board ~~One Director appointed by the Chairman of the DuPage~~
25 ~~County Board with the advice and consent of the DuPage~~
26 ~~County Board. Such Director shall reside in DuPage County.~~

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

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

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

11 (iii) One Director appointed by the Chairman of the
12 DuPage County Board with the advice and consent of the
13 DuPage County Board. Such Director shall reside in DuPage
14 County.

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

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

22 (vi) To implement the changes in appointing authority
23 under this subparagraph (d) the three Directors
24 appointed under subparagraph (c) and residing in Lake
25 County, DuPage County, and Kane County respectively shall
26 each continue to serve as Director until the expiration of

1 their respective term of office and until his or her
2 successor is appointed and qualified or a vacancy occurs
3 in the office. Thereupon, the appointment shall be made by
4 the officials given appointing authority with respect to
5 the Director whose term has expired or office has become
6 vacant.

7 (e) The Chairman serving on January 1, 2024 ~~the effective~~
8 ~~date of this amendatory Act of the 95th General Assembly~~ shall
9 continue to serve as Chairman until the earlier of: the
10 expiration of his or her term of office; ~~and until~~ his or her
11 successor is appointed and qualified; ~~or a vacancy occurs in~~
12 ~~the office. Upon the expiration or vacancy of the term of the~~
13 ~~Chairman then serving upon the effective date of this~~
14 ~~amendatory Act of the 95th General Assembly, the Chairman~~
15 ~~shall be appointed by the other Directors, by the affirmative~~
16 ~~vote of at least 11 of the then Directors with at least 2~~
17 ~~affirmative votes from Directors who reside in the City of~~
18 ~~Chicago, at least 2 affirmative votes from Directors who~~
19 ~~reside in Cook County outside the City of Chicago, and at least~~
20 ~~2 affirmative votes from Directors who reside in the Counties~~
21 ~~of DuPage, Lake, Will, Kane, or McHenry. The chairman shall~~
22 ~~not be appointed from among the other Directors. The chairman~~
23 ~~shall be a resident of the metropolitan region.~~

24 (f) Except as otherwise provided by this Act no Director
25 shall, while serving as such, be an officer, a member of the
26 Board of Directors or Trustees or an employee of any Service

1 Board or transportation agency, or be an employee of the State
2 of Illinois or any department or agency thereof, or of any
3 municipality, county, or any other unit of local government or
4 receive any compensation from any elected or appointed office
5 under the Constitution and laws of Illinois; except that a
6 Director may be a member of a school board.

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

11 (h) (Blank).

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

13 (70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

14 Sec. 3.04. Compensation. Each Director, including the
15 Chairman, ~~except for the Chairman of the Chicago Transit~~
16 ~~Authority who shall not be compensated by the Authority,~~ shall
17 be compensated at the rate of \$25,000 per year.

18 Officers of the Authority shall not be required to comply
19 with the requirements of the Public Funds Statement
20 Publication Act ~~"An Act requiring certain custodians of public~~
21 ~~moneys to file and publish statements of the receipts and~~
22 ~~disbursements thereof", approved June 24, 1919, as now or~~
23 ~~hereafter amended.~~

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

1 (70 ILCS 3615/3.08) (from Ch. 111 2/3, par. 703.08)

2 Sec. 3.08. There is established a Regional Citizens
3 Advisory Board. This board shall be comprised of the Chairmen
4 of the Citizens Advisory Boards of the Chicago Transit
5 Authority, the Commuter Rail Division, ~~Board~~ and the Suburban
6 Bus Division ~~Board~~. This Board shall meet at least quarterly
7 and shall advise the Board of the impact of its policies and
8 programs on the communities within the metropolitan region.
9 Members shall serve without compensation.

10 (Source: P.A. 83-886.)

11 (70 ILCS 3615/3.12 new)

12 Sec. 3.12. Committees. The Chairman of the Board shall
13 appoint members of the following committees, composed only of
14 Directors of the Board, with the advice and consent of the
15 applicable persons or entities who have the authority to
16 appoint each category of Directors:

17 (1) The Chicago Transit Authority Committee shall be
18 composed of the following Directors: 3 Directors residing
19 in the City of Chicago not appointed by the Governor; one
20 Director residing in Cook County outside of the City of
21 Chicago; one Director residing in DuPage County, Kane
22 County, Lake County, McHenry County, or Will County; and 2
23 of the Directors appointed by the Governor.

24 (2) The Commuter Rail Committee shall be composed of
25 the following Directors: 2 Directors residing in the City

1 of Chicago not appointed by the Governor; 2 Directors
2 residing in Cook County outside of the City of Chicago; 2
3 Directors residing in DuPage County, Kane County, Lake
4 County, McHenry County, or Will County; and one of the
5 Directors appointed by the Governor.

6 (3) The Suburban Bus Committee shall be composed of
7 the following Directors: one Director residing in the City
8 of Chicago not appointed by the Governor; 2 Directors
9 residing in Cook County outside of the City of Chicago; 3
10 Directors residing in DuPage County, Kane County, Lake
11 County, McHenry County, or Will County; and one of the
12 Directors appointed by the Governor.

13 (4) The Paratransit and Innovations Committee shall be
14 composed of the following Directors: 2 Directors residing
15 in the City of Chicago not appointed by the Governor; 2
16 Directors residing in Cook County outside of the City of
17 Chicago; 2 Directors residing in DuPage County, Kane
18 County, Lake County, McHenry County, or Will County; and
19 one of the Directors appointed by the Governor.

20 (5) The Budget and Finance Committee shall be composed
21 of the following Directors: 2 Directors residing in the
22 City of Chicago not appointed by the Governor; 2 Directors
23 residing in Cook County outside of the City of Chicago; 2
24 Directors residing in DuPage County, Kane County, Lake
25 County, McHenry County, or Will County; and 2 of the
26 Directors appointed by the Governor.

1 (6) The Planning and Capital Program Committee shall
2 be composed of the following Directors: 2 Directors
3 residing in the City of Chicago not appointed by the
4 Governor; 2 Directors residing in Cook County outside of
5 the City of Chicago; 2 Directors residing in DuPage
6 County, Kane County, Lake County, McHenry County, or Will
7 County; and 2 of the Directors appointed by the Governor.

8 (7) The Audit and Compliance Committee shall be
9 composed of the following Directors: one Director residing
10 in the City of Chicago not appointed by the Governor; one
11 Director residing in Cook County outside of the City of
12 Chicago; one Director residing in DuPage County, Kane
13 County, Lake County, McHenry County, or Will County; and
14 one of the Directors appointed by the Governor.

15 The Chicago Transit Authority Committee, Commuter Rail
16 Committee, and Suburban Bus Committee shall oversee operations
17 of each of those respective divisions of the Authority and
18 provided recommendations to the Board relating to those
19 respective divisions. The other committees shall oversee
20 operations in the respective areas of each committee and
21 provide recommendations to the Board relating to those
22 respective areas.

23 (70 ILCS 3615/3A.01) (from Ch. 111 2/3, par. 703A.01)

24 Sec. 3A.01. Suburban Bus Division. There is established
25 within the Authority the Suburban Bus Division as the

1 operating division responsible for providing public
2 transportation by bus and as may be provided in this Act.
3 Purchase of service agreements between a transportation agency
4 and the Authority in effect on the effective date of this
5 amendatory Act shall remain in full force and effect in
6 accordance with the terms of such agreement. Such agreements,
7 on and after January 1, 2024, ~~shall first be the~~
8 ~~responsibility of the Transition Board and, on the date of its~~
9 ~~creation,~~ shall be the responsibility of the Regional
10 Transportation Authority ~~the Suburban Bus Division~~ and its
11 Board.

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

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

14 Sec. 3A.02. Suburban Bus Board. On and after January 1,
15 2024: (1) the powers and duties of the Suburban Bus Board shall
16 be exercised and performed by the Regional Transportation
17 Authority Board, and any references to the Suburban Bus Board
18 in this Article shall be construed as references to the
19 Regional Transportation Authority Board; (2) the Suburban Bus
20 Board is dissolved; and (3) all terms of the directors of the
21 Suburban Bus Board are terminated. ~~The governing body of the~~
22 ~~Suburban Bus Division shall be a board consisting of 13~~
23 ~~directors appointed as follows:~~

24 ~~(a) Six Directors appointed by the members of the Cook~~
25 ~~County Board elected from that part of Cook County outside~~

1 ~~of Chicago, or in the event such Board of Commissioners~~
2 ~~becomes elected from single member districts, by those~~
3 ~~Commissioners elected from districts, a majority of the~~
4 ~~residents of which reside outside of Chicago from the~~
5 ~~chief executive officers of the municipalities, of that~~
6 ~~portion of Cook County outside of Chicago. Provided~~
7 ~~however, that:~~

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

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

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

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

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

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

26 ~~(b) One Director by the Chairman of the Kane County~~

1 ~~Board who shall be a chief executive officer of a~~
2 ~~municipality within Kane County;~~

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

6 ~~(d) One Director by the Chairman of the DuPage County~~
7 ~~Board who shall be a chief executive officer of a~~
8 ~~municipality within DuPage County;~~

9 ~~(e) One Director by the Chairman of the McHenry County~~
10 ~~Board who shall be a chief executive officer of a~~
11 ~~municipality within McHenry County;~~

12 ~~(f) One Director by the Chairman of the Will County~~
13 ~~Board who shall be a chief executive officer of a~~
14 ~~municipality within Will County;~~

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

18 ~~(h) The Chairman by the Governor for the initial term,~~
19 ~~and thereafter by a majority of the Chairmen of the~~
20 ~~DuPage, Kane, Lake, McHenry and Will County Boards and the~~
21 ~~members of the Cook County Board elected from that part of~~
22 ~~Cook County outside of Chicago, or in the event such Board~~
23 ~~of Commissioners is elected from single member districts,~~
24 ~~by those Commissioners elected from districts, a majority~~
25 ~~of the electors of which reside outside of Chicago; and~~
26 ~~who after the effective date of this amendatory Act of the~~

1 ~~95th General Assembly may not be a resident of the City of~~
2 ~~Chicago.~~

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

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

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

17 (70 ILCS 3615/3A.05) (from Ch. 111 2/3, par. 703A.05)

18 Sec. 3A.05. Appointment of officers and employees. The
19 Executive Director of the Authority, with the advice and
20 consent of the Suburban Bus Committee, Board shall appoint an
21 Executive Director who shall be the chief executive officer of
22 the Division, appointed, retained or dismissed with the
23 concurrence of 4 ~~9~~ of the directors of the Suburban Bus
24 Committee Board. The Executive Director shall appoint, retain
25 and employ officers, attorneys, agents, engineers, employees

1 and shall organize the staff, shall allocate their functions
2 and duties, fix compensation and conditions of employment, and
3 consistent with the policies of and direction from the
4 ~~Suburban Bus~~ Board and the Suburban Bus Committee take all
5 actions necessary to achieve its purposes, fulfill its
6 responsibilities and carry out its powers, and shall have such
7 other powers and responsibilities as the ~~Suburban Bus~~ Board
8 and the Suburban Bus Committee shall determine. The Executive
9 Director shall be an individual of proven transportation and
10 management skills and may not be a member of the ~~Suburban Bus~~
11 Board. The Division may employ its own professional management
12 personnel to provide professional and technical expertise
13 concerning its purposes and powers and to assist it in
14 assessing the performance of transportation agencies in the
15 metropolitan region. A person appointed or employed under this
16 Section whose term or employment has not been terminated on
17 January 1, 2024 shall continue in his or her position with the
18 Suburban Bus Division until the expiration of his or her
19 appointment or employment, resignation, or removal.

20 No employee, officer, or agent of the Suburban Bus
21 Division ~~Board~~ may receive a bonus that exceeds 10% of his or
22 her annual salary unless that bonus has been reviewed by the
23 Regional Transportation Authority Board for a period of 14
24 days. After 14 days, the contract shall be considered
25 reviewed. This Section does not apply to usual and customary
26 salary adjustments.

1 No unlawful discrimination, as defined and prohibited in
2 the Illinois Human Rights Act, shall be made in any term or
3 aspect of employment nor shall there be discrimination based
4 upon political reasons or factors. The Suburban Bus Division
5 ~~Board~~ shall establish regulations to insure that its
6 discharges shall not be arbitrary and that hiring and
7 promotion are based on merit.

8 The Division shall be subject to the "Illinois Human
9 Rights Act", as now or hereafter amended, and the remedies and
10 procedure established thereunder. The Suburban Bus Division
11 ~~Board~~ shall file an affirmative action program for employment
12 by it with the Department of Human Rights to ensure that
13 applicants are employed and that employees are treated during
14 employment, without regard to unlawful discrimination. Such
15 affirmative action program shall include provisions relating
16 to hiring, upgrading, demotion, transfer, recruitment,
17 recruitment advertising, selection for training and rates of
18 pay or other forms of compensation.

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

20 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

21 Sec. 3A.09. General powers. In addition to any powers
22 elsewhere provided to the Suburban Bus Division or the former
23 Suburban Bus Board, the Regional Transportation Authority
24 Board ~~it~~ shall have all of the powers specified in Section 2.20
25 of this Act except for the powers specified in Section

1 2.20(a) (v). The Board shall also have the power:

2 (a) (blank); ~~to cooperate with the Regional~~
3 ~~Transportation Authority in the exercise by the Regional~~
4 ~~Transportation Authority of all the powers granted it by~~
5 ~~such Act;~~

6 (b) to receive funds from for the Division the
7 Regional Transportation Authority pursuant to Sections
8 2.02, 4.01, 4.02, 4.09 and 4.10 of the Regional
9 Transportation Authority Act, all as provided in the
10 Regional Transportation Authority Act;

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

20 (d) to perform all functions necessary for the
21 provision of paratransit services under Section 2.30 of
22 this Act; and

23 (e) to borrow money for the purposes of: (i)
24 constructing a new garage in the northwestern Cook County
25 suburbs, (ii) converting the South Cook garage in Markham
26 to a Compressed Natural Gas facility, (iii) constructing a

1 new paratransit garage in DuPage County, (iv) expanding
2 the North Shore garage in Evanston to accommodate
3 additional indoor bus parking, and (v) purchasing new
4 transit buses. For the purpose of evidencing the
5 obligation of the Suburban Bus Division ~~Board~~ to repay any
6 money borrowed as provided in this subsection, the
7 Suburban Bus Division ~~Board~~ may issue revenue bonds from
8 time to time pursuant to ordinance adopted by the ~~Suburban~~
9 ~~Bus~~ Board, subject to the approval of the Regional
10 Transportation Authority of each such issuance by the
11 affirmative vote of 12 of its then Directors; provided
12 that the Suburban Bus Division ~~Board~~ may not issue bonds
13 for the purpose of financing the acquisition,
14 construction, or improvement of any facility other than
15 those listed in this subsection (e). All such bonds shall
16 be payable solely from the revenues or income or any other
17 funds that the Suburban Bus Division ~~Board~~ may receive,
18 provided that the ~~Suburban Bus~~ Board may not pledge as
19 security for such bonds the moneys, if any, that the
20 Suburban Bus Division ~~Board~~ receives from the Regional
21 Transportation Authority pursuant to Section 4.03.3(f) of
22 the Regional Transportation Authority Act. The bonds shall
23 bear interest at a rate not to exceed the maximum rate
24 authorized by the Bond Authorization Act and shall mature
25 at such time or times not exceeding 25 years from their
26 respective dates. Bonds issued pursuant to this paragraph

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

1 by mandamus proceedings in any court of competent
2 jurisdiction to compel performance and compliance
3 therewith, but the trust agreement may prescribe by whom
4 or on whose behalf such action may be instituted. Under no
5 circumstances shall any bonds issued by the Suburban Bus
6 Division Board or any other obligation of the Suburban Bus
7 Division Board in connection with the issuance of such
8 bonds be or become an indebtedness or obligation of the
9 State of Illinois, the Regional Transportation Authority,
10 or any other political subdivision of or municipality
11 within the State, nor shall any such bonds or obligations
12 be or become an indebtedness of the Suburban Bus Division
13 ~~Board~~ within the purview of any constitutional limitation
14 or provision, and it shall be plainly stated on the face of
15 each bond that it does not constitute such an indebtedness
16 or obligation but is payable solely from the revenues or
17 income as aforesaid.

18 (Source: P.A. 99-665, eff. 7-29-16.)

19 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)

20 Sec. 3A.10. Budget and Program. The Board ~~Suburban Bus~~
21 ~~Board, subject to the powers of the Authority in Section 4.11,~~
22 shall control the finances of the Division. It shall by
23 ordinance appropriate money to perform the Division's purposes
24 and provide for payment of debts and expenses of the Division.
25 Each year the ~~Suburban Bus~~ Board shall prepare and publish a

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

1 region in which the Division provides service. After
2 conducting such hearings and holding such meetings and after
3 making such changes in the proposed budget, financial plan,
4 and five-year capital program as the ~~Suburban Bus~~ Board deems
5 appropriate, ~~the it shall adopt an annual budget ordinance at~~
6 ~~least by November 15 next preceding the beginning of each~~
7 ~~fiscal year. The~~ budget, financial plan, and five-year capital
8 program shall then be submitted to the Authority as provided
9 in Section 4.11. ~~In the event that the Board of the Authority~~
10 ~~determines that the budget and financial plan do not meet the~~
11 ~~standards of Section 4.11, the Suburban Bus Board shall make~~
12 ~~such changes as are necessary to meet such requirements and~~
13 ~~adopt an amended budget ordinance. The amended budget~~
14 ~~ordinance shall be resubmitted to the Authority pursuant to~~
15 ~~Section 4.11.~~ The ordinance shall appropriate such sums of
16 money as are deemed necessary to defray all necessary expenses
17 and obligations of the Division, specifying purposes and the
18 objects or programs for which appropriations are made and the
19 amount appropriated for each object or program. Additional
20 appropriations, transfers between items and other changes in
21 such ordinance which do not alter the basis upon which the
22 balanced budget determination was made by the Board of the
23 Authority may be made from time to time by the Suburban Bus
24 Division Board.

25 The budget shall:

26 (i) show a balance between (A) anticipated revenues

1 from all sources including operating subsidies and (B) the
2 costs of providing the services specified and of funding
3 any operating deficits or encumbrances incurred in prior
4 periods, including provision for payment when due of
5 principal and interest on outstanding indebtedness;

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

9 (iii) provide for a level of fares or charges and
10 operating or administrative costs for the public
11 transportation provided by or subject to the jurisdiction
12 of the Suburban Bus Division ~~Board~~ sufficient to allow the
13 Suburban Bus Division ~~Board~~ to meet its required system
14 generated revenues recovery ratio and, beginning with the
15 2007 fiscal year, its system generated ADA paratransit
16 services revenue recovery ratio;

17 (iv) be based upon and employ assumptions and
18 projections which are reasonable and prudent;

19 (v) have been prepared in accordance with sound
20 financial practices as determined by the Board of the
21 Authority;

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

25 (vii) be consistent with the goals and objectives
26 adopted by the Regional Transportation Authority in the

1 Strategic Plan.

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

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

4 Sec. 3A.11. Citizens Advisory Board. The ~~Suburban Bus~~
5 Board shall establish a citizens advisory board composed of 10
6 residents of those portions of the metropolitan region in
7 which the Suburban Bus Division ~~Board~~ provides service who
8 have an interest in public transportation. The members of the
9 advisory board shall be named for 2 year terms, shall select
10 one of their members to serve as chairman and shall serve
11 without compensation. The citizens advisory board shall meet
12 with the ~~Suburban Bus~~ Board at least quarterly and advise the
13 ~~Suburban Bus~~ Board of the impact of its policies and programs
14 on the communities it serves. Appointments to the citizens
15 advisory board should, to the greatest extent possible,
16 reflect the ethnic, cultural, and geographic diversity of all
17 persons residing within the Suburban Bus Division's ~~Board's~~
18 jurisdiction.

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

20 (70 ILCS 3615/3A.12) (from Ch. 111 2/3, par. 703A.12)

21 Sec. 3A.12. Working Cash Borrowing. The ~~Suburban Bus~~ Board
22 with the affirmative vote of 11 ~~9~~ of its Directors may ~~demand~~
23 ~~and direct the Board of the Authority to~~ issue Working Cash
24 Notes at such time and in such amounts and having such

1 maturities as the ~~Suburban Bus~~ Board deems proper, provided
2 however any such borrowing shall have been specifically
3 identified in the budget of the ~~Suburban Bus~~ Board ~~as approved~~
4 ~~by the Board of the Authority. Provided further, that the~~
5 ~~Suburban Bus Board may not demand and direct the Board of the~~
6 ~~Authority to have issued and have outstanding at any time in~~
7 ~~excess of \$5,000,000 in Working Cash Notes.~~

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

9 (70 ILCS 3615/3A.14) (from Ch. 111 2/3, par. 703A.14)

10 Sec. 3A.14. Labor.

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

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

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

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

24 (d) Within 30 days of the signing of any such collective
25 bargaining agreement, the Suburban Bus Division ~~Board~~ shall
26 determine the costs of each provision of the agreement,

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

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

11 (70 ILCS 3615/3A.15)

12 Sec. 3A.15. Free services; eligibility.

13 (a) Notwithstanding any law to the contrary, no later than
14 60 days following the effective date of this amendatory Act of
15 the 95th General Assembly and until subsection (b) is
16 implemented, any fixed route public transportation services
17 provided by, or under grant or purchase of service contracts
18 of, the Suburban Bus Division ~~Board~~ shall be provided without
19 charge to all senior citizens of the Metropolitan Region aged
20 65 and older, under such conditions as shall be prescribed by
21 the ~~Suburban Bus~~ Board.

22 (b) Notwithstanding any law to the contrary, no later than
23 180 days following the effective date of this amendatory Act
24 of the 96th General Assembly, any fixed route public
25 transportation services provided by, or under grant or

1 purchase of service contracts of, the Suburban Bus Division
2 ~~Board~~ shall be provided without charge to senior citizens aged
3 65 and older who meet the income eligibility limitation set
4 forth in subsection (a-5) of Section 4 of the Senior Citizens
5 and Persons with Disabilities Property Tax Relief Act, under
6 such conditions as shall be prescribed by the Suburban Bus
7 Division ~~Board~~. The Department on Aging shall furnish all
8 information reasonably necessary to determine eligibility,
9 including updated lists of individuals who are eligible for
10 services without charge under this Section. Nothing in this
11 Section shall relieve the Suburban Bus Division ~~Board~~ from
12 providing reduced fares as may be required by federal law.

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

14 (70 ILCS 3615/3A.16)

15 Sec. 3A.16. Transit services for individuals with
16 disabilities. Notwithstanding any law to the contrary, no
17 later than 60 days following the effective date of this
18 amendatory Act of the 95th General Assembly, all fixed route
19 public transportation services provided by, or under grant or
20 purchase of service contract of, the Suburban Bus Division
21 ~~Board~~ shall be provided without charge to all persons with
22 disabilities who meet the income eligibility limitation set
23 forth in subsection (a-5) of Section 4 of the Senior Citizens
24 and Persons with Disabilities Property Tax Relief Act, under
25 such procedures as shall be prescribed by the Board. The

1 Department on Aging shall furnish all information reasonably
2 necessary to determine eligibility, including updated lists of
3 individuals who are eligible for services without charge under
4 this Section.

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

6 (70 ILCS 3615/3A.17)

7 Sec. 3A.17. Emergency protocols. ~~The~~ ~~Within 6 months after~~
8 ~~the effective date of this amendatory Act of the 96th General~~
9 ~~Assembly, the~~ Suburban Bus Division ~~Board~~ must maintain
10 ~~develop~~ written protocols to respond to medical and sanitation
11 emergencies and to other safety hazards.

12 (Source: P.A. 96-677, eff. 8-25-09.)

13 (70 ILCS 3615/3A.18)

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

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

1 (70 ILCS 3615/3B.01) (from Ch. 111 2/3, par. 703B.01)

2 Sec. 3B.01. Commuter Rail Division. There is established
3 within the Authority the Commuter Rail Division as the
4 operating division responsible for providing public
5 transportation by commuter rail. Purchase of service
6 agreements between a transportation agency and the Authority
7 in effect on the effective date of this amendatory Act shall
8 remain in full force and effect in accordance with the terms of
9 such agreement. Such agreements, on and after January 1, 2024,
10 ~~shall first be the responsibility of the Transition Board and,~~
11 ~~on the date of its creation,~~ shall become the responsibility
12 of the Regional Transportation Authority Commuter Rail
13 ~~Division~~ and its Board.

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

15 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

16 Sec. 3B.02. Commuter Rail Board. On and after January 1,
17 2024: (1) the powers and duties of the Commuter Rail Board
18 shall be exercised and performed by the Regional
19 Transportation Authority Board, and any references to the
20 Commuter Rail Board in this Article shall be construed as
21 references to the Regional Transportation Authority Board; (2)
22 the Commuter Rail Board is dissolved; and (3) all terms of the
23 directors of the Commuter Rail Board are terminated. ~~(a) Until~~
24 ~~April 1, 2008, the governing body of the Commuter Rail~~
25 ~~Division shall be a board consisting of 7 directors appointed~~

1 ~~pursuant to Sections 3B.03 and 3B.04, as follows:~~

2 ~~(1) One director shall be appointed by the Chairman of~~
3 ~~the Board of DuPage County with the advice and consent of~~
4 ~~the County Board of DuPage County and shall reside in~~
5 ~~DuPage County.~~

6 ~~(2) Two directors appointed by the Chairmen of the~~
7 ~~County Boards of Kane, Lake, McHenry and Will Counties~~
8 ~~with the concurrence of not less than a majority of the~~
9 ~~chairmen from such counties, from nominees by the~~
10 ~~Chairmen. Each such chairman may nominate not more than~~
11 ~~two persons for each position. Each such director shall~~
12 ~~reside in a county in the metropolitan region other than~~
13 ~~Cook or DuPage County.~~

14 ~~(3) Three directors appointed by the members of the~~
15 ~~Cook County Board elected from that part of Cook County~~
16 ~~outside of Chicago, or, in the event such Board of~~
17 ~~Commissioners becomes elected from single member~~
18 ~~districts, by those Commissioners elected from districts,~~
19 ~~a majority of the residents of which reside outside~~
20 ~~Chicago. In either case, such appointment shall be with~~
21 ~~the concurrence of four such Commissioners. Each such~~
22 ~~director shall reside in that part of Cook County outside~~
23 ~~Chicago.~~

24 ~~(4) One director appointed by the Mayor of the City of~~
25 ~~Chicago, with the advice and consent of the City Council~~
26 ~~of the City of Chicago. Such director shall reside in the~~

1 ~~City of Chicago.~~

2 ~~(5) The chairman shall be appointed by the directors,~~
3 ~~from the members of the board, with the concurrence of 5 of~~
4 ~~such directors.~~

5 ~~(b) After April 1, 2008 the governing body of the Commuter~~
6 ~~Rail Division shall be a board consisting of 11 directors~~
7 ~~appointed, pursuant to Sections 3B.03 and 3B.04, as follows:~~

8 ~~(1) One Director shall be appointed by the Chairman of~~
9 ~~the DuPage County Board with the advice and consent of the~~
10 ~~DuPage County Board and shall reside in DuPage County. To~~
11 ~~implement the changes in appointing authority under this~~
12 ~~Section, upon the expiration of the term of or vacancy in~~
13 ~~office of the Director appointed under item (1) of~~
14 ~~subsection (a) of this Section who resides in DuPage~~
15 ~~County, a Director shall be appointed under this~~
16 ~~subparagraph.~~

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

26 ~~(3) One Director shall be appointed by the Will County~~

1 ~~Executive with the advice and consent of the Will County~~
2 ~~Board and shall reside in Will County. To implement the~~
3 ~~change in appointing authority under this Section, upon~~
4 ~~the expiration of the term of or vacancy in office of the~~
5 ~~Director appointed under item (2) of subsection (a) of~~
6 ~~this Section who resides in Will County, a Director shall~~
7 ~~be appointed under this subparagraph.~~

8 ~~(4) One Director shall be appointed by the Chairman of~~
9 ~~the Lake County Board with the advice and consent of the~~
10 ~~Lake County Board and shall reside in Lake County.~~

11 ~~(5) One Director shall be appointed by the Chairman of~~
12 ~~the Kane County Board with the advice and consent of the~~
13 ~~Kane County Board and shall reside in Kane County.~~

14 ~~(6) One Director shall be appointed by the Mayor of~~
15 ~~the City of Chicago with the advice and consent of the City~~
16 ~~Council of the City of Chicago and shall reside in the City~~
17 ~~of Chicago. To implement the changes in appointing~~
18 ~~authority under this Section, upon the expiration of the~~
19 ~~term of or vacancy in office of the Director appointed~~
20 ~~under item (4) of subsection (a) of this Section who~~
21 ~~resides in the City of Chicago, a Director shall be~~
22 ~~appointed under this subparagraph.~~

23 ~~(7) Five Directors residing in Cook County outside of~~
24 ~~the City of Chicago, as follows:~~

25 ~~(i) One Director who resides in Cook County~~
26 ~~outside of the City of Chicago, appointed by the~~

1 ~~President of the Cook County Board with the advice and~~
2 ~~consent of the members of the Cook County Board.~~

3 ~~(ii) One Director who resides in the township of~~
4 ~~Barrington, Palatine, Wheeling, Hanover, Schaumburg,~~
5 ~~or Elk Grove. To implement the changes in appointing~~
6 ~~authority under this Section, upon the expiration of~~
7 ~~the term of or vacancy in office of the Director~~
8 ~~appointed under paragraph (3) of subsection (a) of~~
9 ~~this Section who resides in the geographic area~~
10 ~~described in this subparagraph, a Director shall be~~
11 ~~appointed under this subparagraph.~~

12 ~~(iii) One Director who resides in the township of~~
13 ~~Northfield, New Trier, Maine, Niles, Evanston, Leyden,~~
14 ~~Norwood Park, River Forest, or Oak Park.~~

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

25 ~~(v) One Director who resides in the township of~~
26 ~~Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To~~

1 ~~implement the changes in appointing authority under~~
2 ~~this Section, upon the expiration of the term of or~~
3 ~~vacancy in office of the Director appointed under~~
4 ~~paragraph (3) of subsection (a) of this Section who~~
5 ~~resides in the geographic area described in this~~
6 ~~subparagraph and whose term of office had expired as~~
7 ~~of August 1, 2007, a Director shall be appointed under~~
8 ~~this subparagraph.~~

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

23 ~~(8) The Chairman shall be appointed by the Directors,~~
24 ~~from the members of the Board, with the concurrence of 8 of~~
25 ~~such Directors. To implement the changes in appointing~~
26 ~~authority under this Section, upon the expiration of the~~

1 ~~term of or vacancy in office of the Chairman appointed~~
2 ~~under item (5) of subsection (a) of this Section, a~~
3 ~~Chairman shall be appointed under this subparagraph.~~

4 ~~(c) No director, while serving as such, shall be an~~
5 ~~officer, a member of the board of directors or trustee or an~~
6 ~~employee of any transportation agency, or be an employee of~~
7 ~~the State of Illinois or any department or agency thereof, or~~
8 ~~of any county, municipality, or any other unit of local~~
9 ~~government or receive any compensation from any elected or~~
10 ~~appointed office under the Constitution and laws of Illinois.~~

11 ~~(d) Each appointment made under subsections (a) and (b) of~~
12 ~~this Section and under Section 3B.03 shall be certified by the~~
13 ~~appointing authority to the Commuter Rail Board which shall~~
14 ~~maintain the certifications as part of the official records of~~
15 ~~the Commuter Rail Board.~~

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

17 (70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

18 Sec. 3B.05. Appointment of officers and employees. The
19 Executive Director of the Authority, with the advice and
20 consent of the Commuter Rail Committee, Board shall appoint an
21 Executive Director who shall be the chief executive officer of
22 the Division, appointed, retained or dismissed with the
23 concurrence of 4 & of the directors of the Commuter Rail
24 Committee Board. The Executive Director shall appoint, retain
25 and employ officers, attorneys, agents, engineers, employees

1 and shall organize the staff, shall allocate their functions
2 and duties, fix compensation and conditions of employment, and
3 consistent with the policies of and direction from the
4 ~~Commuter Rail~~ Board and the Commuter Rail Committee take all
5 actions necessary to achieve its purposes, fulfill its
6 responsibilities and carry out its powers, and shall have such
7 other powers and responsibilities as the ~~Commuter Rail~~ Board
8 and the Commuter Rail Committee shall determine. The Executive
9 Director shall be an individual of proven transportation and
10 management skills and may not be a member of the ~~Commuter Rail~~
11 Board. The Division may employ its own professional management
12 personnel to provide professional and technical expertise
13 concerning its purposes and powers and to assist it in
14 assessing the performance of transportation agencies in the
15 metropolitan region. A person appointed or employed under this
16 Section whose term or employment has not been terminated on
17 January 1, 2024 shall continue in his or her position with the
18 Commuter Rail Division until the expiration of his or her
19 appointment or employment, resignation, or removal.

20 No employee, officer, or agent of the Commuter Rail
21 Division Board may receive a bonus that exceeds 10% of his or
22 her annual salary unless that bonus has been reviewed by the
23 Regional Transportation Authority Board for a period of 14
24 days. After 14 days, the contract shall be considered
25 reviewed. This Section does not apply to usual and customary
26 salary adjustments.

1 No unlawful discrimination, as defined and prohibited in
2 the Illinois Human Rights Act, shall be made in any term or
3 aspect of employment nor shall there be discrimination based
4 upon political reasons or factors. The Commuter Rail Division
5 ~~Board~~ shall establish regulations to insure that its
6 discharges shall not be arbitrary and that hiring and
7 promotion are based on merit.

8 The Division shall be subject to the "Illinois Human
9 Rights Act", as now or hereafter amended, and the remedies and
10 procedure established thereunder. The Commuter Rail Division
11 ~~Board~~ shall file an affirmative action program for employment
12 by it with the Department of Human Rights to ensure that
13 applicants are employed and that employees are treated during
14 employment, without regard to unlawful discrimination. Such
15 affirmative action program shall include provisions relating
16 to hiring, upgrading, demotion, transfer, recruitment,
17 recruitment advertising, selection for training and rates of
18 pay or other forms of compensation.

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

20 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

21 Sec. 3B.09. General Powers. In addition to any powers
22 elsewhere provided to the Commuter Rail Division or the former
23 Commuter Rail Board, the Regional Transportation Authority
24 Board ~~it~~ shall have all of the powers specified in Section 2.20
25 of this Act except for the powers specified in Section

1 2.20(a) (v). The Board shall also have the power:

2 (a) (blank); ~~to cooperate with the Regional~~
3 ~~Transportation Authority in the exercise by the Regional~~
4 ~~Transportation Authority of all the powers granted it by~~
5 ~~such Act;~~

6 (b) to receive funds for the Division from the
7 Regional Transportation Authority pursuant to Sections
8 2.02, 4.01, 4.02, 4.09 and 4.10 of the "Regional
9 Transportation Authority Act", all as provided in the
10 "Regional Transportation Authority Act";

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

21 (d) to borrow money for the purpose of acquiring,
22 constructing, reconstructing, extending, or improving any
23 Public Transportation Facilities (as defined in Section
24 1.03 of the Regional Transportation Authority Act)
25 operated by or to be operated by or on behalf of the
26 Commuter Rail Division. For the purpose of evidencing the

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

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

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

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

15 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

16 Sec. 3B.10. Budget and Program. The ~~Commuter Rail~~ Board,
17 ~~subject to the powers of the Authority in Section 4.11,~~ shall
18 control the finances of the Division. It shall by ordinance
19 appropriate money to perform the Division's purposes and
20 provide for payment of debts and expenses of the Division.
21 Each year the ~~Commuter Rail~~ Board shall prepare and publish a
22 comprehensive annual budget and proposed five-year capital
23 program document, and a financial plan for the two years
24 thereafter describing the state of the Division and presenting
25 for the forthcoming fiscal year and the two following years

1 the ~~Commuter Rail~~ Board's plans for such operations and
2 capital expenditures as the ~~Commuter Rail~~ Board intends to
3 undertake and the means by which it intends to finance them.
4 The proposed budget, financial plan, and five-year capital
5 program shall be based on the Authority's estimate of funds to
6 be made available to the Commuter Rail Division ~~Board~~ by or
7 through the Authority and shall conform in all respects to the
8 requirements established by the Authority. The proposed
9 budget, financial plan, and five-year capital program shall
10 contain a statement of the funds estimated to be on hand at the
11 beginning of the fiscal year, the funds estimated to be
12 received from all sources for such year and the funds
13 estimated to be on hand at the end of such year. The fiscal
14 year of the Division shall be the same as the fiscal year of
15 the Authority. Before the proposed budget, financial plan, and
16 five-year capital program are approved by ~~submitted to~~ the
17 Authority, the ~~Commuter Rail~~ Board shall hold at least one
18 public hearing thereon in each of the counties in the
19 metropolitan region in which the Division provides service.
20 The ~~Commuter Rail~~ Board shall hold at least one meeting for
21 consideration of the proposed budget, financial plan, and
22 five-year capital plan with the county board of each of the
23 several counties in the metropolitan region in which the
24 Division provides service. After conducting such hearings and
25 holding such meetings and after making such changes in the
26 proposed budget, financial plan, and five-year capital plan as

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

22 The budget shall:

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

1 periods, including provision for payment when due of
2 principal and interest on outstanding indebtedness;

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

6 (iii) provide for a level of fares or charges for the
7 public transportation provided by or subject to the
8 jurisdiction of such Commuter Rail Division ~~Board~~
9 sufficient to allow the Commuter Rail Division ~~Board~~ to
10 meet its required system generated revenue recovery ratio;

11 (iv) be based upon and employ assumptions and
12 projections which the Board of the Authority finds to be
13 reasonable and prudent;

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

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

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

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

24 (70 ILCS 3615/3B.11) (from Ch. 111 2/3, par. 703B.11)

25 Sec. 3B.11. Citizens Advisory Board. The ~~Commuter Rail~~

1 Board shall establish a citizens advisory board composed of
2 ten residents of those portions of the metropolitan region in
3 which the Commuter Rail Division ~~Board~~ provides service who
4 have an interest in public transportation. The members of the
5 advisory board shall be named for two year terms, shall select
6 one of their members to serve as chairman and shall serve
7 without compensation. The citizens advisory board shall meet
8 with the ~~Commuter Rail~~ Board at least quarterly and advise the
9 ~~Commuter Rail~~ Board of the impact of its policies and programs
10 on the communities it serves. Appointments to the citizens
11 advisory board should, to the greatest extent possible,
12 reflect the ethnic, cultural, and geographic diversity of all
13 persons residing within the Commuter Rail Division's
14 jurisdiction.

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

16 (70 ILCS 3615/3B.12) (from Ch. 111 2/3, par. 703B.12)

17 Sec. 3B.12. Working Cash Borrowing. The ~~Commuter Rail~~
18 Board with the affirmative vote of 10 ~~7~~ of its Directors may
19 ~~demand and direct the Board of the Authority to~~ issue Working
20 Cash Notes at such time and in such amounts and having such
21 maturities as the ~~Commuter Rail~~ Board deems proper, provided
22 however any such borrowing shall have been specifically
23 identified in the budget of the ~~Commuter Rail~~ Board ~~as~~
24 ~~approved by the Board of the Authority. Provided further, that~~
25 ~~the Commuter Rail Board may not demand and direct the Board of~~

1 ~~the Authority to have issued and have outstanding at any time~~
2 ~~in excess of \$20,000,000 in Working Cash Notes.~~

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

4 (70 ILCS 3615/3B.13) (from Ch. 111 2/3, par. 703B.13)

5 Sec. 3B.13. Labor.

6 (a) The provisions of this Section apply to collective
7 bargaining agreements (including extensions and amendments of
8 existing agreements) entered into on or after January 1, 1984.
9 This Section does not apply to collective bargaining
10 agreements that are subject to the provisions of the Railway
11 Labor Act, as now or hereafter amended.

12 (b) The Commuter Rail Division ~~Board~~ shall deal with and
13 enter into written contracts with their employees, through
14 accredited representatives of such employees authorized to act
15 for such employees concerning wages, salaries, hours, working
16 conditions, and pension or retirement provisions about which a
17 collective bargaining agreement has been entered prior to the
18 effective date of this amendatory Act of 1983. Any such
19 agreement of the Commuter Rail Division ~~Board~~ shall provide
20 that the agreement may be reopened if the amended budget
21 submitted pursuant to Section 2.18a of this Act is not
22 approved by the Board of the Authority. The agreement may not
23 include a provision requiring the payment of wage increases
24 based on changes in the Consumer Price Index. The Commuter
25 Rail Division ~~Board~~ shall not have the authority to enter

1 collective bargaining agreements with respect to inherent
2 management rights which include such areas of discretion or
3 policy as the functions of the employer, standards of
4 services, its overall budget, the organizational structure and
5 selection of new employees and direction of personnel.
6 Employers, however, shall be required to bargain collectively
7 with regard to policy matters directly affecting wages, hours
8 and terms and conditions of employment, as well as the impact
9 thereon, upon request by employee representatives. To preserve
10 the rights of the Commuter Rail Division ~~Board~~ and exclusive
11 representatives which have established collective bargaining
12 relationships or negotiated collective bargaining agreements
13 prior to the effective date of this amendatory Act of 1983, the
14 Commuter Rail Division ~~Board~~ shall be required to bargain
15 collectively with regard to any matter concerning wages, hours
16 or conditions of employment about which they have bargained
17 prior to the effective date of this amendatory Act of 1983.

18 (c) The collective bargaining agreement may not include a
19 prohibition on the use of part-time operators on any service
20 operated by the Commuter Rail Division ~~Board~~ except where
21 prohibited by federal law.

22 (d) Within 30 days of the signing of any such collective
23 bargaining agreement, the Commuter Rail Division ~~Board~~ shall
24 determine the costs of each provision of the agreement,
25 prepare an amended budget incorporating the costs of the
26 agreement, and present the amended budget to the Board of the

1 Authority for its approval under Section 4.11. The Board may
2 approve the amended budget by an affirmative vote of 12 of its
3 then Directors. If the budget is not approved by the Board of
4 the Authority, the agreement may be reopened and its terms may
5 be renegotiated. ~~Any amended budget which may be prepared~~
6 ~~following renegotiation shall be presented to the Board of the~~
7 ~~Authority for its approval in like manner.~~

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

9 (70 ILCS 3615/3B.14)

10 Sec. 3B.14. Free services; eligibility.

11 (a) Notwithstanding any law to the contrary, no later than
12 60 days following the effective date of this amendatory Act of
13 the 95th General Assembly and until subsection (b) is
14 implemented, any fixed route public transportation services
15 provided by, or under grant or purchase of service contracts
16 of, the Commuter Rail Division ~~Board~~ shall be provided without
17 charge to all senior citizens of the Metropolitan Region aged
18 65 and older, under such conditions as shall be prescribed by
19 the ~~Commuter Rail~~ Board.

20 (b) Notwithstanding any law to the contrary, no later than
21 180 days following the effective date of this amendatory Act
22 of the 96th General Assembly, any fixed route public
23 transportation services provided by, or under grant or
24 purchase of service contracts of, the Commuter Rail Division
25 ~~Board~~ shall be provided without charge to senior citizens aged

1 65 and older who meet the income eligibility limitation set
2 forth in subsection (a-5) of Section 4 of the Senior Citizens
3 and Persons with Disabilities Property Tax Relief Act, under
4 such conditions as shall be prescribed by the Commuter Rail
5 Division ~~Board~~. The Department on Aging shall furnish all
6 information reasonably necessary to determine eligibility,
7 including updated lists of individuals who are eligible for
8 services without charge under this Section. Nothing in this
9 Section shall relieve the Commuter Rail Division ~~Board~~ from
10 providing reduced fares as may be required by federal law.

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

12 (70 ILCS 3615/3B.15)

13 Sec. 3B.15. Transit services for individuals with
14 disabilities. Notwithstanding any law to the contrary, no
15 later than 60 days following the effective date of this
16 amendatory Act of the 95th General Assembly, all fixed route
17 public transportation services provided by, or under grant or
18 purchase of service contract of, the Commuter Rail Division
19 ~~Board~~ shall be provided without charge to all persons with
20 disabilities who meet the income eligibility limitation set
21 forth in subsection (a-5) of Section 4 of the Senior Citizens
22 and Persons with Disabilities Property Tax Relief Act, under
23 such procedures as shall be prescribed by the Board. The
24 Department on Aging shall furnish all information reasonably
25 necessary to determine eligibility, including updated lists of

1 individuals who are eligible for services without charge under
2 this Section.

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

4 (70 ILCS 3615/3B.26)

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

14 Before the Board of the Regional Transportation Authority
15 may enter into or amend any employment contract in excess of
16 \$100,000, the Board must submit that contract to the Chairman
17 and Minority Spokesman of the Mass Transit Committee, or its
18 successor committee, of the House of Representatives, and to
19 the Chairman and Minority Spokesman of the Transportation
20 Committee, or its successor committee, of the Senate.

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

22 (70 ILCS 3615/Art. III-C heading new)

23 ARTICLE III-C

24 CHICAGO TRANSIT AUTHORITY

1 (70 ILCS 3615/3C.05 new)

2 Sec. 3C.05. Establishment; operation. The Chicago Transit
3 Authority of the Regional Transportation Authority is
4 established on January 1, 2024 as provided in the Metropolitan
5 Transit Authority Act. The Chicago Transit Authority shall be
6 operated as provided in the Metropolitan Transit Authority
7 Act.

8 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

9 Sec. 4.01. Budget and Program.

10 (a) The Board shall control the finances of the Authority.
11 It shall by ordinance adopted by the affirmative vote of at
12 least 12 of its then Directors (i) appropriate money to
13 perform the Authority's purposes and provide for payment of
14 debts and expenses of the Authority, (ii) take action with
15 respect to the budget and two-year financial plan of each
16 Service Board, as provided in Section 4.11, and (iii) adopt an
17 Annual Budget and Two-Year Financial Plan for the Authority
18 that includes the annual budget and two-year financial plan of
19 each Service Board that has been approved by the Authority.
20 The Annual Budget and Two-Year Financial Plan shall contain a
21 statement of the funds estimated to be on hand for the
22 Authority and each Service Board at the beginning of the
23 fiscal year, the funds estimated to be received from all
24 sources for such year, the estimated expenses and obligations

1 of the Authority and each Service Board for all purposes,
2 including expenses for contributions to be made with respect
3 to pension and other employee benefits, and the funds
4 estimated to be on hand at the end of such year. The fiscal
5 year of the Authority and each Service Board shall begin on
6 January 1st and end on the succeeding December 31st. By July
7 1st of each year the Director of the Illinois Governor's
8 Office of Management and Budget (formerly Bureau of the
9 Budget) shall submit to the Authority an estimate of revenues
10 for the next fiscal year of the Authority to be collected from
11 the taxes imposed by the Authority and the amounts to be
12 available in the Public Transportation Fund and the Regional
13 Transportation Authority Occupation and Use Tax Replacement
14 Fund and the amounts otherwise to be appropriated by the State
15 to the Authority for its purposes. The Authority shall file a
16 copy of its Annual Budget and Two-Year Financial Plan with the
17 General Assembly and the Governor after its adoption. Before
18 the proposed Annual Budget and Two-Year Financial Plan is
19 adopted, the Authority shall hold at least one public hearing
20 thereon in the metropolitan region, and shall meet with the
21 county board or its designee of each of the several counties in
22 the metropolitan region. After conducting such hearings and
23 holding such meetings and after making such changes in the
24 proposed Annual Budget and Two-Year Financial Plan as the
25 Board deems appropriate, the Board shall adopt its annual
26 appropriation and Annual Budget and Two-Year Financial Plan

1 ordinance. The ordinance may be adopted only upon the
2 affirmative votes of 12 of its then Directors. The ordinance
3 shall appropriate such sums of money as are deemed necessary
4 to defray all necessary expenses and obligations of the
5 Authority, specifying purposes and the objects or programs for
6 which appropriations are made and the amount appropriated for
7 each object or program. Additional appropriations, transfers
8 between items and other changes in such ordinance may be made
9 from time to time by the Board upon the affirmative votes of 12
10 of its then Directors.

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

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

19 (i) that the level of fares and charges for mass
20 transportation provided by, or under grant or purchase of
21 service contracts of, the Service Boards is sufficient to
22 cause the aggregate of all projected fare revenues from
23 such fares and charges received in each fiscal year to
24 equal at least 50% of the aggregate costs of providing
25 such public transportation in such fiscal year. However,
26 due to the fiscal impacts of the COVID-19 pandemic, the

1 aggregate of all projected fare revenues from such fares
2 and charges received in fiscal years 2021, 2022, and 2023
3 may be less than 50% of the aggregate costs of providing
4 such public transportation in those fiscal years. "Fare
5 revenues" include the proceeds of all fares and charges
6 for services provided, contributions received in
7 connection with public transportation from units of local
8 government other than the Authority, except for
9 contributions received by the Chicago Transit Authority
10 from a real estate transfer tax imposed under subsection
11 (i) of Section 8-3-19 of the Illinois Municipal Code, and
12 from the State pursuant to subsection (i) of Section
13 2705-305 of the Department of Transportation Law ~~(20 ILCS~~
14 ~~2705/2705-305)~~, and all other operating revenues properly
15 included consistent with generally accepted accounting
16 principles but do not include: the proceeds of any
17 borrowings, 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 obligation for borrowed money issued by the
2 Authority; payments with respect to public transportation
3 facilities made pursuant to subsection (b) of Section 2.20
4 of this Act; any payments with respect to rate protection
5 contracts, credit enhancements or liquidity agreements
6 made under Section 4.14; any other cost 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 payment by the Chicago Transit
15 Authority of Debt Service, as defined in Section 12c of
16 the Metropolitan Transit Authority Act, on 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 amendatory Act of the 95th General
23 Assembly for a period of 2 years from the date of
24 initiation of each such service; costs as exempted by the
25 Board for projects pursuant to Section 2.09 of this Act;
26 or, beginning with the 2007 fiscal year, expenses related

1 to providing ADA paratransit service pursuant to Section
2 2.30 of the Regional Transportation Authority Act; and in
3 fiscal years 2008 through 2012 inclusive, costs in the
4 amount of \$200,000,000 in fiscal year 2008, reducing by
5 \$40,000,000 in each fiscal year thereafter until this
6 exemption is eliminated; and

7 (ii) that the level of fares charged for ADA
8 paratransit services is sufficient to cause the aggregate
9 of all projected revenues from such fares charged and
10 received in each fiscal year to equal at least 10% of the
11 aggregate costs of providing such ADA paratransit
12 services. However, due to the fiscal impacts of the
13 COVID-19 pandemic, the aggregate of all projected fare
14 revenues from such fares and charges received in fiscal
15 years 2021, 2022, and 2023 may be less than 10% of the
16 aggregate costs of providing such ADA paratransit services
17 in those fiscal years. For purposes of this Act, the
18 percentages in this subsection (b)(ii) shall be referred
19 to as the "system generated ADA paratransit services
20 revenue recovery ratio". For purposes of the system
21 generated ADA paratransit services revenue recovery ratio,
22 "costs" shall include all items properly included as
23 operating costs consistent with generally accepted
24 accounting principles. However, the Board may exclude from
25 costs an amount that does not exceed the allowable
26 "capital costs of contracting" for ADA paratransit

1 services pursuant to the Federal Transit Administration
2 guidelines for the Urbanized Area Formula Program.

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

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

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

24 (e) This subsection applies only until the Department
25 begins administering and enforcing an increased tax under
26 Section 4.03(m) as authorized by this amendatory Act of the

1 95th General Assembly. Moneys received by the Authority on
2 account of transfers to the Regional Transportation Authority
3 Occupation and Use Tax Replacement Fund from the State and
4 Local Sales Tax Reform Fund shall be allocated among the
5 Authority and the Service Boards as follows: 15% of such
6 moneys shall be retained by the Authority and the remaining
7 85% shall be transferred to the Service Boards as soon as may
8 be practicable after the Authority receives payment. Moneys
9 which are distributable to the Service Boards pursuant to the
10 preceding sentence shall be allocated among the Service Boards
11 on the basis of each Service Board's distribution ratio. The
12 term "distribution ratio" means, for purposes of this
13 subsection (e) of this Section 4.01, the ratio of the total
14 amount distributed to a Service Board pursuant to subsection
15 (d) of Section 4.01 for the immediately preceding calendar
16 year to the total amount distributed to all of the Service
17 Boards pursuant to subsection (d) of Section 4.01 for the
18 immediately preceding calendar year as the Board shall
19 determine.

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

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

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

1 responsibilities of the Authority under this Act, have access
2 to, and the right to examine, all books, documents, papers or
3 records of a Service Board or any transportation agency
4 receiving funds from the Authority or Service Board, and such
5 Service Board or transportation agency shall comply with any
6 request by the Executive Director, or his or her designee,
7 within 30 days or an extended time provided by the Executive
8 Director.

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

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

18 (Source: P.A. 102-678, eff. 12-10-21.)

19 (70 ILCS 3615/4.02b)

20 Sec. 4.02b. Other contributions to pension funds.

21 (a) The Authority shall continually review the payment of
22 the required employer contributions to affected pension plans
23 under Section 22-103 of the Illinois Pension Code.

24 (b) Beginning January 1, 2009, if at any time the
25 Authority determines that the Commuter Rail Division's ~~Board's~~

1 or Suburban Bus Division's ~~Board's~~ payment of any portion of
2 the required contributions to an affected pension plan under
3 Section 22-103 of the Illinois Pension Code is more than one
4 month overdue, it shall as soon as possible pay the amount of
5 those overdue contributions to the trustee of the affected
6 pension plan on behalf of that Service Board out of moneys
7 otherwise payable to that Service Board under Section 4.03.3
8 of this Act. The Authority shall thereafter have no liability
9 to the Service Board for amounts paid to the trustee of the
10 affected pension plan under this Section.

11 (c) Whenever the Authority acts or determines that it is
12 required to act under subsection (b), it shall so notify the
13 affected Service Board, the Mayor of Chicago, the Governor,
14 the Auditor General of the State of Illinois, and the General
15 Assembly.

16 (d) Beginning January 1, 2009, if the Authority fails to
17 pay to an affected pension fund within 30 days after it is due
18 any employer contribution that it is required to make as a
19 contributing employer under Section 22-103 of the Illinois
20 Pension Code, it shall promptly so notify the Commission on
21 Government Forecasting and Accountability, the Mayor of
22 Chicago, the Governor, and the General Assembly, and it shall
23 promptly pay the overdue amount out of the first money
24 available to the Authority for its administrative expenses, as
25 that term is defined in Section 4.01(c).

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

1 (70 ILCS 3615/4.03.3)

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

15 (a) With respect to taxes imposed by the Authority under
16 Section 4.03, after withholding 15% of 80% of the receipts
17 from those taxes collected in Cook County at a rate of 1.25%,
18 15% of 75% of the receipts from those taxes collected in Cook
19 County at the rate of 1%, 15% of one-half of the receipts from
20 those taxes collected in DuPage, Kane, Lake, McHenry, and Will
21 Counties, and 15% of money received by the Authority from the
22 Regional Transportation Authority Occupation and Use Tax
23 Replacement Fund or from the Regional Transportation Authority
24 tax fund created in Section 4.03(n), the Board shall allocate
25 the proceeds and money remaining to the Service Boards as

1 follows:

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

14 (2) an amount equal to (i) 85% of 80% of the receipts
15 from those taxes collected within Cook County outside of
16 the City of Chicago at a rate of 1.25%, (ii) 85% of 75% of
17 the receipts from those taxes collected within Cook County
18 outside the City of Chicago at a rate of 1%, and (iii) 85%
19 of the money received by the Authority on account of
20 transfers to the Regional Transportation Authority
21 Occupation and Use Tax Replacement Fund or to the Regional
22 Transportation Authority tax fund created in Section
23 4.03(n) from the County and Mass Transit District Fund
24 attributable to retail sales within Cook County outside of
25 the City of Chicago shall be allocated 30% to the Chicago
26 Transit Authority, 55% to the Commuter Rail Division

1 ~~Board~~, and 15% to the Suburban Bus Division Board; and

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

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

25 (c) (i) 20% of the receipts from those taxes collected in
26 Cook County under Section 4.03 at the rate of 1.25%, (ii) 25%

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

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

19 (e) With respect to those taxes collected in DuPage, Kane,
20 Lake, McHenry, and Will Counties and paid directly to the
21 counties under Section 4.03, the County Board of each county
22 shall use those amounts to fund operating and capital costs of
23 public safety and public transportation services or facilities
24 or to fund operating, capital, right-of-way, construction, and
25 maintenance costs of other transportation purposes, including
26 road, bridge, public safety, and transit purposes intended to

1 improve mobility or reduce congestion in the county. The
2 receipt of funding by such counties pursuant to this paragraph
3 shall not be used as the basis for reducing any funds that such
4 counties would otherwise have received from the State of
5 Illinois, any agency or instrumentality thereof, the
6 Authority, or the Service Boards.

7 (f) The Authority by ordinance adopted by 12 of its then
8 Directors shall apportion to the Service Boards funds provided
9 by the State of Illinois under Section 4.09(a)(1) as it shall
10 determine and shall make payment of the amounts to each
11 Service Board as soon as may be practicable upon their receipt
12 provided the Authority has adopted a balanced budget as
13 required by Section 4.01 and further provided the Service
14 Board is in compliance with the requirements in Section 4.11.

15 (g) Beginning January 1, 2009, before making any payments,
16 transfers, or expenditures under this Section to a Service
17 Board, the Authority must first comply with Section 4.02a or
18 4.02b of this Act, whichever may be applicable.

19 (h) Moneys may be appropriated from the Public
20 Transportation Fund to the Office of the Executive Inspector
21 General for the costs incurred by the Executive Inspector
22 General while serving as the inspector general for the
23 Authority and each of the Service Boards. Beginning December
24 31, 2012, and each year thereafter, the Office of the
25 Executive Inspector General shall annually report to the
26 General Assembly the expenses incurred while serving as the

1 inspector general for the Authority and each of the Service
2 Boards.

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

4 (70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

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

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

1 provide funds to purchase such bonds or notes; and to provide
2 funds for any transportation agency to construct or acquire
3 any public transportation facilities, to repay advances made
4 for such purposes, and to pay other expenses incident to or
5 incurred in connection with such construction or acquisition;
6 and to provide funds for payment of obligations, including the
7 funding of reserves, under any self-insurance plan or joint
8 self-insurance pool or entity.

9 In addition to any other borrowing as may be authorized by
10 this Section, the Authority may issue its notes, from time to
11 time, in anticipation of tax receipts of the Authority or of
12 other revenues or receipts of the Authority, in order to
13 provide money for the Authority or the Service Boards to cover
14 any cash flow deficit which the Authority or a Service Board
15 anticipates incurring. Any such notes are referred to in this
16 Section as "Working Cash Notes". No Working Cash Notes shall
17 be issued for a term of longer than 24 months. Proceeds of
18 Working Cash Notes may be used to pay day to day operating
19 expenses of the Authority or the Service Boards, consisting of
20 wages, salaries, and fringe benefits, professional and
21 technical services (including legal, audit, engineering, and
22 other consulting services), office rental, furniture, fixtures
23 and equipment, insurance premiums, claims for self-insured
24 amounts under insurance policies, public utility obligations
25 for telephone, light, heat and similar items, travel expenses,
26 office supplies, postage, dues, subscriptions, public hearings

1 and information expenses, fuel purchases, and payments of
2 grants and payments under purchase of service agreements for
3 operations of transportation agencies, prior to the receipt by
4 the Authority or a Service Board from time to time of funds for
5 paying such expenses. ~~In addition to any Working Cash Notes~~
6 ~~that the Board of the Authority may determine to issue, the~~
7 ~~Suburban Bus Board, the Commuter Rail Board or the Board of the~~
8 ~~Chicago Transit Authority may demand and direct that the~~
9 ~~Authority issue its Working Cash Notes in such amounts and~~
10 ~~having such maturities as the Service Board may determine.~~

11 Notwithstanding any other provision of this Act, any
12 amounts necessary to pay principal of and interest on any
13 Working Cash Notes issued at the demand and direction of a
14 Service Board or any Working Cash Notes the proceeds of which
15 were used for the direct benefit of a Service Board or any
16 other Bonds or Notes of the Authority the proceeds of which
17 were used for the direct benefit of a Service Board shall
18 constitute a reduction of the amount of any other funds
19 provided by the Authority to that Service Board. The Authority
20 shall, after deducting any costs of issuance, tender the net
21 proceeds of any Working Cash Notes issued at the demand and
22 direction of a Service Board to such Service Board as soon as
23 may be practicable after the proceeds are received. The
24 Authority may also issue notes or bonds to pay, refund or
25 redeem any of its notes and bonds, including to pay redemption
26 premiums or accrued interest on such bonds or notes being

1 renewed, paid or refunded, and other costs in connection
2 therewith. The Authority may also utilize the proceeds of any
3 such bonds or notes to pay the legal, financial,
4 administrative and other expenses of such authorization,
5 issuance, sale or delivery of bonds or notes or to provide or
6 increase a debt service reserve fund with respect to any or all
7 of its bonds or notes. The Authority may also issue and deliver
8 its bonds or notes in exchange for any public transportation
9 facilities, (including funds and rights relating thereto, as
10 provided in Section 2.05 of this Act) or in exchange for
11 outstanding bonds or notes of the Authority, including any
12 accrued interest or redemption premium thereon, without
13 advertising or submitting such notes or bonds for public
14 bidding.

15 (b) The ordinance providing for the issuance of any such
16 bonds or notes shall fix the date or dates of maturity, the
17 dates on which interest is payable, any sinking fund account
18 or reserve fund account provisions and all other details of
19 such bonds or notes and may provide for such covenants or
20 agreements necessary or desirable with regard to the issue,
21 sale and security of such bonds or notes. The rate or rates of
22 interest on its bonds or notes may be fixed or variable and the
23 Authority shall determine or provide for the determination of
24 the rate or rates of interest of its bonds or notes issued
25 under this Act in an ordinance adopted by the Authority prior
26 to the issuance thereof, none of which rates of interest shall

1 exceed that permitted in the Bond Authorization Act. Interest
2 may be payable at such times as are provided for by the Board.
3 Bonds and notes issued under this Section may be issued as
4 serial or term obligations, shall be of such denomination or
5 denominations and form, including interest coupons to be
6 attached thereto, be executed in such manner, shall be payable
7 at such place or places and bear such date as the Authority
8 shall fix by the ordinance authorizing such bond or note and
9 shall mature at such time or times, within a period not to
10 exceed forty years from the date of issue, and may be
11 redeemable prior to maturity with or without premium, at the
12 option of the Authority, upon such terms and conditions as the
13 Authority shall fix by the ordinance authorizing the issuance
14 of such bonds or notes. No bond anticipation note or any
15 renewal thereof shall mature at any time or times exceeding 5
16 years from the date of the first issuance of such note. The
17 Authority may provide for the registration of bonds or notes
18 in the name of the owner as to the principal alone or as to
19 both principal and interest, upon such terms and conditions as
20 the Authority may determine. The ordinance authorizing bonds
21 or notes may provide for the exchange of such bonds or notes
22 which are fully registered, as to both principal and interest,
23 with bonds or notes which are registerable as to principal
24 only. All bonds or notes issued under this Section by the
25 Authority other than those issued in exchange for property or
26 for bonds or notes of the Authority shall be sold at a price

1 which may be at a premium or discount but such that the
2 interest cost (excluding any redemption premium) to the
3 Authority of the proceeds of an issue of such bonds or notes,
4 computed to stated maturity according to standard tables of
5 bond values, shall not exceed that permitted in the Bond
6 Authorization Act. The Authority shall notify the Governor's
7 Office of Management and Budget and the State Comptroller at
8 least 30 days before any bond sale and shall file with the
9 Governor's Office of Management and Budget and the State
10 Comptroller a certified copy of any ordinance authorizing the
11 issuance of bonds at or before the issuance of the bonds. After
12 December 31, 1994, any such bonds or notes shall be sold to the
13 highest and best bidder on sealed bids as the Authority shall
14 deem. As such bonds or notes are to be sold the Authority shall
15 advertise for proposals to purchase the bonds or notes which
16 advertisement shall be published at least once in a daily
17 newspaper of general circulation published in the metropolitan
18 region at least 10 days before the time set for the submission
19 of bids. The Authority shall have the right to reject any or
20 all bids. Notwithstanding any other provisions of this
21 Section, Working Cash Notes or bonds or notes to provide funds
22 for self-insurance or a joint self-insurance pool or entity
23 may be sold either upon competitive bidding or by negotiated
24 sale (without any requirement of publication of intention to
25 negotiate the sale of such Notes), as the Board shall
26 determine by ordinance adopted with the affirmative votes of

1 at least 9 Directors. In case any officer whose signature
2 appears on any bonds, notes or coupons authorized pursuant to
3 this Section shall cease to be such officer before delivery of
4 such bonds or notes, such signature shall nevertheless be
5 valid and sufficient for all purposes, the same as if such
6 officer had remained in office until such delivery. Neither
7 the Directors of the Authority nor any person executing any
8 bonds or notes thereof shall be liable personally on any such
9 bonds or notes or coupons by reason of the issuance thereof.

10 (c) All bonds or notes of the Authority issued pursuant to
11 this Section shall be general obligations of the Authority to
12 which shall be pledged the full faith and credit of the
13 Authority, as provided in this Section. Such bonds or notes
14 shall be secured as provided in the authorizing ordinance,
15 which may, notwithstanding any other provision of this Act,
16 include in addition to any other security, a specific pledge
17 or assignment of and lien on or security interest in any or all
18 tax receipts of the Authority and on any or all other revenues
19 or moneys of the Authority from whatever source, which may by
20 law be utilized for debt service purposes and a specific
21 pledge or assignment of and lien on or security interest in any
22 funds or accounts established or provided for by the ordinance
23 of the Authority authorizing the issuance of such bonds or
24 notes. Any such pledge, assignment, lien, or security interest
25 for the benefit of holders of bonds or notes of the Authority
26 shall be valid and binding from the time the bonds or notes are

1 issued without any physical delivery or further act and shall
2 be valid and binding as against and prior to the claims of all
3 other parties having claims of any kind against the Authority
4 or any other person irrespective of whether such other parties
5 have notice of such pledge, assignment, lien, or security
6 interest. The obligations of the Authority incurred pursuant
7 to this Section shall be superior to and have priority over any
8 other obligations of the Authority.

9 The Authority may provide in the ordinance authorizing the
10 issuance of any bonds or notes issued pursuant to this Section
11 for the creation of, deposits in, and regulation and
12 disposition of sinking fund or reserve accounts relating to
13 such bonds or notes. The ordinance authorizing the issuance of
14 any bonds or notes pursuant to this Section may contain
15 provisions as part of the contract with the holders of the
16 bonds or notes, for the creation of a separate fund to provide
17 for the payment of principal and interest on such bonds or
18 notes and for the deposit in such fund from any or all the tax
19 receipts of the Authority and from any or all such other moneys
20 or revenues of the Authority from whatever source which may by
21 law be utilized for debt service purposes, all as provided in
22 such ordinance, of amounts to meet the debt service
23 requirements on such bonds or notes, including principal and
24 interest, and any sinking fund or reserve fund account
25 requirements as may be provided by such ordinance, and all
26 expenses incident to or in connection with such fund and

1 accounts or the payment of such bonds or notes. Such ordinance
2 may also provide limitations on the issuance of additional
3 bonds or notes of the Authority. No such bonds or notes of the
4 Authority shall constitute a debt of the State of Illinois.
5 Nothing in this Act shall be construed to enable the Authority
6 to impose any ad valorem tax on property.

7 (d) The ordinance of the Authority authorizing the
8 issuance of any bonds or notes may provide additional security
9 for such bonds or notes by providing for appointment of a
10 corporate trustee (which may be any trust company or bank
11 having the powers of a trust company within the state) with
12 respect to such bonds or notes. The ordinance shall prescribe
13 the rights, duties, and powers of the trustee to be exercised
14 for the benefit of the Authority and the protection of the
15 holders of such bonds or notes. The ordinance may provide for
16 the trustee to hold in trust, invest, and use amounts in funds
17 and accounts created as provided by the ordinance with respect
18 to the bonds or notes. The ordinance may provide for the
19 assignment and direct payment to the trustee of any or all
20 amounts produced from the sources provided in Section 4.03 and
21 Section 4.09 of this Act and provided in Section 6z-17 of the
22 State Finance Act. Upon receipt of notice of any such
23 assignment, the Department of Revenue and the Comptroller of
24 the State of Illinois shall thereafter, notwithstanding the
25 provisions of Section 4.03 and Section 4.09 of this Act and
26 Section 6z-17 of the State Finance Act, provide for such

1 assigned amounts to be paid directly to the trustee instead of
2 the Authority, all in accordance with the terms of the
3 ordinance making the assignment. The ordinance shall provide
4 that amounts so paid to the trustee which are not required to
5 be deposited, held or invested in funds and accounts created
6 by the ordinance with respect to bonds or notes or used for
7 paying bonds or notes to be paid by the trustee to the
8 Authority.

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

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

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

19 (g) (1) Except as provided in subdivisions (g) (2) and
20 (g) (3) of Section 4.04 of this Act, the Authority shall not at
21 any time issue, sell or deliver any bonds or notes (other than
22 Working Cash Notes and lines of credit) pursuant to this
23 Section 4.04 which will cause it to have issued and
24 outstanding at any time in excess of \$800,000,000 of such
25 bonds and notes (other than Working Cash Notes and lines of
26 credit). The Authority shall not issue, sell, or deliver any

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

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

21 \$100,000,000 is authorized to be issued on or after
22 January 1, 1990;

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

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

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

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

5 the aggregate total authorization of bonds and notes
6 for Strategic Capital Improvement Projects as of January
7 1, 1994, shall be \$500,000,000.

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

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

23 \$260,000,000 is authorized to be issued on or after
24 January 1, 2000;

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

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

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

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

7 the aggregate total authorization of bonds and notes
8 for Strategic Capital Improvement Projects pursuant to
9 this paragraph (3) as of January 1, 2004 shall be
10 \$1,300,000,000.

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

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

26 (i) In addition to any other authority granted by law, the

1 State Treasurer may, with the approval of the Governor, invest
2 or reinvest, at a price not to exceed par, any State money in
3 the State Treasury which is not needed for current
4 expenditures due or about to become due in Working Cash Notes.
5 In the event of a default on a Working Cash Note issued by the
6 Regional Transportation Authority in which State money in the
7 State treasury was invested, the Treasurer may, after giving
8 notice to the Authority, certify to the Comptroller the
9 amounts of the defaulted Working Cash Note, in accordance with
10 any applicable rules of the Comptroller, and the Comptroller
11 must deduct and remit to the State treasury the certified
12 amounts or a portion of those amounts from the following
13 proportions of payments of State funds to the Authority:

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

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

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

24 (j) The Authority may establish a line of credit with a
25 bank or other financial institution as may be evidenced by the
26 issuance of notes or other obligations, secured by and payable

1 from all tax receipts of the Authority and any or all other
2 revenues or moneys of the Authority, in an amount not to exceed
3 the limitations set forth in paragraph (1) of subsection (g).
4 Money borrowed under this subsection (j) shall be used to
5 provide money for the Authority or the Service Boards to cover
6 any cash flow deficit that the Authority or a Service Board
7 anticipates incurring and shall be repaid within 24 months.

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

23 The Authority shall notify the Governor's Office of
24 Management and Budget and the State Comptroller at least 30
25 days before establishing a line of credit and shall file with
26 the Governor's Office of Management and Budget and the State

1 Comptroller a certified copy of any ordinance authorizing the
2 establishment of a line of credit upon or before establishing
3 the line of credit.

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

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

8 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

9 Sec. 4.11. Budget Review Powers.

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

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

1 system generated revenues recovery ratio for the next fiscal
2 year over such ratio for the current fiscal year
3 disproportionately or prejudicially to increases in such
4 ratios for other Service Boards. The Board may, by ordinance,
5 provide that (i) the cost of research and development projects
6 in the fiscal year beginning January 1, 1986 and ending
7 December 31, 1986 conducted pursuant to Section 2.09 of this
8 Act, (ii) the costs for passenger security, and (iii)
9 expenditures of amounts granted to a Service Board from the
10 Innovation, Coordination, and Enhancement Fund for operating
11 purposes may be exempted from the farebox recovery ratio or
12 the system generated revenues recovery ratio of the Chicago
13 Transit Authority, the Suburban Bus Division ~~Board~~, and the
14 Commuter Rail Division ~~Board~~, or any of them. During fiscal
15 years 2008 through 2012, the Board may also allocate the
16 exemption of \$200,000,000 and the reducing amounts of costs
17 provided by this amendatory Act of the 95th General Assembly
18 from the farebox recovery ratio or system generated revenues
19 recovery ratio of each Service Board.

20 (b) (1) Not later than the next preceding November 15 prior
21 to the commencement of such fiscal year, each Service Board
22 shall submit to the Authority its proposed budget for such
23 fiscal year and its proposed financial plan for the two
24 following fiscal years. Such budget and financial plan shall
25 (i) be prepared in the format, follow the financial and
26 budgetary practices, and be based on any assumptions and

1 projections required by the Authority and (ii) not project or
2 assume a receipt of revenues from the Authority in amounts
3 greater than those set forth in the estimates provided by the
4 Authority pursuant to subsection (a) of this Section.

5 (2) The Board shall review the proposed budget and
6 two-year financial plan submitted by each Service Board. The
7 Board shall approve the budget and two-year financial plan of
8 a Service Board if:

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

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

20 (iii) such budget and plan provide for a level of
21 fares or charges and operating or administrative costs for
22 the public transportation provided by or subject to the
23 jurisdiction of such Service Board sufficient to allow the
24 Service Board to meet its required system generated
25 revenue recovery ratio and, beginning with the 2007 fiscal
26 year, system generated ADA paratransit services revenue

1 recovery ratio;

2 (iv) such budget and plan are based upon and employ
3 assumptions and projections which are reasonable and
4 prudent;

5 (v) such budget and plan have been prepared in
6 accordance with sound financial practices as determined by
7 the Board;

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

11 (vii) such budget and plan are consistent with the
12 goals and objectives adopted by the Authority in the
13 Strategic Plan.

14 (3) (Blank).

15 (4) Unless the Board by an affirmative vote of 12 of the
16 then Directors determines that the budget and financial plan
17 of a Service Board meets the criteria specified in clauses (i)
18 through (vii) of subparagraph (2) of this paragraph (b), the
19 Board shall withhold from that Service Board 25% of the cash
20 proceeds of taxes imposed by the Authority under Section 4.03
21 and Section 4.03.1 and received after February 1 and 25% of the
22 amounts transferred to the Authority from the Public
23 Transportation Fund under Section 4.09(a) (but not including
24 Section 4.09(a)(3)(iv)) after February 1 that the Board has
25 estimated to be available to that Service Board under Section
26 4.11(a). Such funding shall be released to the Service Board

1 only upon approval of a budget and financial plan under this
2 Section or adoption of a budget and financial plan on behalf of
3 the Service Board by the Authority.

4 (5) If the Board has not found that the budget and
5 financial plan of a Service Board meets the criteria specified
6 in clauses (i) through (vii) of subparagraph (2) of this
7 paragraph (b), the Board, by the affirmative vote of at least
8 12 of its then Directors, shall adopt a budget and financial
9 plan meeting such criteria for that Service Board.

10 (c)(1) If the Board shall at any time have received a
11 revised estimate, or revises any estimate the Board has made,
12 pursuant to this Section of the receipts to be collected by the
13 Authority which, in the judgment of the Board, requires a
14 change in the estimates on which the budget of any Service
15 Board is based, the Board shall advise the affected Service
16 Board of such revised estimates, and such Service Board shall
17 within 30 days after receipt of such advice submit a revised
18 budget incorporating such revised estimates. If the revised
19 estimates require, in the judgment of the Board, that the
20 system generated revenues recovery ratio of one or more
21 Service Boards be revised in order to allow the Authority to
22 meet its required ratio, the Board shall advise any such
23 Service Board of its revised ratio and such Service Board
24 shall within 30 days after receipt of such advice submit a
25 revised budget incorporating such revised estimates or ratio.

26 (2) Each Service Board shall, within such period after the

1 end of each fiscal quarter as shall be specified by the Board,
2 report to the Authority its financial condition and results of
3 operations and the financial condition and results of
4 operations of the public transportation services subject to
5 its jurisdiction, as at the end of and for such quarter. If in
6 the judgment of the Board such condition and results are not
7 substantially in accordance with such Service Board's budget
8 for such period, the Board shall so advise such Service Board
9 and such Service Board shall within the period specified by
10 the Board submit a revised budget incorporating such results.

11 (3) If the Board shall determine that a revised budget
12 submitted by a Service Board pursuant to subparagraph (1) or
13 (2) of this paragraph (c) does not meet the criteria specified
14 in clauses (i) through (vii) of subparagraph (2) of paragraph
15 (b) of this Section, the Board shall withhold from that
16 Service Board 25% of the cash proceeds of taxes imposed by the
17 Authority under Section 4.03 or 4.03.1 and received by the
18 Authority after February 1 and 25% of the amounts transferred
19 to the Authority from the Public Transportation Fund under
20 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))
21 after February 1 that the Board has estimated to be available
22 to that Service Board under Section 4.11(a). If the Service
23 Board submits a revised financial plan and budget which plan
24 and budget shows that the criteria will be met within a four
25 quarter period, the Board shall release any such withheld
26 funds to the Service Board. The Board by the affirmative vote

1 of at least 12 of its then Directors may require a Service
2 Board to submit a revised financial plan and budget which
3 shows that the criteria will be met in a time period less than
4 four quarters.

5 (d) All budgets and financial plans, financial statements,
6 audits and other information presented to the Authority
7 pursuant to this Section or which may be required by the Board
8 to permit it to monitor compliance with the provisions of this
9 Section shall be prepared and presented in such manner and
10 frequency and in such detail as shall have been prescribed by
11 the Board, shall be prepared on both an accrual and cash flow
12 basis as specified by the Board, shall present such
13 information as the Authority shall prescribe that fairly
14 presents the condition of any pension plan or trust for health
15 care benefits with respect to retirees established by the
16 Service Board and describes the plans of the Service Board to
17 meet the requirements of Sections 4.02a and 4.02b, and shall
18 identify and describe the assumptions and projections employed
19 in the preparation thereof to the extent required by the
20 Board. If the Executive Director certifies that a Service
21 Board has not presented its budget and two-year financial plan
22 in conformity with the rules adopted by the Authority under
23 the provisions of Section 4.01(f) and this subsection (d), and
24 such certification is accepted by the affirmative vote of at
25 least 12 of the then Directors of the Authority, the Authority
26 shall not distribute to that Service Board any funds for

1 operating purposes in excess of the amounts distributed for
2 such purposes to the Service Board in the previous fiscal
3 year. Except when the Board adopts a budget and a financial
4 plan for a Service Board under paragraph (b)(5), a Service
5 Board shall provide for such levels of transportation services
6 and fares or charges therefor as it deems appropriate and
7 necessary in the preparation of a budget and financial plan
8 meeting the criteria set forth in clauses (i) through (vii) of
9 subparagraph (2) of paragraph (b) of this Section. The
10 Authority shall have access to and the right to examine and
11 copy all books, documents, papers, records, or other source
12 data of a Service Board relevant to any information submitted
13 pursuant to this Section.

14 (e) Whenever this Section requires the Board to make
15 determinations with respect to estimates, budgets or financial
16 plans, or rules or regulations with respect thereto such
17 determinations shall be made upon the affirmative vote of at
18 least 12 of the then Directors and shall be incorporated in a
19 written report of the Board and such report shall be submitted
20 within 10 days after such determinations are made to the
21 Governor, the Mayor of Chicago (if such determinations relate
22 to the Chicago Transit Authority), and the Auditor General of
23 Illinois.

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

1 Sec. 4.15. Revolving door prohibition. No Director,
2 Service Board director or member, former Director, or former
3 Service Board director or member shall, during his or her term
4 and for a period of one year immediately after the end of his
5 or her term, engage in business dealings with, knowingly
6 accept employment from, or receive compensation or fees for
7 services from the Regional Transportation Authority, the
8 Suburban Bus Division ~~Board~~, the Commuter Rail Division, ~~Board~~
9 or the Chicago Transit Authority ~~Board~~. This prohibition shall
10 not apply to any business dealings engaged in by the Director
11 or Service Board director or member in the course of his or her
12 official duties or responsibilities as a Director or Service
13 Board director or member.

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

15 (70 ILCS 3615/5.05) (from Ch. 111 2/3, par. 705.05)

16 Sec. 5.05. Opt Out.

17 (a) Notwithstanding any other provision of this Act, if
18 the County Board of the County of DuPage, Kane, Lake, McHenry
19 or Will by ordinance authorizes that such county shall elect
20 to terminate the powers of the Authority and the Suburban Bus
21 Division in that County, the Secretary of such County Board
22 shall certify that proposition to the proper election
23 officials, who shall submit such proposition at an election in
24 accordance with the general election law to decide whether or
25 not the County shall opt out; and if a majority of the voters

1 voting upon the proposition is in favor of terminating the
2 powers of the Authority and the Suburban Bus Division those
3 powers shall be terminated.

4 The form of the ballot to be used at the referendum shall
5 be substantially as follows:

6 -----

7	Shall County Terminate the	
8	Powers of the Regional Transportation	YES
9	Authority and the Suburban Bus	-----
10	Division in County	NO
11	on (date)	

12 -----

13 If a majority of the voters vote in favor of terminating
14 the powers of the Authority and the Suburban Bus Division then
15 all of the powers of the Authority and the Suburban Bus
16 Division shall terminate in such county except those powers
17 and functions which the Authority determines to be necessary
18 to exercise with regard to:

19 (i) public transportation by commuter rail, and
20 related public transportation facilities;

21 (ii) public transportation other than by commuter rail
22 which is required in order to comply with federal or State
23 laws and regulations, and related public transportation
24 facilities; and

25 (iii) public transportation other than by commuter
26 rail provided by the Suburban Bus Division pursuant to

1 contract with the County or other governmental entity
2 therein, and related public transportation facilities.

3 (b) The termination of the powers of the Authority and the
4 Suburban Bus Division referred to in paragraph (a) of this
5 Section with respect to any County shall occur on approval of
6 the referendum by the electors provided on or prior to the date
7 of such termination, such County shall have:

8 (i) assumed the obligations of the Authority under all
9 laws, federal or State, and all contracts with respect to
10 public transportation or public transportation facilities
11 in such County, which statutory or contractual obligations
12 extend beyond the termination date provided for in
13 accordance with paragraph (c) of this Section provided
14 that such obligations shall not be deemed to include any
15 indebtedness of the Authority for borrowed money;

16 (ii) agreed to indemnify and hold harmless the
17 Authority against any and all claims, actions and
18 liabilities arising out of or in connection with the
19 termination of the Authority's powers and functions
20 pursuant to paragraph (a) of this Section; and

21 (iii) taken or caused to be taken all necessary
22 actions and fulfilled or caused to be fulfilled all
23 requirements under federal and State laws, rules and
24 regulations with respect to such termination and any
25 related transfers of assets or liabilities of the
26 Authority. A County may, by mutual agreement with the

1 Authority, permit the Authority to fulfill one or more
2 contracts which by their terms extend beyond the
3 termination date provided for in accordance with paragraph
4 (c) of this Section, in which case the powers and
5 functions of the Authority in that County shall survive
6 only to the extent deemed necessary by the Authority to
7 fulfill said contract or contracts. The satisfaction of
8 the requirements provided for in this paragraph shall be
9 evidenced in such manner as the Authority may require.

10 (c) Following an election to terminate the powers of the
11 Authority and the Suburban Bus Division at a referendum held
12 under paragraph (a) of this Section the County Board shall
13 notify the Authority of the results of the referendum which
14 notice shall specify a termination date, which is the last day
15 of the calendar month, but no earlier than December 31, 1984.
16 Unless the termination date is extended by mutual agreement
17 between the County and the Authority, the termination of the
18 powers and functions of the Authority in the County shall
19 occur at midnight on the termination date, provided that the
20 requirements of this Section have been met.

21 (d) The proceeds of taxes imposed by the Authority under
22 Sections 4.03 and 4.03.1 collected after the termination date
23 within a County wherein the powers of the Authority and the
24 Suburban Bus Division have been terminated under this Section
25 shall be provided by the Authority to the Commuter Rail
26 Division Board to support services under the jurisdiction of

1 the Commuter Rail Division ~~Board~~ which are attributable to
2 that County, as determined by the ~~Commuter Rail~~ Board. Any
3 proceeds which are in excess of that necessary to support such
4 services shall be paid by the Authority to that County to be
5 expended for general transportation purposes in accordance
6 with law. If no services under the jurisdiction of the
7 Commuter Rail Division ~~Board~~ are provided in a County wherein
8 the powers of the Authority have been terminated under this
9 Section, all proceeds of taxes imposed by the Authority in the
10 County shall be paid by the Authority to the County to be
11 expended for general transportation purposes in accordance
12 with law. The Authority or the Suburban Bus Division has no
13 obligation to see that the funds expended under this paragraph
14 by the County are spent for general transportation purposes in
15 accordance with law.

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

17 (70 ILCS 3615/3A.03 rep.)

18 (70 ILCS 3615/3A.04 rep.)

19 (70 ILCS 3615/3A.06 rep.)

20 (70 ILCS 3615/3A.07 rep.)

21 (70 ILCS 3615/3B.03 rep.)

22 (70 ILCS 3615/3B.04 rep.)

23 (70 ILCS 3615/3B.06 rep.)

24 (70 ILCS 3615/3B.07 rep.)

25 Section 35. The Regional Transportation Authority Act is

1 amended by repealing Sections 3A.03, 3A.04, 3A.06, 3A.07,
2 3B.03, 3B.04, 3B.06, and 3B.07.

3 Section 99. Effective date. This Act takes effect January
4 1, 2024.

	INDEX	
1		
2	Statutes amended in order of appearance	
3	5 ILCS 120/2	from Ch. 102, par. 42
4	5 ILCS 375/2.6 rep.	
5	5 ILCS 375/2.7 rep.	
6	65 ILCS 5/11-122.2-1	from Ch. 24, par. 11-122.2-1
7	70 ILCS 3605/2	from Ch. 111 2/3, par. 302
8	70 ILCS 3605/3	from Ch. 111 2/3, par. 303
9	70 ILCS 3605/9a	from Ch. 111 2/3, par. 309a
10	70 ILCS 3605/12a	from Ch. 111 2/3, par. 312a
11	70 ILCS 3605/12b	from Ch. 111 2/3, par. 312b
12	70 ILCS 3605/12c	
13	70 ILCS 3605/19	from Ch. 111 2/3, par. 319
14	70 ILCS 3605/24	from Ch. 111 2/3, par. 324
15	70 ILCS 3605/27	from Ch. 111 2/3, par. 327
16	70 ILCS 3605/27a	from Ch. 111 2/3, par. 327a
17	70 ILCS 3605/28	from Ch. 111 2/3, par. 328
18	70 ILCS 3605/28a	from Ch. 111 2/3, par. 328a
19	70 ILCS 3605/30	from Ch. 111 2/3, par. 330
20	70 ILCS 3605/34	from Ch. 111 2/3, par. 334
21	70 ILCS 3605/4 rep.	
22	70 ILCS 3605/6.1 rep.	
23	70 ILCS 3605/9b rep.	
24	70 ILCS 3605/20 rep.	
25	70 ILCS 3605/21 rep.	

1 70 ILCS 3605/22 rep.
2 70 ILCS 3605/23 rep.
3 70 ILCS 3605/28d rep.
4 70 ILCS 3605/44 rep.
5 70 ILCS 3615/1.03 from Ch. 111 2/3, par. 701.03
6 70 ILCS 3615/1.06 new
7 70 ILCS 3615/2.01 from Ch. 111 2/3, par. 702.01
8 70 ILCS 3615/2.01a
9 70 ILCS 3615/2.01b
10 70 ILCS 3615/2.01c
11 70 ILCS 3615/2.01d
12 70 ILCS 3615/2.01e
13 70 ILCS 3615/2.20 from Ch. 111 2/3, par. 702.20
14 70 ILCS 3615/2.21 from Ch. 111 2/3, par. 702.21
15 70 ILCS 3615/2.30
16 70 ILCS 3615/3.01 from Ch. 111 2/3, par. 703.01
17 70 ILCS 3615/3.04 from Ch. 111 2/3, par. 703.04
18 70 ILCS 3615/3.08 from Ch. 111 2/3, par. 703.08
19 70 ILCS 3615/3.12 new
20 70 ILCS 3615/3A.01 from Ch. 111 2/3, par. 703A.01
21 70 ILCS 3615/3A.02 from Ch. 111 2/3, par. 703A.02
22 70 ILCS 3615/3A.05 from Ch. 111 2/3, par. 703A.05
23 70 ILCS 3615/3A.09 from Ch. 111 2/3, par. 703A.09
24 70 ILCS 3615/3A.10 from Ch. 111 2/3, par. 703A.10
25 70 ILCS 3615/3A.11 from Ch. 111 2/3, par. 703A.11
26 70 ILCS 3615/3A.12 from Ch. 111 2/3, par. 703A.12

1 70 ILCS 3615/3A.14 from Ch. 111 2/3, par. 703A.14
2 70 ILCS 3615/3A.15
3 70 ILCS 3615/3A.16
4 70 ILCS 3615/3A.17
5 70 ILCS 3615/3A.18
6 70 ILCS 3615/3B.01 from Ch. 111 2/3, par. 703B.01
7 70 ILCS 3615/3B.02 from Ch. 111 2/3, par. 703B.02
8 70 ILCS 3615/3B.05 from Ch. 111 2/3, par. 703B.05
9 70 ILCS 3615/3B.09 from Ch. 111 2/3, par. 703B.09
10 70 ILCS 3615/3B.10 from Ch. 111 2/3, par. 703B.10
11 70 ILCS 3615/3B.11 from Ch. 111 2/3, par. 703B.11
12 70 ILCS 3615/3B.12 from Ch. 111 2/3, par. 703B.12
13 70 ILCS 3615/3B.13 from Ch. 111 2/3, par. 703B.13
14 70 ILCS 3615/3B.14
15 70 ILCS 3615/3B.15
16 70 ILCS 3615/3B.26
17 70 ILCS 3615/Art. III-C
18 heading new
19 70 ILCS 3615/3C.05 new
20 70 ILCS 3615/4.01 from Ch. 111 2/3, par. 704.01
21 70 ILCS 3615/4.02b
22 70 ILCS 3615/4.03.3
23 70 ILCS 3615/4.04 from Ch. 111 2/3, par. 704.04
24 70 ILCS 3615/4.11 from Ch. 111 2/3, par. 704.11
25 70 ILCS 3615/4.15
26 70 ILCS 3615/5.05 from Ch. 111 2/3, par. 705.05

- 1 70 ILCS 3615/3A.03 rep.
- 2 70 ILCS 3615/3A.04 rep.
- 3 70 ILCS 3615/3A.06 rep.
- 4 70 ILCS 3615/3A.07 rep.
- 5 70 ILCS 3615/3B.03 rep.
- 6 70 ILCS 3615/3B.04 rep.
- 7 70 ILCS 3615/3B.06 rep.
- 8 70 ILCS 3615/3B.07 rep.