

1 AN ACT regarding highways.

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

4 Section 5. The Toll Highway Act is amended by changing
5 Sections 14.1, 18, 23, and 24 as follows:

6 (605 ILCS 10/14.1) (from Ch. 121, par. 100-14.1)

7 Sec. 14.1. The Authority shall, prior to the issuance of
8 any bonds under this Act, except refunding bonds, prepare and
9 submit to the Governor for his approval preliminary plans
10 showing the proposed location of the route or routes of the
11 particular toll highway for which the bonds are to be issued,
12 which plans shall designate the approximate point of the
13 commencement and the termination of said route or routes and
14 shall also designate the municipalities to be afforded
15 reasonable connections therewith, and to be served thereby.
16 The Authority shall at the same time submit to the Governor
17 for his approval preliminary estimates of the cost of the
18 construction of the toll highway, shown on said preliminary
19 plans. If the Governor shall approve the preliminary plans
20 and the estimate of the cost thereof, the Authority may
21 thereupon proceed with the issuance of bonds as hereinafter
22 provided. Prior to the issuance of bonds for or the
23 commencement of construction of any new toll highway segment,
24 however, the issuance of bonds for or the commencement of
25 construction of that particular segment toll-highway shall be
26 approved by law as provided in Section 23 ~~authorized-by-joint~~
27 ~~resolution-of-the-General-Assembly.~~

28 (Source: P.A. 86-1164.)

29 (605 ILCS 10/18) (from Ch. 121, par. 100-18)

30 Sec. 18. The sums of money appropriated by the General

1 Assembly (other than sums appropriated from the Illinois
2 State Toll Highway Authority Fund) for the payment of
3 ordinary and contingent expenses of the Authority or the
4 payment of compensation of the members of the Authority
5 expended as a part of the cost of a toll highway financed by
6 revenue bonds issued and sold by the Authority under this Act
7 shall be repaid to the State Treasury out of the proceeds of
8 the sale of such bonds, for deposit in the fund from which
9 such sums were appropriated. Any such sums remaining unpaid
10 because expended for preliminary investigation of toll
11 highway routes not constructed shall be repaid by the
12 Authority out of the proceeds of the sale of any of such
13 bonds issued to finance additional toll highways or
14 extensions of existing toll highways. If no such new bonds
15 are issued, and the money appropriated by the General
16 Assembly has not otherwise been repaid in full, then the
17 Authority shall, after payment of all existing bonds and
18 interest thereon, continue to collect tolls for the privilege
19 of using the toll highways constructed pursuant to the
20 authority of "An Act in relation to the construction,
21 operation, regulation and maintenance of a system of toll
22 highways and to create The Illinois State Toll Highway
23 Commission, and to define its powers and duties and to repeal
24 an Act therein named", approved July 13, 1953, as amended,
25 until such time as the tolls collected are sufficient to
26 repay any such unpaid money. The tolls so collected shall be
27 paid by the Authority to the State treasury for deposit in
28 the fund from which such sums were appropriated.

29 (Source: Laws 1968, p. 199.)

30 (605 ILCS 10/23) (from Ch. 121, par. 100-23)

31 Sec. 23. The Authority shall file with the Governor, the
32 Clerk of the House of Representatives, the Secretary of the
33 Senate, and the Illinois Economic and Fiscal Commission, on

1 or prior to March 15th of each year, a written statement and
2 report covering its activities for the preceding calendar
3 year. The Authority shall present, to the committees of the
4 House of Representatives designated by the Speaker of the
5 House and to the committees of the Senate designated by the
6 President of the Senate, an annual report outlining its
7 planned revenues and expenditures, including any plan to
8 institute a general increase in toll rates. Prior to
9 instituting any general increase in toll rates, the Authority
10 shall obtain the approval of the General Assembly by law
11 approved by the vote of three-fifths of the members elected
12 to each house. The Authority shall prepare an annual capital
13 plan which identifies capital projects by location and
14 details the project costs in correct dollar amounts. The
15 Authority may issue bonds to implement its capital plan only
16 in amounts and for purposes that have been approved by law.
17 The Authority shall also prepare and file a ten-year capital
18 plan that includes a listing of all capital improvement
19 projects contemplated during the ensuing ten-year period.
20 The first ten-year capital plan shall be filed in 1991 and
21 thereafter on the anniversary of each ten-year period.

22 It shall also be the duty of the Auditor General of the
23 State of Illinois, annually to audit or cause to be audited
24 the books and records of the Authority and to file a
25 certified copy of the report of such audit with the Governor
26 and with the Legislative Audit Commission, which audit
27 reports, when so filed, shall be open to the public for
28 inspection.

29 (Source: P.A. 91-256, eff. 1-1-00.)

30 (605 ILCS 10/24) (from Ch. 121, par. 100-24)

31 Sec. 24. Except as otherwise provided in any bond
32 resolution, the proceeds derived from the sale of bonds, and
33 all receipts and income derived from tolls, licenses, gifts,

1 donations, concessions, fees, rentals, and all other revenues
2 from whatever source derived, shall, within 3 three days
3 after receipt thereof, be paid to the Treasurer of the State
4 of Illinois, and held by him as a special fund known as the
5 Illinois State Toll Highway Authority Fund, except that the
6 Authority may retain portions of the Illinois State Toll
7 Highway Authority Fund as a locally maintained construction
8 fund revolving account and as a revenue fund revolving
9 account, where authorized by a bond resolution, and as
10 locally maintained change funds, where necessary for the
11 operations of the Authority. The State Treasurer shall be ex
12 officio custodian of such special fund, which fund shall be
13 held, invested and disbursed for the purposes provided herein
14 upon the order of the Authority and in accordance with
15 provisions and covenants of any bond resolution authorizing
16 the issuance of bonds which have not been paid or deemed
17 paid. The interest accruing on said special fund shall be
18 computed and added to the principal thereof every six months.
19 In addition to the special audits prescribed by this Act, the
20 said fund shall also be subject to audit in the same manner
21 as is now, or may hereinafter be, provided for the audit of
22 State funds and accounts. The said special fund shall be
23 protected by a corporate surety bond, executed by the
24 Treasurer, with a surety authorized to do business under the
25 laws of the State of Illinois. The amount of said bond shall
26 be fixed by resolution of the Authority, approved by the
27 Governor, and may be increased or diminished at any time. The
28 premiums on said bond shall be payable from the funds of the
29 Authority. The bond shall be subject to the approval of the
30 Governor and Attorney General of the State of Illinois, and,
31 when so approved, shall be filed in the office of the
32 Secretary of State. This Act shall constitute an irrevocable
33 and continuing appropriation from the special fund for
34 amounts to pay principal, interest, and other bond expenses

1 and obligations as provided in this Act. All other expenses
2 of the Authority, including the ordinary and contingent
3 expenses for the Authority's annual operations, are subject
4 to annual appropriation by the General Assembly from the
5 special fund (or from other funds as provided in Section 18)
6 for each fiscal year. Said special fund shall--be--considered
7 always--appropriated--for--the--purposes--of--disbursements,--as
8 provided--in--this--Act,--and shall be paid out and disbursed
9 only as provided herein, and shall not, at any time be
10 appropriated or diverted to any other use or purpose. For
11 all outstanding bonds issued by the Authority before the
12 effective date of this amendatory Act of the 92nd General
13 Assembly, the State guarantees the timely payment of any
14 principal or interest that is not paid by the Authority when
15 due, with recourse to the Court of Claims. The Authority
16 shall, with respect to all revenue bonds outstanding as of
17 the effective date of this amendatory Act of the 92nd General
18 Assembly, maintain in a debt service fund an amount equal to
19 140% of the amount needed to pay annual debt service pursuant
20 to the bonds.

21 (Source: P.A. 83-1258.)