



Rep. Theresa Mah

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10000HB2802ham002

LRB100 06136 JLS 24798 a

1 AMENDMENT TO HOUSE BILL 2802

2 AMENDMENT NO. _____. Amend House Bill 2802 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 average
8 of at least 10 hours of work per week for compensation within
9 the geographic boundaries of the jurisdiction of the Regional
10 Transportation Authority for the same employer within the
11 previous calendar month. All persons performing work for
12 compensation on a full-time, part-time, or temporary basis
13 shall be counted, including persons made available to work
14 through the services of a temporary services or staffing agency
15 or similar entity.

16 "Covered employer" means an employer within the geographic

1 boundaries of the Regional Transportation Authority
2 jurisdiction for which an average of 25 or more full-time
3 employees work for compensation.

4 "Employer" means any individual, partnership, association,
5 corporation, limited liability company, or business trust who
6 directly or indirectly, or through an agent or any other
7 person, employs or exercises control over wages, hours, or
8 working conditions of an employee.

9 "Public transit" means any transportation system within
10 the authority and jurisdiction of the Regional Transportation
11 Authority.

12 "Qualified parking" means parking provided to an employee
13 on or near the business premises of the employer or on or near
14 a location from which the employee commutes to work by
15 transportation on public transit. "Qualified parking" does not
16 include parking on or near property used by the employee for
17 residential purposes.

18 "Transit pass" means any pass, token, fare card, voucher,
19 or similar item entitling a person to transportation on public
20 transit.

21 Section 10. Transportation benefits program.

22 (a) Except as provided in subsection (b), all covered
23 employers shall provide at least one of the following
24 transportation benefit programs to covered employees:

25 (1) A program consistent with 26 U.S.C. 132(f) that

1 allows employees to elect to exclude from taxable wages and
2 compensation the employee's commuting costs incurred for
3 the purchase of a transit pass to use public transit or for
4 the purchase of qualified parking, up to a maximum level
5 allowed by federal tax law.

6 (2) A program under which the employer supplies a
7 transit pass for the particular qualifying public transit
8 requested by the covered employee or reimburses the covered
9 employee for payments made for the use of qualified
10 parking.

11 (b) This Act does not apply to a covered employer whose
12 place of business is located in a zip code in which
13 regularly-scheduled transit service does not operate.

14 Section 15. List of zip codes. The Regional Transportation
15 Authority shall prepare a list of zip codes within the
16 geographic area of the Authority in which regularly-scheduled
17 transit service does not operate. The Authority shall publish
18 the list of zip codes on its website.

19 Section 99. Effective date. This Act takes effect January
20 1, 2018."