



Rep. Theresa Mah

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10300HB2068ham001

LRB103 05203 SPS 59458 a

1 AMENDMENT TO HOUSE BILL 2068

2 AMENDMENT NO. _____. Amend House Bill 2068 by replacing
3 everything after the enacting clause with the following:

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

1 Lake County; Grant Township in Lake County; Frankfort
2 Township in Will County; Wheatland Township in Will
3 County; Addison Township; Bloomingdale Township; York
4 Township; Milton Township; Winfield Township; Downers
5 Grove Township; Lisle Township; Naperville Township;
6 Dundee Township; Elgin Township; St. Charles Township;
7 Geneva Township; Batavia Township; Aurora Township; Zion
8 Township; Benton Township; Waukegan Township; Avon
9 Township; Libertyville Township; Shields Township; Vernon
10 Township; West Deerfield Township; Deerfield Township;
11 McHenry Township; Nunda Township; Algonquin Township;
12 DuPage Township; Homer Township; Lockport Township;
13 Plainfield Township; New Lenox Township; Joliet Township;
14 or Troy Township; and

15 (2) employs 50 or more covered employees in a
16 geographic area specified in paragraph (1) at an address
17 that is located within one mile of regularly scheduled
18 transit service.

19 "Public transit" means any transportation system within
20 the authority and jurisdiction of the Regional Transportation
21 Authority.

22 "Transit pass" means any pass, token, fare card, voucher,
23 or similar item entitling a person to transportation on public
24 transit.

25 Section 10. Transportation benefits program. All covered

1 employers shall provide a pre-tax commuter benefit to covered
2 employees. The pre-tax commuter benefit shall allow employees
3 to use pre-tax dollars for the purchase of a transit pass or
4 qualified parking, via payroll deduction, such that the costs
5 for such purchases may be excluded from the employee's taxable
6 wages and compensation up to the maximum amount permitted by
7 federal tax law, consistent with 26 U.S.C. 132(f) and the
8 rules and regulations promulgated thereunder. A covered
9 employer may comply with this Section by participating in a
10 program offered by the Chicago Transit Authority or the
11 Regional Transportation Authority.

12 This benefit must be offered to all employees starting on
13 the employees' first full pay period after 120 days of
14 employment. All transit agencies shall market the existence of
15 this program and this Act to their riders in order to inform
16 affected employees and their employers.

17 Section 15. Regional Transit Authority database. The
18 Regional Transportation Authority shall make publicly
19 available a searchable database of addresses that are located
20 within one mile of regularly scheduled transit service.

21 Section 20. Application of Act. Nothing in this Act shall
22 be deemed to interfere with, impede, or in any way diminish the
23 right of employees to bargain collectively with their
24 employers through representatives of their own choosing in

1 order to establish wages or other conditions of work in excess
2 of the applicable minimum standards of the provisions of this
3 Act. Nothing in this Act shall be deemed to affect the validity
4 or change the terms of bona fide collective bargaining
5 agreements in force on the effective date of this Act. After
6 the effective date of this Act, requirements of this Act may be
7 waived in a bona fide collective bargaining agreement, but
8 only if the waiver is set forth explicitly in such agreement in
9 clear and unambiguous terms.

10 Section 99. Effective date. This Act takes effect January
11 1, 2024."