



Sen. Martin A. Sandoval

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1 AMENDMENT TO SENATE BILL 1258

2 AMENDMENT NO. _____. Amend Senate Bill 1258 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing
5 Section 8.3 as follows:

6 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

7 Sec. 8.3. Money in the Road Fund shall, if and when the
8 State of Illinois incurs any bonded indebtedness for the
9 construction of permanent highways, be set aside and used for
10 the purpose of paying and discharging annually the principal
11 and interest on that bonded indebtedness then due and payable,
12 and for no other purpose. The surplus, if any, in the Road Fund
13 after the payment of principal and interest on that bonded
14 indebtedness then annually due shall be used as follows:

15 first -- to pay the cost of administration of Chapters
16 2 through 10 of the Illinois Vehicle Code, except the cost

1 of administration of Articles I and II of Chapter 3 of that
2 Code; ~~and~~

3 secondly -- for expenses of the Department of
4 Transportation for construction, reconstruction,
5 improvement, repair, maintenance, operation, and
6 administration of highways in accordance with the
7 provisions of laws relating thereto, or for any purpose
8 related or incident to and connected therewith, including
9 the separation of grades of those highways with railroads
10 and with highways and including the payment of awards made
11 by the Illinois Workers' Compensation Commission under the
12 terms of the Workers' Compensation Act or Workers'
13 Occupational Diseases Act for injury or death of an
14 employee of the Division of Highways in the Department of
15 Transportation; or for the acquisition of land and the
16 erection of buildings for highway purposes, including the
17 acquisition of highway right-of-way or for investigations
18 to determine the reasonably anticipated future highway
19 needs; or for making of surveys, plans, specifications and
20 estimates for and in the construction and maintenance of
21 flight strips and of highways necessary to provide access
22 to military and naval reservations, to defense industries
23 and defense-industry sites, and to the sources of raw
24 materials and for replacing existing highways and highway
25 connections shut off from general public use at military
26 and naval reservations and defense-industry sites, or for

1 the purchase of right-of-way, except that the State shall
2 be reimbursed in full for any expense incurred in building
3 the flight strips; or for the operating and maintaining of
4 highway garages; or for patrolling and policing the public
5 highways and conserving the peace; or for the operating
6 expenses of the Department relating to the administration
7 of public transportation programs; or for any of those
8 purposes or any other purpose that may be provided by law;
9 and -

10 thirdly -- for expenses of the Department of
11 Transportation for construction, reconstruction,
12 improvement, repair, and maintenance of public
13 transportation, passenger rail, bicycle and pedestrian
14 facilities, and facilities that will promote and provide
15 access to public transportation, passenger rail, and
16 bicycle and pedestrian ways, in accordance with the
17 provisions of law relating thereto, or for any purpose
18 related or incident to and connected therewith; or for the
19 acquisition of land and the erection of buildings for these
20 purposes, including the acquisition of public
21 transportation, passenger rail, bicycle, and pedestrian
22 rights-of-way or for investigations to determine the
23 reasonably anticipated future public transportation,
24 passenger rail, bicycle, and pedestrian needs. The
25 expenses may include, but are not limited to bus lanes,
26 transit signal prioritization programs, bicycle lanes, and

1 pedestrian walkways.

2 Appropriations for any of those purposes are payable from
3 the Road Fund. Appropriations may also be made from the Road
4 Fund for the administrative expenses of any State agency that
5 are related to motor vehicles or arise from the use of motor
6 vehicles.

7 Beginning with fiscal year 1980 and thereafter, no Road
8 Fund monies shall be appropriated to the following Departments
9 or agencies of State government for administration, grants, or
10 operations; but this limitation is not a restriction upon
11 appropriating for those purposes any Road Fund monies that are
12 eligible for federal reimbursement;

13 1. Department of Public Health;

14 2. Department of Transportation, only with respect to
15 subsidies for one-half fare Student Transportation and
16 Reduced Fare for Elderly;

17 3. Department of Central Management Services, except
18 for expenditures incurred for group insurance premiums of
19 appropriate personnel;

20 4. Judicial Systems and Agencies.

21 Beginning with fiscal year 1981 and thereafter, no Road
22 Fund monies shall be appropriated to the following Departments
23 or agencies of State government for administration, grants, or
24 operations; but this limitation is not a restriction upon
25 appropriating for those purposes any Road Fund monies that are
26 eligible for federal reimbursement:

1 1. Department of State Police, except for expenditures
2 with respect to the Division of Operations;

3 2. Department of Transportation, only with respect to
4 Intercity Rail Subsidies and Rail Freight Services.

5 Beginning with fiscal year 1982 and thereafter, no Road
6 Fund monies shall be appropriated to the following Departments
7 or agencies of State government for administration, grants, or
8 operations; but this limitation is not a restriction upon
9 appropriating for those purposes any Road Fund monies that are
10 eligible for federal reimbursement: Department of Central
11 Management Services, except for awards made by the Illinois
12 Workers' Compensation Commission under the terms of the
13 Workers' Compensation Act or Workers' Occupational Diseases
14 Act for injury or death of an employee of the Division of
15 Highways in the Department of Transportation.

16 Beginning with fiscal year 1984 and thereafter, no Road
17 Fund monies shall be appropriated to the following Departments
18 or agencies of State government for administration, grants, or
19 operations; but this limitation is not a restriction upon
20 appropriating for those purposes any Road Fund monies that are
21 eligible for federal reimbursement:

22 1. Department of State Police, except not more than 40%
23 of the funds appropriated for the Division of Operations;

24 2. State Officers.

25 Beginning with fiscal year 1984 and thereafter, no Road
26 Fund monies shall be appropriated to any Department or agency

1 of State government for administration, grants, or operations
2 except as provided hereafter; but this limitation is not a
3 restriction upon appropriating for those purposes any Road Fund
4 monies that are eligible for federal reimbursement. It shall
5 not be lawful to circumvent the above appropriation limitations
6 by governmental reorganization or other methods.
7 Appropriations shall be made from the Road Fund only in
8 accordance with the provisions of this Section.

9 Money in the Road Fund shall, if and when the State of
10 Illinois incurs any bonded indebtedness for the construction of
11 permanent highways, be set aside and used for the purpose of
12 paying and discharging during each fiscal year the principal
13 and interest on that bonded indebtedness as it becomes due and
14 payable as provided in the Transportation Bond Act, and for no
15 other purpose. The surplus, if any, in the Road Fund after the
16 payment of principal and interest on that bonded indebtedness
17 then annually due shall be used as follows:

18 first -- to pay the cost of administration of Chapters
19 2 through 10 of the Illinois Vehicle Code; and

20 secondly -- no Road Fund monies derived from fees,
21 excises, or license taxes relating to registration,
22 operation and use of vehicles on public highways or to
23 fuels used for the propulsion of those vehicles, shall be
24 appropriated or expended other than for costs of
25 administering the laws imposing those fees, excises, and
26 license taxes, statutory refunds and adjustments allowed

1 thereunder, administrative costs of the Department of
2 Transportation, including, but not limited to, the
3 operating expenses of the Department relating to the
4 administration of public transportation programs, payment
5 of debts and liabilities incurred in construction and
6 reconstruction of public highways and bridges, acquisition
7 of rights-of-way for and the cost of construction,
8 reconstruction, maintenance, repair, and operation of
9 public highways and bridges under the direction and
10 supervision of the State, political subdivision, or
11 municipality collecting those monies, ~~and~~ the costs for
12 patrolling and policing the public highways (by State,
13 political subdivision, or municipality collecting that
14 money) for enforcement of traffic laws, and payment of
15 debts and liabilities incurred in construction and
16 reconstruction of public transportation, passenger rail,
17 bicycle and pedestrian facilities and acquisition of
18 rights-of-way for and the cost of construction,
19 reconstruction, maintenance, and repair of public
20 transportation, passenger rail, bicycle and pedestrian
21 facilities, and facilities that will promote and provide
22 access to public transportation, passenger rail, and
23 bicycle and pedestrian ways. The separation of grades of
24 such highways with railroads and costs associated with
25 protection of at-grade highway and railroad crossing shall
26 also be permissible.

1 Appropriations for any of such purposes are payable from
2 the Road Fund or the Grade Crossing Protection Fund as provided
3 in Section 8 of the Motor Fuel Tax Law.

4 Except as provided in this paragraph, beginning with fiscal
5 year 1991 and thereafter, no Road Fund monies shall be
6 appropriated to the Department of State Police for the purposes
7 of this Section in excess of its total fiscal year 1990 Road
8 Fund appropriations for those purposes unless otherwise
9 provided in Section 5g of this Act. For fiscal years 2003,
10 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be
11 appropriated to the Department of State Police for the purposes
12 of this Section in excess of \$97,310,000. For fiscal year 2008
13 only, no Road Fund monies shall be appropriated to the
14 Department of State Police for the purposes of this Section in
15 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund
16 monies shall be appropriated to the Department of State Police
17 for the purposes of this Section in excess of \$114,700,000.
18 Beginning in fiscal year 2010, no road fund moneys shall be
19 appropriated to the Department of State Police. It shall not be
20 lawful to circumvent this limitation on appropriations by
21 governmental reorganization or other methods unless otherwise
22 provided in Section 5g of this Act.

23 In fiscal year 1994, no Road Fund monies shall be
24 appropriated to the Secretary of State for the purposes of this
25 Section in excess of the total fiscal year 1991 Road Fund
26 appropriations to the Secretary of State for those purposes,

1 plus \$9,800,000. It shall not be lawful to circumvent this
2 limitation on appropriations by governmental reorganization or
3 other method.

4 Beginning with fiscal year 1995 and thereafter, no Road
5 Fund monies shall be appropriated to the Secretary of State for
6 the purposes of this Section in excess of the total fiscal year
7 1994 Road Fund appropriations to the Secretary of State for
8 those purposes. It shall not be lawful to circumvent this
9 limitation on appropriations by governmental reorganization or
10 other methods.

11 Beginning with fiscal year 2000, total Road Fund
12 appropriations to the Secretary of State for the purposes of
13 this Section shall not exceed the amounts specified for the
14 following fiscal years:

15	Fiscal Year 2000	\$80,500,000;
16	Fiscal Year 2001	\$80,500,000;
17	Fiscal Year 2002	\$80,500,000;
18	Fiscal Year 2003	\$130,500,000;
19	Fiscal Year 2004	\$130,500,000;
20	Fiscal Year 2005	\$130,500,000;
21	Fiscal Year 2006	\$130,500,000;
22	Fiscal Year 2007	\$130,500,000;
23	Fiscal Year 2008	\$130,500,000;
24	Fiscal Year 2009	\$130,500,000.

25 For fiscal year 2010, no road fund moneys shall be
26 appropriated to the Secretary of State.

1 Beginning in fiscal year 2011, moneys in the Road Fund
2 shall be appropriated to the Secretary of State for the
3 exclusive purpose of paying refunds due to overpayment of fees
4 related to Chapter 3 of the Illinois Vehicle Code unless
5 otherwise provided for by law.

6 It shall not be lawful to circumvent this limitation on
7 appropriations by governmental reorganization or other
8 methods.

9 No new program may be initiated in fiscal year 1991 and
10 thereafter that is not consistent with the limitations imposed
11 by this Section for fiscal year 1984 and thereafter, insofar as
12 appropriation of Road Fund monies is concerned.

13 Nothing in this Section prohibits transfers from the Road
14 Fund to the State Construction Account Fund under Section 5e of
15 this Act; nor to the General Revenue Fund, as authorized by
16 this amendatory Act of the 93rd General Assembly.

17 The additional amounts authorized for expenditure in this
18 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91
19 shall be repaid to the Road Fund from the General Revenue Fund
20 in the next succeeding fiscal year that the General Revenue
21 Fund has a positive budgetary balance, as determined by
22 generally accepted accounting principles applicable to
23 government.

24 The additional amounts authorized for expenditure by the
25 Secretary of State and the Department of State Police in this
26 Section by this amendatory Act of the 94th General Assembly

1 shall be repaid to the Road Fund from the General Revenue Fund
2 in the next succeeding fiscal year that the General Revenue
3 Fund has a positive budgetary balance, as determined by
4 generally accepted accounting principles applicable to
5 government.

6 (Source: P.A. 95-707, eff. 1-11-08; 95-744, eff. 7-18-08;
7 96-34, eff. 7-13-09; 96-959, eff. 7-1-10.)

8 Section 10. The Illinois Highway Code is amended by
9 changing Sections 5-701.8 and 7-202.14 and by adding Sections
10 2-221 and 2-222 as follows:

11 (605 ILCS 5/2-221 new)

12 Sec. 2-221. Public transportation. "Public transportation"
13 means transportation of passengers by means, without
14 limitation, of a street railway, elevated railway or guideway,
15 subway, motor vehicle, motor bus, or any bus or other means of
16 conveyance operating as a common carrier within the regional
17 transportation area, including charter service therein.

18 (605 ILCS 5/2-222 new)

19 Sec. 2-222. Public transportation system. "Public
20 transportation system" means a combination of real and personal
21 property, structures, improvements, buildings, equipment,
22 plants, vehicle parking, or other facilities and
23 rights-of-way, or any combination thereof, used or useful for

1 the purposes of public transportation.

2 (605 ILCS 5/5-701.8) (from Ch. 121, par. 5-701.8)

3 Sec. 5-701.8. Any county board may also turn over a portion
4 of the motor fuel tax funds allotted to it to: (a) a local Mass
5 Transit District if the county created such District pursuant
6 to the "Local Mass Transit District Act", approved July 21,
7 1959, as now or hereafter amended;

8 (b) a local Transit Commission if such commission is
9 created pursuant to Section 14-101 of The Public Utilities Act;
10 or

11 (c) the Chicago Transit Authority established pursuant to
12 the "Metropolitan Transit Authority Act", approved April 12,
13 1945, as now or hereafter amended.

14 Any county board may also use any motor fuel tax money
15 allotted to it for construction, reconstruction, improvement,
16 repair, and maintenance of, and payment of debts and
17 liabilities incurred in construction and reconstruction of, a
18 public transportation system or other transportation system,
19 or for facilities that will promote and enhance travel by
20 public transportation, passenger rail, ferry, aviation,
21 bicycle, and walking.

22 (Source: P.A. 85-1209.)

23 (605 ILCS 5/7-202.14) (from Ch. 121, par. 7-202.14)

24 Sec. 7-202.14. Any municipality may by ordinance of the

1 corporate authorities turn over a portion of its allotment to:

2 (a) a local Mass Transit District if the municipality
3 created such a District pursuant to the "Local Mass Transit
4 District Act", approved July 21, 1959, as now or hereafter
5 amended;

6 (b) a local Transit Commission if the municipality
7 established such commission pursuant to Section 14-101 of The
8 Public Utilities Act; or

9 (c) the Chicago Transit Authority established pursuant to
10 the "Metropolitan Transit Authority Act", approved April 12,
11 1945, as now or hereafter amended.

12 Any municipality may, by ordinance of the corporate
13 authorities, use any motor fuel tax money allotted to it for
14 construction, reconstruction, improvement, repair, and
15 maintenance of, and payment of debts and liabilities incurred
16 in construction and reconstruction of, a public transportation
17 system or other transportation system, or for facilities that
18 will promote and enhance travel by public transportation,
19 passenger rail, ferry, aviation, bicycle, and walking.

20 (Source: P.A. 85-1209.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law."