

1 AN ACT concerning business.

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

4 Section 1. Short title. This Act may be cited as the
5 Transportation Benefits Program Act.

6 Section 5. Definitions. As used in this Act:

7 "Covered employee" means any person who performs an
8 average of at least 35 hours of work per week for compensation
9 on a full-time basis.

10 "Covered employer" means any individual, partnership,
11 association, corporation, limited liability company,
12 government, non-profit organization, or business trust that
13 directly or indirectly, or through an agent or any other
14 person, employs or exercises control over wages, hours, or
15 working conditions of an employee, and that:

16 (1) is located in: Cook County; Warren Township in
17 Lake County; Grant Township in Lake County; Frankfort
18 Township in Will County; Wheatland Township in Will
19 County; Addison Township; Bloomingdale Township; York
20 Township; Milton Township; Winfield Township; Downers
21 Grove Township; Lisle Township; Naperville Township;
22 Dundee Township; Elgin Township; St. Charles Township;
23 Geneva Township; Batavia Township; Aurora Township; Zion

1 Township; Benton Township; Waukegan Township; Avon
2 Township; Libertyville Township; Shields Township; Vernon
3 Township; West Deerfield Township; Deerfield Township;
4 McHenry Township; Nunda Township; Algonquin Township;
5 DuPage Township; Homer Township; Lockport Township;
6 Plainfield Township; New Lenox Township; Joliet Township;
7 or Troy Township; and

8 (2) employs 50 or more covered employees in a
9 geographic area specified in paragraph (1) at an address
10 that is located within one mile of regularly scheduled
11 transit service.

12 "Public transit" means any transportation system within
13 the authority and jurisdiction of the Regional Transportation
14 Authority.

15 "Transit pass" means any pass, token, fare card, voucher,
16 or similar item entitling a person to transportation on public
17 transit.

18 Section 10. Transportation benefits program. All covered
19 employers shall provide a pre-tax commuter benefit to covered
20 employees. The pre-tax commuter benefit shall allow employees
21 to use pre-tax dollars for the purchase of a transit pass or
22 qualified parking, via payroll deduction, such that the costs
23 for such purchases may be excluded from the employee's taxable
24 wages and compensation up to the maximum amount permitted by
25 federal tax law, consistent with 26 U.S.C. 132(f) and the

1 rules and regulations promulgated thereunder. A covered
2 employer may comply with this Section by participating in a
3 program offered by the Chicago Transit Authority or the
4 Regional Transportation Authority.

5 This benefit must be offered to all employees starting on
6 the employees' first full pay period after 120 days of
7 employment. All transit agencies shall market the existence of
8 this program and this Act to their riders in order to inform
9 affected employees and their employers.

10 Section 15. Regional Transit Authority database. The
11 Regional Transportation Authority shall make publicly
12 available a searchable database of addresses that are located
13 within one mile of regularly scheduled transit service.

14 Section 20. Application of Act. Nothing in this Act shall
15 be deemed to interfere with, impede, or in any way diminish the
16 right of employees to bargain collectively with their
17 employers through representatives of their own choosing in
18 order to establish wages or other conditions of work in excess
19 of the applicable minimum standards of the provisions of this
20 Act. Nothing in this Act shall be deemed to affect the validity
21 or change the terms of bona fide collective bargaining
22 agreements in force on the effective date of this Act. After
23 the effective date of this Act, requirements of this Act may be
24 waived in a bona fide collective bargaining agreement, but

1 only if the waiver is set forth explicitly in such agreement in
2 clear and unambiguous terms.

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