

AN ACT concerning local government.

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

Section 5. The Metropolitan Transit Authority Act is amended by changing Sections 31 and 51 as follows:

(70 ILCS 3605/31) (from Ch. 111 2/3, par. 331)

Sec. 31. The Board shall have power to pass all ordinances and make all rules and regulations proper or necessary to regulate the use, operation and maintenance of its property and facilities, and to carry into effect the powers granted to the Authority, with such fines or penalties, including ordinances, rules, and regulations concerning the suspension of riding privileges or confiscation of fare media under Section 2.40 of the Regional Transportation Authority Act, as may be deemed proper. No fine or penalty shall exceed \$300.00, and no imprisonment shall exceed six (6) months for one offense. All fines and penalties shall be imposed by ordinances, which shall be published in a newspaper of general circulation published in the metropolitan area. No such ordinance shall take effect until ten days after its publication.

(Source: P.A. 80-937.)

(70 ILCS 3605/51)

Sec. 51. Free and reduced fare services; eligibility.

(a) Notwithstanding any law to the contrary, no later than 60 days following the effective date of this amendatory Act of the 95th General Assembly and until subsection (b) is implemented, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to all senior citizens of the Metropolitan Region (as such term is defined in 70 ILCS 3615/1.03) aged 65 and older, under such conditions as shall be prescribed by the Board.

(b) Notwithstanding any law to the contrary, no later than 180 days following the effective date of this amendatory Act of the 96th General Assembly, any fixed route public transportation services provided by, or under grant or purchase of service contracts of, the Board shall be provided without charge to senior citizens aged 65 and older who meet the income eligibility limitation set forth in subsection (a-5) of Section 4 of the Senior Citizens and Persons with Disabilities Property Tax Relief Act, under such conditions as shall be prescribed by the Board. The Department on Aging shall furnish all information reasonably necessary to determine eligibility, including updated lists of individuals who are eligible for services without charge under this Section. Nothing in this Section shall relieve the Board from providing reduced fares as may be required by federal law.

(c) The Board shall partner with the City of Chicago to provide transportation at reduced fares for participants in programs that offer employment and internship opportunities to youth and young adults ages 14 through 24.

(Source: P.A. 99-143, eff. 7-27-15.)

Section 10. The Local Mass Transit District Act is amended by changing Section 5 and adding Section 5.6 as follows:

(70 ILCS 3610/5) (from Ch. 111 2/3, par. 355)

Sec. 5. (a) The Board of Trustees of every District may establish or acquire any or all manner of mass transit facility. The Board may engage in the business of transportation of passengers on scheduled routes and by contract on nonscheduled routes within the territorial limits of the counties or municipalities creating the District, by whatever means it may decide. Its routes may be extended beyond such territorial limits with the consent of the governing bodies of the municipalities or counties into which such operation is extended.

(b) The Board of Trustees of every District may for the purposes of the District, acquire by gift, purchase, lease, legacy, condemnation, or otherwise and hold, use, improve, maintain, operate, own, manage or lease, as lessor or lessee, such cars, buses, equipment, buildings, structures, real and personal property, and interests therein, and services, lands

for terminal and other related facilities, improvements and services, or any interest therein, including all or any part of the plant, land, buildings, equipment, vehicles, licenses, franchises, patents, property, service contracts and agreements of every kind and nature. Real property may be so acquired if it is situated within or partially within the area served by the District or if it is outside the area if it is desirable or necessary for the purposes of the District.

(c) The Board of Trustees of every District which establishes, provides, or acquires mass transit facilities or services may contract with any person or corporation or public or private entity for the operation or provision thereof upon such terms and conditions as the District shall determine.

(d) The Board of Trustees of every District shall have the authority to contract for any and all purposes of the District, including with an interstate transportation authority, or with another local Mass Transit District or any other municipal, public, or private corporation entity in the transportation business including the authority to contract to lease its or otherwise provide land, buildings, and equipment, and other related facilities, improvements, and services, for the carriage of passengers beyond the territorial limits of the District or to subsidize transit operations by a public or private or municipal corporation operating entity providing mass transit facilities.

(e) The Board of Trustees of every District shall have the

authority to establish, alter and discontinue transportation routes and services and any or all ancillary or supporting facilities and services, and to establish and amend rate schedules for the transportation of persons thereon or for the public or private use thereof which rate schedules shall, together with any grants, receipts or income from other sources, be sufficient to pay the expenses of the District, the repair, maintenance and the safe and adequate operation of its mass transit facilities and public mass transportation system and to fulfill the terms of its debts, undertakings, and obligations.

(f) The Board of Trustees of every District shall have perpetual succession and shall have the following powers in addition to any others in this Act granted:

(1) to sue and be sued;

(2) to adopt and use a seal;

(3) to make and execute contracts loans, leases, subleases, installment purchase agreements, contracts, notes and other instruments evidencing financial obligations, and other instruments necessary or convenient in the exercise of its powers;

(4) to make, amend and repeal bylaws, rules and regulations not inconsistent with this Act, including rules and regulations proper or necessary to regulate the use, operation, and maintenance of its properties and facilities and to carry into effect the powers granted to

the Board of Trustees, with any necessary fines or penalties, such as the suspension of riding privileges or confiscation of fare media under Section 5.6, as the Board deems proper;

(5) to sell, lease, sublease, license, transfer, convey or otherwise dispose of any of its real or personal property, or interests therein, in whole or in part, at any time upon such terms and conditions as it may determine, with public bidding if the value exceeds \$1,000 at negotiated, competitive, public, or private sale;

(6) to invest funds, not required for immediate disbursement, in property, agreements, or securities legal for investment of public funds controlled by savings banks under applicable law;

(7) to mortgage, pledge, hypothecate or otherwise encumber all or any part of its real or personal property or other assets, or interests therein;

(8) to apply for, accept and use grants, loans or other financial assistance from any private entity or municipal, county, State or Federal governmental agency or other public entity;

(9) to borrow money from the United States Government or any agency thereof, or from any other public or private source, for the purposes of the District and, as evidence thereof, to issue its revenue bonds, payable solely from the revenue derived from the operation of the District.

These bonds may be issued with maturities not exceeding 40 years from the date of the bonds, and in such amounts as may be necessary to provide sufficient funds, together with interest, for the purposes of the District. These bonds shall bear interest at a rate of not more than the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, payable semi-annually, may be made registerable as to principal, and may be made payable and callable as provided on any interest payment date at a price of par and accrued interest under such terms and conditions as may be fixed by the ordinance authorizing the issuance of the bonds. Bonds issued under this Section are negotiable instruments. They shall be executed by the chairman and members of the Board of Trustees, attested by the secretary, and shall be sealed with the corporate seal of the District. In case any Trustee or officer whose signature appears on the bonds or coupons ceases to hold that office before the bonds are delivered, such officer's signature, shall nevertheless be valid and sufficient for all purposes, the same as though such officer had remained in office until the bonds were delivered. The bonds shall be sold in such manner and upon such terms as the Board of Trustees shall determine, except that the selling price shall be such that the interest cost to the District of the proceeds of the bonds shall not exceed the maximum rate

authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, payable semi-annually, computed to maturity according to the standard table of bond values.

The ordinance shall fix the amount of revenue bonds proposed to be issued, the maturity or maturities, the interest rate, which shall not exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, and all the details in connection with the bonds. The ordinance may contain such covenants and restrictions upon the issuance of additional revenue bonds thereafter, which will share equally in the revenue of the District, as may be deemed necessary or advisable for the assurance of the payment of the bonds first issued. Any District may also provide in the ordinance authorizing the issuance of bonds under this Section that the bonds, or such ones thereof as may be specified, shall, to the extent and in the manner prescribed, be subordinated and be junior in standing, with respect to the payment of principal and interest and the security thereof, to such other bonds as are designated in the ordinance.

The ordinance shall pledge the revenue derived from the operations of the District for the purpose of paying the cost of operation and maintenance of the District, and, as applicable, providing adequate depreciation funds,

and paying the principal of and interest on the bonds of the District issued under this Section;

(10) subject to Section 5.1, to levy a tax on property within the District at the rate of not to exceed .25% on the assessed value of such property in the manner provided in the Illinois Municipal Budget Law;

(11) to issue tax anticipation warrants;

(12) to contract with any school district in this State to provide for the transportation of pupils to and from school within such district pursuant to the provisions of Section 29-15 of the School Code;

(13) to provide for the insurance of any property, directors, officers, employees or operations of the District against any risk or hazard, and to self-insure or participate in joint self-insurance pools or entities to insure against such risk or hazard;

(14) to use its established funds, personnel, and other resources to acquire, construct, operate, and maintain bikeways and trails. Districts may cooperate with other governmental and private agencies in bikeway and trail programs; and

(15) to acquire, own, maintain, construct, reconstruct, improve, repair, operate or lease any light-rail public transportation system, terminal, terminal facility, public airport, or bridge or toll bridge across waters with any city, state, or both.

With respect to instruments for the payment of money issued under this Section either before, on, or after June 6, 1989 (the effective date of Public Act 86-4), it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

This Section shall be liberally construed to give effect to its purposes.

(Source: P.A. 99-642, eff. 7-28-16.)

(70 ILCS 3610/5.6 new)

Sec. 5.6. Suspension of riding privileges and confiscation of fare media.

(a) As used in this Section, "demographic information" includes, but is not limited to, age, race, ethnicity, gender, and housing status, as that term is defined under Section 10 of the Bill of Rights for the Homeless Act.

(b) Suspension of riding privileges and confiscation of fare media are limited to:

(1) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat to their safety or the safety of others, including assault and battery, as those terms are defined under Sections 12-1 and 12-3 of the Criminal Code of 2012;

(2) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat of a criminal sexual assault, as that term is defined under Section 11-1.20 of the Criminal Code of 2012; and

(3) violations involving an act of public indecency, as that term is defined in Section 11-30 of the Criminal Code of 2012.

(c) Written notice shall be provided to an individual regarding the suspension of the individual's riding privileges or confiscation of fare media. The notice shall be provided in person at the time of the alleged violation, except that, if providing notice in person at the time of the alleged violation is not practicable, then the Authority shall make a reasonable effort to provide notice to the individual by either personal service, by mailing a copy of the notice by certified mail, return receipt requested, and first-class mail to the person's current address, or by emailing a copy of the

notice to an email address on file, if available. If the person is known to be detained in jail, service shall be made as provided under Section 2-203.2 of the Code of Civil Procedure. The written notice shall be sufficient to inform the individual about the following:

(1) the nature of the suspension of riding privileges or confiscation of fare media;

(2) the person's rights and available remedies to contest or appeal the suspension of riding privileges or confiscation of fare media and to apply for reinstatement of riding privileges; and

(3) the procedures for adjudicating whether a suspension or confiscation is warranted and for applying for reinstatement of riding privileges, including the time and location of any hearing.

The process to determine whether a suspension or riding privileges or confiscation of fare media is warranted and the length of the suspension shall be concluded within 30 business days after the individual receives notice of the suspension or confiscation.

Notwithstanding any other provision of this Section, no person shall be denied the ability to contest or appeal a suspension of riding privileges or confiscation of fare media, or to attend a hearing to determine whether a suspension or confiscation was warranted, because the person was detained in a jail.

(d) Each Board shall create an administrative suspension hearing process as follows:

(1) A Board shall designate an official to oversee the administrative process to decide whether a suspension is warranted and the length of the suspension.

(2) The accused and related parties, including legal counsel, may attend this hearing in person, by telephone, or virtually.

(3) The Board shall present the suspension-related evidence and outline the evidence that supports the need for the suspension.

(4) The accused or the accused's legal counsel can present and may make an oral or written presentation and offer documents, including affidavits, in response to the Board's evidence.

(5) The Board's designated official shall make a finding on the suspension.

(6) The value of unexpended credit or unexpired passes shall be reimbursed upon suspension of riding privileges or confiscation of fare media.

(7) The alleged victims of the violation and related parties, including witnesses who were present, may attend this hearing in person, by telephone, or virtually.

(8) The alleged victims of the violation and related parties, including witnesses who were present, can present and may make an oral or written presentation and offer

documents, including affidavits, in response to the Board's evidence.

(e) Each Board shall create a process to appeal and reinstate ridership privileges. This information shall be provided to the suspended rider at the time of the Board's findings. A suspended rider is entitled to 2 appeals after the Board's finding to suspend the person's ridership. A suspended rider may petition the Board to reinstate the person's ridership privileges one calendar year after the Board's suspension finding if the length of the suspension is more than one year.

(f) Each Board shall collect, report, and make publicly available in a quarterly timeframe the number and demographic information of people subject to suspension of riding privileges or confiscation of fare media, the conduct leading to the suspension or confiscation, as well as the location and description of the location where the conduct occurred, such as identifying the transit station or transit line, date, and time of day, a citation to the statutory authority for which the accused person was arrested or charged, the amount, if any, on the fare media, and the length of the suspension.

Section 15. The Regional Transportation Authority Act is amended by changing Sections 3A.09, 4.01, and 4.09 and by adding Sections 2.10a, 2.40, 2.41, 2.42, 3.12, and 3B.09c as follows:

(70 ILCS 3615/2.10a new)

Sec. 2.10a. Zero-emission buses.

(a) As used in this Section:

"Zero-emission bus" means a bus that is:

(1) designed to carry more than 10 passengers and is used to carry passengers for compensation.

(2) a zero-emission vehicle; and

(3) not a taxi.

"Zero-emission vehicle" means a fuel cell or electric vehicle that:

(1) is a motor vehicle;

(2) is made by a commercial manufacturer;

(3) is manufactured primarily for use on public streets, roads, and highways;

(4) has a maximum speed capability of at least 55 miles per hour;

(5) is powered entirely by electricity or powered by combining hydrogen and oxygen, which runs the motor;

(6) has an operating range of at least 100 miles; and

(7) produces only water vapor and heat as byproducts.

(b) On or after July 1, 2026, a Service Board may not enter into a new contract to purchase a bus that is not a zero-emission bus for the purpose of the Service Board's transit bus fleet.

(c) For the purposes of determining compliance with this

Section, a Service Board shall not be deemed to be in violation of this Section when failure to comply is due to:

(1) the unavailability of zero-emission buses from a manufacturer or funding to purchase zero-emission buses;

(2) the lack of necessary charging, fueling, or storage facilities or funding to procure charging, fueling, or storage facilities; or

(3) the inability of a third party to enter into a contractual or commercial relationship with a Service Board that is necessary to carry out the purposes of this Section.

(70 ILCS 3615/2.40 new)

Sec. 2.40. Suspension of riding privileges and confiscation of fare media.

(a) As used in this Section, "demographic information" includes, but is not limited to, age, race, ethnicity, gender, and housing status, as that term is defined under Section 10 of the Bill of Rights for the Homeless Act.

(b) Suspension of riding privileges and confiscation of fare media are limited to:

(1) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat to their safety or the safety of others, including assault and battery, as those terms are defined under Sections 12-1 and 12-3 of the Criminal Code

of 2012;

(2) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat of a criminal sexual assault, as that term is defined under Section 11-1.20 of the Criminal Code of 2012; and

(3) violations involving an act of public indecency, as that term is defined in Section 11-30 of the Criminal Code of 2012.

(c) Written notice shall be provided to an individual regarding the suspension of the individual's riding privileges or confiscation of fare media. The notice shall be provided in person at the time of the alleged violation, except that, if providing notice in person at the time of the alleged violation is not practicable, then the Authority shall make a reasonable effort to provide notice to the individual by personal service, by mailing a copy of the notice by certified mail, return receipt requested, and first-class mail to the person's current address, or by emailing a copy of the notice to an email address on file, if available. If the person is known to be detained in jail, service shall be made as provided under Section 2-203.2 of the Code of Civil Procedure. The written notice shall be sufficient to inform the individual about the following:

(1) the nature of the suspension of riding privileges or confiscation of fare media;

(2) the person's rights and available remedies to contest or appeal the suspension of riding privileges or confiscation of fare media and to apply for reinstatement of riding privileges; and

(3) the procedures for adjudicating whether a suspension or confiscation is warranted and for applying for reinstatement of riding privileges, including the time and location of any hearing.

The process to determine whether a suspension or riding privileges or confiscation of fare media is warranted and the length of the suspension shall be concluded within 30 business days after the individual receives notice of the suspension or confiscation.

Notwithstanding any other provision of this Section, no person shall be denied the ability to contest or appeal a suspension of riding privileges or confiscation of fare media, or to attend a hearing to determine whether a suspension or confiscation was warranted, because the person was detained in a jail.

(d) Each Service Board shall create an administrative suspension hearing process as follows:

(1) A Service Board shall designate an official to oversee the administrative process to decide whether a suspension is warranted and the length of the suspension.

(2) The accused and related parties, including legal counsel, may attend this hearing in person, by telephone,

or virtually.

(3) The Service Board shall present the suspension-related evidence and outline the evidence that supports the need for the suspension.

(4) The accused or the accused's legal counsel can present and may make an oral or written presentation and offer documents, including affidavits, in response to the Service Board's evidence.

(5) The Service Board's designated official shall make a finding on the suspension.

(6) The value of unexpended credit or unexpired passes shall be reimbursed upon suspension of riding privileges or confiscation of fare media.

(7) The alleged victims of the violation and related parties, including witnesses who were present, may attend this hearing in person, by telephone, or virtually.

(8) The alleged victims of the violation and related parties, including witnesses who were present, can present and may make an oral or written presentation and offer documents, including affidavits, in response to the Service Board's evidence.

(e) Each Service Board shall create a process to appeal and reinstate ridership privileges. This information shall be provided to the suspended rider at the time of the Service Board's findings. A suspended rider is entitled to 2 appeals after the Service Board's finding to suspend the person's

ridership. A suspended rider may petition the Service Board to reinstate the person's ridership privileges one calendar year after the Service Board's suspension finding if the length of the suspension is more than one year.

(f) Each Service Board shall collect, report, and make publicly available in a quarterly timeframe the number and demographic information of people subject to suspension of riding privileges or confiscation of fare media, the conduct leading to the suspension or confiscation, as well as the location and description of the location where the conduct occurred, such as identifying the transit station or transit line, date, and time of day, a citation to the statutory authority for which the accused person was arrested or charged, the amount, if any, on the fare media, and the length of the suspension.

(70 ILCS 3615/2.41 new)

Sec. 2.41. Domestic Violence and Sexual Assault Regional Transit Authority Public Transportation Assistance Program.

(a) No later than 90 days after the effective date of this amendatory Act of the 103rd General Assembly, the Authority shall create the Domestic Violence and Sexual Assault Regional Transit Authority Public Transportation Assistance Program to serve residents of the Authority.

Through this Program, the Authority shall issue monetarily preloaded mass transit cards to The Network: Advocating

Against Domestic Violence for survivor and victim use of public transportation through Chicago Transit Authority, the Suburban Bus Division, and the Commuter Rail Division.

The Authority shall coordinate with The Network: Advocating Against Domestic Violence to issue no less than 25,000 monetarily preloaded mass transit cards with a value of \$20 per card for distribution to domestic violence and sexual assault service providers throughout the Authority's jurisdiction, including the counties of Cook, Kane, DuPage, Will, Lake, and McHenry.

The mass transit card shall be plastic or laminated and wallet-sized, contain no information that would reference domestic violence or sexual assault services, and have no expiration date. The cards shall also be available electronically and shall be distributed to domestic violence and sexual assault direct service providers to distribute to survivors.

The total number of mass transit cards shall be distributed to domestic violence and sexual assault service providers throughout the Authority's region based on the average number of clients served in 2021 and 2022 in comparison to the total number of mass transit cards granted by the Authority.

(b) The creation of the Program shall include an appointment of a domestic violence or sexual assault program service provider or a representative of the service provider's

choosing to the Authority's Citizen Advisory Board.

The Network: Advocating Against Domestic Violence shall provide an annual report of the program, including a list of service providers receiving the mass transit cards, the total number of cards received by each service provider, and an estimated number of survivors and victims of domestic violence and sexual assault participating in the program. The report shall also include survivor testimonies of the program and shall include program provided recommendations on improving implementation of the Program. The report shall be provided to the Regional Transit Authority one calendar year after the creation of the Program.

In partnership with The Network: Advocating Against Domestic Violence, the Authority shall report this information to the Board and the Citizen Advisory Board and compile an annual report of the Program to the General Assembly and to domestic violence and sexual assault service providers in the service providers' jurisdiction and include recommendations for improving implementation of the Program.

(70 ILCS 3615/2.42 new)

Sec. 2.42. Youth and young adults internships and employment. By January 1, 2024, the Suburban Bus Board and the Commuter Rail Board shall create or partner with a youth jobs program to provide internship or employment opportunities to youth and young adults.

(70 ILCS 3615/3.12 new)

Sec. 3.12. Reduced or free transit fare study.

(a) By July 1, 2024, the Authority shall conduct a study and submit a report to the Governor and General Assembly regarding free and reduced fares and the development of a more equitable fare structure for the regional transit system. The study shall include:

(1) The impact and feasibility of providing year-round reduced or free transit fares, including, but not limited to, veterans, returning residents, students and youths, people experiencing low-incomes, and other riders who are not currently receiving free or reduced fares.

(2) A review of all reduced fare programs administered by the Authority and the service boards, which includes information on accounting of the total cost of the program, costs to increase the program, current sources of funding for the program, and recommendations to increase enrollment in current reduced fare and free-ride programs and any other recommendations for improvements to the programs.

(3) Analysis of how reduced and free ride programs and changes in eligibility and funding for these programs would affect the regional transit operating budget.

(b) In this Section, "returning resident" means any United States resident who is 17 years of age or older and has been in

and left the physical custody of the Department of Corrections within the last 36 months.

(70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

Sec. 3A.09. General powers. In addition to any powers elsewhere provided to the Suburban Bus Board, it shall have all of the powers specified in Section 2.20 of this Act except for the powers specified in Section 2.20(a)(v). The Board shall also have the power:

(a) to cooperate with the Regional Transportation Authority in the exercise by the Regional Transportation Authority of all the powers granted it by such Act;

(b) to receive funds from the Regional Transportation Authority pursuant to Sections 2.02, 4.01, 4.02, 4.09 and 4.10 of the Regional Transportation Authority Act, all as provided in the Regional Transportation Authority Act;

(c) to receive financial grants from the Regional Transportation Authority or a Service Board, as defined in the Regional Transportation Authority Act, upon such terms and conditions as shall be set forth in a grant contract between either the Division and the Regional Transportation Authority or the Division and another Service Board, which contract or agreement may be for such number of years or duration as the parties agree, all as provided in the Regional Transportation Authority Act;

(d) to perform all functions necessary for the provision of paratransit services under Section 2.30 of this Act; ~~and~~

(e) to borrow money for the purposes of: (i) constructing a new garage in the northwestern Cook County suburbs, (ii) converting the South Cook garage in Markham to a Compressed Natural Gas facility, (iii) constructing a new paratransit garage in DuPage County, (iv) expanding the North Shore garage in Evanston to accommodate additional indoor bus parking, and (v) purchasing new transit buses. For the purpose of evidencing the obligation of the Suburban Bus Board to repay any money borrowed as provided in this subsection, the Suburban Bus Board may issue revenue bonds from time to time pursuant to ordinance adopted by the Suburban Bus Board, subject to the approval of the Regional Transportation Authority of each such issuance by the affirmative vote of 12 of its then Directors; provided that the Suburban Bus Board may not issue bonds for the purpose of financing the acquisition, construction, or improvement of any facility other than those listed in this subsection (e). All such bonds shall be payable solely from the revenues or income or any other funds that the Suburban Bus Board may receive, provided that the Suburban Bus Board may not pledge as security for such bonds the moneys, if any, that the Suburban Bus Board receives from the Regional

Transportation Authority pursuant to Section 4.03.3(f) of the Regional Transportation Authority Act. The bonds shall bear interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act and shall mature at such time or times not exceeding 25 years from their respective dates. Bonds issued pursuant to this paragraph must be issued with scheduled principal or mandatory redemption payments in equal amounts in each fiscal year over the term of the bonds, with the first principal or mandatory redemption payment scheduled within the fiscal year in which bonds are issued or within the next succeeding fiscal year. At least 25%, based on total principal amount, of all bonds authorized pursuant to this Section shall be sold pursuant to notice of sale and public bid. No more than 75%, based on total principal amount, of all bonds authorized pursuant to this Section shall be sold by negotiated sale. The maximum principal amount of the bonds that may be issued may not exceed \$100,000,000. The bonds shall have all the qualities of negotiable instruments under the laws of this State. To secure the payment of any or all of such bonds and for the purpose of setting forth the covenants and undertakings of the Suburban Bus Board in connection with the issuance thereof and the issuance of any additional bonds payable from such revenue or income as well as the use and application of the revenue or income received by the

Suburban Bus Board, the Suburban Bus Board may execute and deliver a trust agreement or agreements; provided that no lien upon any physical property of the Suburban Bus Board shall be created thereby. A remedy for any breach or default of the terms of any such trust agreement by the Suburban Bus Board may be by mandamus proceedings in any court of competent jurisdiction to compel performance and compliance therewith, but the trust agreement may prescribe by whom or on whose behalf such action may be instituted. Under no circumstances shall any bonds issued by the Suburban Bus Board or any other obligation of the Suburban Bus Board in connection with the issuance of such bonds be or become an indebtedness or obligation of the State of Illinois, the Regional Transportation Authority, or any other political subdivision of or municipality within the State, nor shall any such bonds or obligations be or become an indebtedness of the Suburban Bus Board within the purview of any constitutional limitation or provision, and it shall be plainly stated on the face of each bond that it does not constitute such an indebtedness or obligation but is payable solely from the revenues or income as aforesaid; and -

(f) to adopt ordinances and make all rules and regulations proper or necessary to regulate the use, operation, and maintenance of its property and facilities and to carry into effect the powers granted to the

Suburban Bus Board, with any necessary fines or penalties, such as the suspension of riding privileges or confiscation of fare media under Section 2.40, as the Board deems proper.

(Source: P.A. 99-665, eff. 7-29-16.)

(70 ILCS 3615/3B.09c new)

Sec. 3B.09c. Regulation of the use, operation, and maintenance of property. The Chief of Police of the Metra Police Department may make rules and regulations proper or necessary to regulate the use, operation, and maintenance of the property and facilities of the Commuter Rail Board and to carry into effect the powers granted to the Chief by the Commuter Rail Board, with any necessary fines or penalties, such as the suspension of riding privileges or confiscation of fare media under Section 2.40, that the Chief deems proper.

(70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

Sec. 4.01. Budget and Program.

(a) The Board shall control the finances of the Authority. It shall by ordinance adopted by the affirmative vote of at least 12 of its then Directors (i) appropriate money to perform the Authority's purposes and provide for payment of debts and expenses of the Authority, (ii) take action with respect to the budget and two-year financial plan of each Service Board, as provided in Section 4.11, and (iii) adopt an

Annual Budget and Two-Year Financial Plan for the Authority that includes the annual budget and two-year financial plan of each Service Board that has been approved by the Authority. The Annual Budget and Two-Year Financial Plan shall contain a statement of the funds estimated to be on hand for the Authority and each Service Board at the beginning of the fiscal year, the funds estimated to be received from all sources for such year, the estimated expenses and obligations of the Authority and each Service Board for all purposes, including expenses for contributions to be made with respect to pension and other employee benefits, and the funds estimated to be on hand at the end of such year. The fiscal year of the Authority and each Service Board shall begin on January 1st and end on the succeeding December 31st. By July 1st of each year the Director of the Illinois Governor's Office of Management and Budget (formerly Bureau of the Budget) shall submit to the Authority an estimate of revenues for the next fiscal year of the Authority to be collected from the taxes imposed by the Authority and the amounts to be available in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund and the amounts otherwise to be appropriated by the State to the Authority for its purposes. The Authority shall file a copy of its Annual Budget and Two-Year Financial Plan with the General Assembly and the Governor after its adoption. Before the proposed Annual Budget and Two-Year Financial Plan is

adopted, the Authority shall hold at least one public hearing thereon in the metropolitan region, and shall meet with the county board or its designee of each of the several counties in the metropolitan region. After conducting such hearings and holding such meetings and after making such changes in the proposed Annual Budget and Two-Year Financial Plan as the Board deems appropriate, the Board shall adopt its annual appropriation and Annual Budget and Two-Year Financial Plan ordinance. The ordinance may be adopted only upon the affirmative votes of 12 of its then Directors. The ordinance shall appropriate such sums of money as are deemed necessary to defray all necessary expenses and obligations of the Authority, specifying purposes and the objects or programs for which appropriations are made and the amount appropriated for each object or program. Additional appropriations, transfers between items and other changes in such ordinance may be made from time to time by the Board upon the affirmative votes of 12 of its then Directors.

(b) The Annual Budget and Two-Year Financial Plan shall show a balance between anticipated revenues from all sources and anticipated expenses including funding of operating deficits or the discharge of encumbrances incurred in prior periods and payment of principal and interest when due, and shall show cash balances sufficient to pay with reasonable promptness all obligations and expenses as incurred.

The Annual Budget and Two-Year Financial Plan must show:

(i) that the level of fares and charges for mass transportation provided by, or under grant or purchase of service contracts of, the Service Boards is sufficient to cause the aggregate of all projected fare revenues from such fares and charges received in each fiscal year to equal at least 50% of the aggregate costs of providing such public transportation in such fiscal year. However, due to the fiscal impacts of the COVID-19 pandemic, the aggregate of all projected fare revenues from such fares and charges received in fiscal years 2021, 2022, ~~and 2023,~~ 2024, and 2025 may be less than 50% of the aggregate costs of providing such public transportation in those fiscal years. "Fare revenues" include the proceeds of all fares and charges for services provided, contributions received in connection with public transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law (20 ILCS 2705/2705-305), and all other operating revenues properly included consistent with generally accepted accounting principles but do not include: the proceeds of any borrowings, and, beginning with the 2007 fiscal year, all revenues and receipts, including but not limited to fares

and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with generally accepted accounting principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligation for borrowed money issued by the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost to which it is reasonably expected that a cash expenditure will not be made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the payment by the Chicago Transit Authority of Debt Service, as defined in Section 12c of the Metropolitan Transit Authority Act, on bonds or notes issued pursuant to that Section; the payment by the Commuter Rail Division of debt service on bonds issued

pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this amendatory Act of the 95th General Assembly for a period of 2 years from the date of initiation of each such service; costs as exempted by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; and in fiscal years 2008 through 2012 inclusive, costs in the amount of \$200,000,000 in fiscal year 2008, reducing by \$40,000,000 in each fiscal year thereafter until this exemption is eliminated; and

(ii) that the level of fares charged for ADA paratransit services is sufficient to cause the aggregate of all projected revenues from such fares charged and received in each fiscal year to equal at least 10% of the aggregate costs of providing such ADA paratransit services. However, due to the fiscal impacts of the COVID-19 pandemic, the aggregate of all projected fare revenues from such fares and charges received in fiscal years 2021, 2022, ~~and 2023~~, 2024, and 2025 may be less than 10% of the aggregate costs of providing such ADA paratransit services in those fiscal years. For purposes of this Act, the percentages in this subsection (b)(ii)

shall be referred to as the "system generated ADA paratransit services revenue recovery ratio". For purposes of the system generated ADA paratransit services revenue recovery ratio, "costs" shall include all items properly included as operating costs consistent with generally accepted accounting principles. However, the Board may exclude from costs an amount that does not exceed the allowable "capital costs of contracting" for ADA paratransit services pursuant to the Federal Transit Administration guidelines for the Urbanized Area Formula Program.

The Authority shall file a statement certifying that the Service Boards published the data described in subsection (b-5) with the General Assembly and the Governor after adoption of the Annual Budget and Two-Year Financial Plan required by subsection (a). If the Authority fails to file a statement certifying publication of the data, then the appropriations to the Department of Transportation for grants to the Authority intended to reimburse the Service Boards for providing free and reduced fares shall be withheld.

(b-5) For fiscal years 2024 and 2025, the Service Boards must publish a monthly comprehensive set of data regarding transit service and safety. The data included shall include information to track operations including:

(1) staffing levels, including numbers of budgeted positions, current positions employed, hired staff,

attrition, staff in training, and absenteeism rates;

(2) scheduled service and delivered service, including percentage of scheduled service delivered by day, service by mode of transportation, service by route and rail line, total number of revenue miles driven, excess wait times by day, by mode of transportation, by bus route, and by stop; and

(3) safety on the system, including the number of incidents of crime and code of conduct violations on system, any performance measures used to evaluate the effectiveness of investments in private security, safety equipment, and other security investments in the system. If no performance measures exist to evaluate the effectiveness of these safety investments, the Service Boards and Authority shall develop and publish these performance measures.

The Authority and Service Boards shall solicit input and ideas on publishing data on the service reliability, operations, and safety of the system from the public and groups representing transit riders, workers, and businesses.

(c) The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1985 may not exceed \$5,000,000. The actual administrative expenses of the Authority for the fiscal year commencing January 1, 1986, and for each fiscal year thereafter shall not exceed the maximum administrative expenses for the previous fiscal year plus 5%.

"Administrative expenses" are defined for purposes of this Section as all expenses except: (1) capital expenses and purchases of the Authority on behalf of the Service Boards; (2) payments to Service Boards; and (3) payment of principal and interest on bonds, notes or other evidence of obligation for borrowed money issued by the Authority; (4) costs for passenger security including grants, contracts, personnel, equipment and administrative expenses; (5) payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20 of this Act; and (6) any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made pursuant to Section 4.14.

(d) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. After withholding 15% of the proceeds of any tax imposed by the Authority and 15% of money received by the Authority from the Regional Transportation Authority Occupation and Use Tax Replacement Fund, the Board shall allocate the proceeds and money remaining to the Service Boards as follows: (1) an amount equal to 85% of the proceeds of those taxes collected within the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District

Fund attributable to retail sales within the City of Chicago shall be allocated to the Chicago Transit Authority; (2) an amount equal to 85% of the proceeds of those taxes collected within Cook County outside the City of Chicago and 85% of the money received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the County and Mass Transit District Fund attributable to retail sales within Cook County outside of the city of Chicago shall be allocated 30% to the Chicago Transit Authority, 55% to the Commuter Rail Board and 15% to the Suburban Bus Board; and (3) an amount equal to 85% of the proceeds of the taxes collected within the Counties of DuPage, Kane, Lake, McHenry and Will shall be allocated 70% to the Commuter Rail Board and 30% to the Suburban Bus Board.

(e) This subsection applies only until the Department begins administering and enforcing an increased tax under Section 4.03(m) as authorized by this amendatory Act of the 95th General Assembly. Moneys received by the Authority on account of transfers to the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund shall be allocated among the Authority and the Service Boards as follows: 15% of such moneys shall be retained by the Authority and the remaining 85% shall be transferred to the Service Boards as soon as may be practicable after the Authority receives payment. Moneys which are distributable to the Service Boards pursuant to the

preceding sentence shall be allocated among the Service Boards on the basis of each Service Board's distribution ratio. The term "distribution ratio" means, for purposes of this subsection (e) of this Section 4.01, the ratio of the total amount distributed to a Service Board pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year to the total amount distributed to all of the Service Boards pursuant to subsection (d) of Section 4.01 for the immediately preceding calendar year.

(f) To carry out its duties and responsibilities under this Act, the Board shall employ staff which shall: (1) propose for adoption by the Board of the Authority rules for the Service Boards that establish (i) forms and schedules to be used and information required to be provided with respect to a five-year capital program, annual budgets, and two-year financial plans and regular reporting of actual results against adopted budgets and financial plans, (ii) financial practices to be followed in the budgeting and expenditure of public funds, (iii) assumptions and projections that must be followed in preparing and submitting its annual budget and two-year financial plan or a five-year capital program; (2) evaluate for the Board public transportation programs operated or proposed by the Service Boards and transportation agencies in terms of the goals and objectives set out in the Strategic Plan; (3) keep the Board and the public informed of the extent to which the Service Boards and transportation agencies are

meeting the goals and objectives adopted by the Authority in the Strategic Plan; and (4) assess the efficiency or adequacy of public transportation services provided by a Service Board and make recommendations for change in that service to the end that the moneys available to the Authority may be expended in the most economical manner possible with the least possible duplication.

(g) All Service Boards, transportation agencies, comprehensive planning agencies, including the Chicago Metropolitan Agency for Planning, or transportation planning agencies in the metropolitan region shall furnish to the Authority such information pertaining to public transportation or relevant for plans therefor as it may from time to time require. The Executive Director, or his or her designee, shall, for the purpose of securing any such information necessary or appropriate to carry out any of the powers and responsibilities of the Authority under this Act, have access to, and the right to examine, all books, documents, papers or records of a Service Board or any transportation agency receiving funds from the Authority or Service Board, and such Service Board or transportation agency shall comply with any request by the Executive Director, or his or her designee, within 30 days or an extended time provided by the Executive Director.

(h) No Service Board shall undertake any capital improvement which is not identified in the Five-Year Capital

Program.

(i) Each Service Board shall furnish to the Board access to its financial information including, but not limited to, audits and reports. The Board shall have real-time access to the financial information of the Service Boards; however, the Board shall be granted read-only access to the Service Board's financial information.

(Source: P.A. 102-678, eff. 12-10-21.)

(70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

Sec. 4.09. Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund.

(a) (1) Except as otherwise provided in paragraph (4), as soon as possible after the first day of each month, beginning July 1, 1984, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to a special fund in the State Treasury to be known as the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of

this Act, from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. On the first day of the month following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by Public Act 95-708, in lieu of the transfers authorized in the preceding sentence, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 80% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and 25% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1, and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the

County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. As used in this Section, net revenue realized for a month shall be the revenue collected by the State pursuant to Sections 4.03 and 4.03.1 during the previous month from within the metropolitan region, less the amount paid out during that same month as refunds to taxpayers for overpayment of liability in the metropolitan region under Sections 4.03 and 4.03.1.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (1) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(2) Except as otherwise provided in paragraph (4), on February 1, 2009 (the first day of the month following the effective date of Public Act 95-708) and each month thereafter, upon certification by the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 5% of the net revenue,

before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and certified by the Department of Revenue under Section 4.03(n) of this Act to be paid to the Authority and 5% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 5% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act, and 5% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (2) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(3) Except as otherwise provided in paragraph (4), as soon as possible after the first day of January, 2009 and each month

thereafter, upon certification of the Department of Revenue with respect to the taxes collected under Section 4.03, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 20% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund (iv) an amount equal to 25% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (3) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall

be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(4) Notwithstanding any provision of law to the contrary, of the transfers to be made under paragraphs (1), (2), and (3) of this subsection (a) from the General Revenue Fund to the Public Transportation Fund, the first \$150,000,000 that would have otherwise been transferred from the General Revenue Fund shall be transferred from the Road Fund. The remaining balance of such transfers shall be made from the General Revenue Fund.

(5) (Blank).

(6) (Blank).

(7) For State fiscal year 2020 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2020 shall be reduced by 5%.

(8) For State fiscal year 2021 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2021 shall be reduced by 5%.

(b)(1) All moneys deposited in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund, whether deposited pursuant to this Section or otherwise, are allocated to the Authority, except for amounts appropriated to the Office of the Executive Inspector General as authorized by subsection (h) of Section 4.03.3 and amounts transferred to the Audit Expense Fund

pursuant to Section 6z-27 of the State Finance Act. The Comptroller, as soon as possible after each monthly transfer provided in this Section and after each deposit into the Public Transportation Fund, shall order the Treasurer to pay to the Authority out of the Public Transportation Fund the amount so transferred or deposited. Any Additional State Assistance and Additional Financial Assistance paid to the Authority under this Section shall be expended by the Authority for its purposes as provided in this Act. The balance of the amounts paid to the Authority from the Public Transportation Fund shall be expended by the Authority as provided in Section 4.03.3. The Comptroller, as soon as possible after each deposit into the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided in this Section and Section 6z-17 of the State Finance Act, shall order the Treasurer to pay to the Authority out of the Regional Transportation Authority Occupation and Use Tax Replacement Fund the amount so deposited. Such amounts paid to the Authority may be expended by it for its purposes as provided in this Act. The provisions directing the distributions from the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized and directed to make distributions as provided in this Section.

(2) Provided, however, no moneys deposited under subsection (a) of this Section shall be paid from the Public Transportation Fund to the Authority or its assignee for any fiscal year until the Authority has certified to the Governor, the Comptroller, and the Mayor of the City of Chicago that it has adopted for that fiscal year an Annual Budget and Two-Year Financial Plan meeting the requirements in Section 4.01(b).

(c) In recognition of the efforts of the Authority to enhance the mass transportation facilities under its control, the State shall provide financial assistance ("Additional State Assistance") in excess of the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional State Assistance shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

1990	\$5,000,000;
1991	\$5,000,000;
1992	\$10,000,000;
1993	\$10,000,000;
1994	\$20,000,000;
1995	\$30,000,000;
1996	\$40,000,000;
1997	\$50,000,000;
1998	\$55,000,000; and
each year thereafter	\$55,000,000.

(c-5) The State shall provide financial assistance ("Additional Financial Assistance") in addition to the Additional State Assistance provided by subsection (c) and the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional Financial Assistance provided by this subsection shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

2000	\$0;
2001	\$16,000,000;
2002	\$35,000,000;
2003	\$54,000,000;
2004	\$73,000,000;
2005	\$93,000,000; and
each year thereafter	\$100,000,000.

(d) Beginning with State fiscal year 1990 and continuing for each State fiscal year thereafter, the Authority shall annually certify to the State Comptroller and State Treasurer, separately with respect to each of subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act, the following amounts:

(1) The amount necessary and required, during the State fiscal year with respect to which the certification is made, to pay its obligations for debt service on all outstanding bonds or notes issued by the Authority under subdivisions (g)(2) and (g)(3) of Section 4.04 of this

Act.

(2) An estimate of the amount necessary and required to pay its obligations for debt service for any bonds or notes which the Authority anticipates it will issue under subdivisions (g) (2) and (g) (3) of Section 4.04 during that State fiscal year.

(3) Its debt service savings during the preceding State fiscal year from refunding or advance refunding of bonds or notes issued under subdivisions (g) (2) and (g) (3) of Section 4.04.

(4) The amount of interest, if any, earned by the Authority during the previous State fiscal year on the proceeds of bonds or notes issued pursuant to subdivisions (g) (2) and (g) (3) of Section 4.04, other than refunding or advance refunding bonds or notes.

The certification shall include a specific schedule of debt service payments, including the date and amount of each payment for all outstanding bonds or notes and an estimated schedule of anticipated debt service for all bonds and notes it intends to issue, if any, during that State fiscal year, including the estimated date and estimated amount of each payment.

Immediately upon the issuance of bonds for which an estimated schedule of debt service payments was prepared, the Authority shall file an amended certification with respect to item (2) above, to specify the actual schedule of debt service

payments, including the date and amount of each payment, for the remainder of the State fiscal year.

On the first day of each month of the State fiscal year in which there are bonds outstanding with respect to which the certification is made, the State Comptroller shall order transferred and the State Treasurer shall transfer from the Road Fund to the Public Transportation Fund the Additional State Assistance and Additional Financial Assistance in an amount equal to the aggregate of (i) one-twelfth of the sum of the amounts certified under items (1) and (3) above less the amount certified under item (4) above, plus (ii) the amount required to pay debt service on bonds and notes issued during the fiscal year, if any, divided by the number of months remaining in the fiscal year after the date of issuance, or some smaller portion as may be necessary under subsection (c) or (c-5) of this Section for the relevant State fiscal year, plus (iii) any cumulative deficiencies in transfers for prior months, until an amount equal to the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, has been transferred; except that these transfers are subject to the following limits:

(A) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(2) of Section 4.04 exceed the lesser of the annual maximum amount specified

in subsection (c) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

(B) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(3) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c-5) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

The term "outstanding" does not include bonds or notes for which refunding or advance refunding bonds or notes have been issued.

(e) Neither Additional State Assistance nor Additional Financial Assistance may be pledged, either directly or indirectly as general revenues of the Authority, as security for any bonds issued by the Authority. The Authority may not assign its right to receive Additional State Assistance or Additional Financial Assistance, or direct payment of Additional State Assistance or Additional Financial Assistance, to a trustee or any other entity for the payment of debt service on its bonds.

(f) The certification required under subsection (d) with respect to outstanding bonds and notes of the Authority shall be filed as early as practicable before the beginning of the State fiscal year to which it relates. The certification shall be revised as may be necessary to accurately state the debt service requirements of the Authority.

(g) Within 6 months of the end of each fiscal year, the Authority shall determine:

(i) whether the aggregate of all system generated revenues for public transportation in the metropolitan region which is provided by, or under grant or purchase of service contracts with, the Service Boards equals 50% of the aggregate of all costs of providing such public transportation. "System generated revenues" include all the proceeds of fares and charges for services provided, contributions received in connection with public transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law, and all other revenues properly included consistent with generally accepted accounting principles but may not include: the proceeds from any borrowing, and, beginning with the 2007 fiscal year, all

revenues and receipts, including but not limited to fares and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with generally accepted accounting principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligations for borrowed money of the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20; any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost as to which it is reasonably expected that a cash expenditure will not be made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the costs of Debt Service paid by the Chicago Transit Authority, as defined in Section 12c of the Metropolitan Transit Authority Act, or bonds or notes issued pursuant to that Section; the payment by the

Commuter Rail Division of debt service on bonds issued pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this Act for a period of 2 years from the date of initiation of each such service; costs as exempted by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; or in fiscal years 2008 through 2012 inclusive, costs in the amount of \$200,000,000 in fiscal year 2008, reducing by \$40,000,000 in each fiscal year thereafter until this exemption is eliminated. If said system generated revenues are less than 50% of said costs, the Board shall remit an amount equal to the amount of the deficit to the State; however, due to the fiscal impacts from the COVID-19 pandemic, for fiscal years 2021, 2022, ~~and 2023,~~ 2024, and 2025, no such payment shall be required. The Treasurer shall deposit any such payment in the Road Fund; and

(ii) whether, beginning with the 2007 fiscal year, the aggregate of all fares charged and received for ADA paratransit services equals the system generated ADA paratransit services revenue recovery ratio percentage of the aggregate of all costs of providing such ADA paratransit services.

(h) If the Authority makes any payment to the State under paragraph (g), the Authority shall reduce the amount provided to a Service Board from funds transferred under paragraph (a) in proportion to the amount by which that Service Board failed to meet its required system generated revenues recovery ratio. A Service Board which is affected by a reduction in funds under this paragraph shall submit to the Authority concurrently with its next due quarterly report a revised budget incorporating the reduction in funds. The revised budget must meet the criteria specified in clauses (i) through (vi) of Section 4.11(b)(2). The Board shall review and act on the revised budget as provided in Section 4.11(b)(3).

(Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20; 102-678, eff. 12-10-21.)

Section 90. The State Mandates Act is amended by adding Section 8.47 as follows:

(30 ILCS 805/8.47 new)

Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of the mandate created by Section 2.10a of the Regional Transportation Authority Act in this amendatory Act of the 103rd General Assembly.

Section 99. Effective date. This Section and Sections 2.41 and 2.42 of the Regional Transportation Authority Act take

Public Act 103-0281

HB1342 Enrolled

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effect upon becoming law.