

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 fixed-route transit  
11 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, via  
22 payroll deduction, such that the costs for such purchases may  
23 be excluded from the employee's taxable wages and compensation  
24 up to the maximum amount permitted by federal tax law,  
25 consistent with 26 U.S.C. 132(f) and the rules and regulations

1 promulgated thereunder. A covered employer may comply with  
2 this Section by participating in a program offered by the  
3 Chicago Transit Authority or the Regional Transportation  
4 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 map. The Regional  
11 Transportation Authority shall make publicly available a  
12 searchable map of addresses that are located within one mile  
13 of fixed-route 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.