



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3966

Introduced 11/13/2019, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends Regional Transportation Authority Act. Provides that Metra Electric Division and Rock Island Division fares for transportation wholly within the City of Chicago shall be equal to the fares set by the Chicago Transit Board for rail transportation. Provides that fares for Metra Electric Division and Rock Island Division transportation that originate or conclude outside of the City of Chicago shall be set by the Commuter Rail Board and be based on the zone in which the transportation originates and concludes. Provides that the Commuter Rail Board shall accept the Ventra card for use on the Metra Electric Division and Rock Island Division and riders using the Ventra card shall pay through the Ventra application or at a station. Provides that the Commuter Rail Board shall adopt a policy to periodically check riders' tickets, including Ventra tickets and the Ventra application, on the Metra Electric Division and Rock Island Division to determine whether a rider has paid for transportation at the station or on the Ventra application. Provides that transfer fees using Ventra cards or the Ventra application between transportation provided by the Chicago Transit Board, Suburban Bus Board, and the Electric District or Rock Island District of the Commuter Rail Board shall be equal to the transfer fare between Chicago Transit Board transportation. Provides that lost revenue experienced by the Commuter Rail Board due to the implementation of any requirement relating to specified Metra Eclectic Division and Rock Island Division fare provisions are not "costs" in the calculation of whether fares and charges received in each fiscal year equal at least 50% of the aggregate costs of providing public transportation. Amends the Metropolitan Transit Authority Act making conforming changes. Effective June 1, 2020.

LRB101 14127 AWJ 62994 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Metropolitan Transit Authority Act is
5 amended by adding Section 30.5 as follows:

6 (70 ILCS 3605/30.5 new)

7 Sec. 30.5. Ventra readers in Electric District and Rock
8 Island District stations; Ventra transfer fares.

9 (a) The Chicago Transit Board shall install and maintain
10 Ventra readers at every Electric District station and Rock
11 Island District station of the Commuter Rail Board in the
12 location the Commuter Rail Board shall provide in writing to
13 the Chicago Transit Board.

14 (b) The Chicago Transit Board shall set the Ventra card and
15 Ventra application transfer fare from transportation provided
16 by the Suburban Bus Board or the Electric District or Rock
17 Island District of the Commuter Rail Board to transportation
18 provided by the Chicago Transit Board in an amount equal to the
19 transfer fare between Chicago Transit Board transportation.

20 Section 10. The Regional Transportation Authority Act is
21 amended by changing Sections 4.01 and 4.09 and by adding
22 Sections 3A.19, 3B.09c, and 4.17 as follows:

1 (70 ILCS 3615/3A.19 new)

2 Sec. 3A.19. Ventra transfer fares. The Suburban Bus Board
3 shall set the Ventra card and Ventra application transfer fare
4 from transportation provided by the Chicago Transit Board or
5 the Electric District or Rock Island District of the Commuter
6 Rail Board to transportation provided by the Suburban Bus Board
7 in an amount equal to the transfer fare between Chicago Transit
8 Board transportation.

9 (70 ILCS 3615/3B.09c new)

10 Sec. 3B.09c. Electric District and Rock Island District
11 fares.

12 (a) The Electric District and Rock Island District fares
13 for transportation wholly within the City of Chicago shall be
14 equal to the fares set by the Chicago Transit Board for rail
15 transportation.

16 (b) Fares for the Electric District and Rock Island
17 District transportation that originate or conclude outside of
18 the City of Chicago shall be set by the Commuter Rail Board and
19 be based on the zone in which the transportation originates and
20 concludes.

21 (c) The Commuter Rail Board shall accept the Ventra card
22 for use on the Electric District and Rock Island District.
23 Riders using a Ventra card shall pay through the Ventra
24 application or at a station. The Commuter Rail Board shall

1 adopt a policy to periodically check riders' tickets, including
2 Ventra cards or the Ventra application, on the Electric
3 District and Rock Island District to determine whether a rider
4 has paid for transportation at the station or on the Ventra
5 application.

6 (d) The Commuter Rail Board shall set the Ventra card and
7 Ventra application transfer fare from transportation provided
8 by the Chicago Transit Board or the Suburban Bus Board to
9 transportation provided by the Electric District or Rock Island
10 District of the Commuter Rail Board in an amount equal to the
11 transfer fare between Chicago Transit Board transportation.

12 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

13 Sec. 4.01. Budget and Program.

14 (a) The Board shall control the finances of the Authority.
15 It shall by ordinance adopted by the affirmative vote of at
16 least 12 of its then Directors (i) appropriate money to perform
17 the Authority's purposes and provide for payment of debts and
18 expenses of the Authority, (ii) take action with respect to the
19 budget and two-year financial plan of each Service Board, as
20 provided in Section 4.11, and (iii) adopt an Annual Budget and
21 Two-Year Financial Plan for the Authority that includes the
22 annual budget and two-year financial plan of each Service Board
23 that has been approved by the Authority. The Annual Budget and
24 Two-Year Financial Plan shall contain a statement of the funds
25 estimated to be on hand for the Authority and each Service

1 Board at the beginning of the fiscal year, the funds estimated
2 to be received from all sources for such year, the estimated
3 expenses and obligations of the Authority and each Service
4 Board for all purposes, including expenses for contributions to
5 be made with respect to pension and other employee benefits,
6 and the funds estimated to be on hand at the end of such year.
7 The fiscal year of the Authority and each Service Board shall
8 begin on January 1st and end on the succeeding December 31st.
9 By July 1st of each year the Director of the Illinois
10 Governor's Office of Management and Budget (formerly Bureau of
11 the Budget) shall submit to the Authority an estimate of
12 revenues for the next fiscal year of the Authority to be
13 collected from the taxes imposed by the Authority and the
14 amounts to be available in the Public Transportation Fund and
15 the Regional Transportation Authority Occupation and Use Tax
16 Replacement Fund and the amounts otherwise to be appropriated
17 by the State to the Authority for its purposes. The Authority
18 shall file a copy of its Annual Budget and Two-Year Financial
19 Plan with the General Assembly and the Governor after its
20 adoption. Before the proposed Annual Budget and Two-Year
21 Financial Plan is adopted, the Authority shall hold at least
22 one public hearing thereon in the metropolitan region, and
23 shall meet with the county board or its designee of each of the
24 several counties in the metropolitan region. After conducting
25 such hearings and holding such meetings and after making such
26 changes in the proposed Annual Budget and Two-Year Financial

1 Plan as the Board deems appropriate, the Board shall adopt its
2 annual appropriation and Annual Budget and Two-Year Financial
3 Plan ordinance. The ordinance may be adopted only upon the
4 affirmative votes of 12 of its then Directors. The ordinance
5 shall appropriate such sums of money as are deemed necessary to
6 defray all necessary expenses and obligations of the Authority,
7 specifying purposes and the objects or programs for which
8 appropriations are made and the amount appropriated for each
9 object or program. Additional appropriations, transfers
10 between items and other changes in such ordinance may be made
11 from time to time by the Board upon the affirmative votes of 12
12 of its then Directors.

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

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

21 (i) that the level of fares and charges for mass
22 transportation provided by, or under grant or purchase of
23 service contracts of, the Service Boards is sufficient to
24 cause the aggregate of all projected fare revenues from
25 such fares and charges received in each fiscal year to
26 equal at least 50% of the aggregate costs of providing such

1 public transportation in such fiscal year. "Fare revenues"
2 include the proceeds of all fares and charges for services
3 provided, contributions received in connection with public
4 transportation from units of local government other than
5 the Authority, except for contributions received by the
6 Chicago Transit Authority from a real estate transfer tax
7 imposed under subsection (i) of Section 8-3-19 of the
8 Illinois Municipal Code, and from the State pursuant to
9 subsection (i) of Section 2705-305 of the Department of
10 Transportation Law (20 ILCS 2705/2705-305), and all other
11 operating revenues properly included consistent with
12 generally accepted accounting principles but do not
13 include: the proceeds of any borrowings, and, beginning
14 with the 2007 fiscal year, all revenues and receipts,
15 including but not limited to fares and grants received from
16 the federal, State or any unit of local government or other
17 entity, derived from providing ADA paratransit service
18 pursuant to Section 2.30 of the Regional Transportation
19 Authority Act. "Costs" include all items properly included
20 as operating costs consistent with generally accepted
21 accounting principles, including administrative costs, but
22 do not include: depreciation; payment of principal and
23 interest on bonds, notes or other evidences of obligation
24 for borrowed money issued by the Authority; payments with
25 respect to public transportation facilities made pursuant
26 to subsection (b) of Section 2.20 of this Act; any payments

1 with respect to rate protection contracts, credit
2 enhancements or liquidity agreements made under Section
3 4.14; any other cost to which it is reasonably expected
4 that a cash expenditure will not be made; costs for
5 passenger security including grants, contracts, personnel,
6 equipment and administrative expenses, except in the case
7 of the Chicago Transit Authority, in which case the term
8 does not include costs spent annually by that entity for
9 protection against crime as required by Section 27a of the
10 Metropolitan Transit Authority Act; the payment by the
11 Chicago Transit Authority of Debt Service, as defined in
12 Section 12c of the Metropolitan Transit Authority Act, on
13 bonds or notes issued pursuant to that Section; the payment
14 by the Commuter Rail Division of debt service on bonds
15 issued pursuant to Section 3B.09; expenses incurred by the
16 Suburban Bus Division for the cost of new public
17 transportation services funded from grants pursuant to
18 Section 2.01e of this amendatory Act of the 95th General
19 Assembly for a period of 2 years from the date of
20 initiation of each such service; costs as exempted by the
21 Board for projects pursuant to Section 2.09 of this Act;
22 ~~or~~ beginning with the 2007 fiscal year, expenses related
23 to providing ADA paratransit service pursuant to Section
24 2.30 of the Regional Transportation Authority Act; ~~and~~ in
25 fiscal years 2008 through 2012 inclusive, costs in the
26 amount of \$200,000,000 in fiscal year 2008, reducing by

1 \$40,000,000 in each fiscal year thereafter until this
2 exemption is eliminated; and any lost revenue experienced
3 by the Commuter Rail Board due to the implementation of any
4 requirement of Section 3B.09c; and

5 (ii) that the level of fares charged for ADA
6 paratransit services is sufficient to cause the aggregate
7 of all projected revenues from such fares charged and
8 received in each fiscal year to equal at least 10% of the
9 aggregate costs of providing such ADA paratransit
10 services. For purposes of this Act, the percentages in this
11 subsection (b)(ii) shall be referred to as the "system
12 generated ADA paratransit services revenue recovery
13 ratio". For purposes of the system generated ADA
14 paratransit services revenue recovery ratio, "costs" shall
15 include all items properly included as operating costs
16 consistent with generally accepted accounting principles.
17 However, the Board may exclude from costs an amount that
18 does not exceed the allowable "capital costs of
19 contracting" for ADA paratransit services pursuant to the
20 Federal Transit Administration guidelines for the
21 Urbanized Area Formula Program.

22 (c) The actual administrative expenses of the Authority for
23 the fiscal year commencing January 1, 1985 may not exceed
24 \$5,000,000. The actual administrative expenses of the
25 Authority for the fiscal year commencing January 1, 1986, and
26 for each fiscal year thereafter shall not exceed the maximum

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

14 (d) This subsection applies only until the Department
15 begins administering and enforcing an increased tax under
16 Section 4.03(m) as authorized by this amendatory Act of the
17 95th General Assembly. After withholding 15% of the proceeds of
18 any tax imposed by the Authority and 15% of money received by
19 the Authority from the Regional Transportation Authority
20 Occupation and Use Tax Replacement Fund, the Board shall
21 allocate the proceeds and money remaining to the Service Boards
22 as follows: (1) an amount equal to 85% of the proceeds of those
23 taxes collected within the City of Chicago and 85% of the money
24 received by the Authority on account of transfers to the
25 Regional Transportation Authority Occupation and Use Tax
26 Replacement Fund from the County and Mass Transit District Fund

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

15 (e) This subsection applies only until the Department
16 begins administering and enforcing an increased tax under
17 Section 4.03(m) as authorized by this amendatory Act of the
18 95th General Assembly. Moneys received by the Authority on
19 account of transfers to the Regional Transportation Authority
20 Occupation and Use Tax Replacement Fund from the State and
21 Local Sales Tax Reform Fund shall be allocated among the
22 Authority and the Service Boards as follows: 15% of such moneys
23 shall be retained by the Authority and the remaining 85% shall
24 be transferred to the Service Boards as soon as may be
25 practicable after the Authority receives payment. Moneys which
26 are distributable to the Service Boards pursuant to the

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

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

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

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

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

26 (i) Each Service Board shall furnish to the Board access to

1 its financial information including, but not limited to, audits
2 and reports. The Board shall have real-time access to the
3 financial information of the Service Boards; however, the Board
4 shall be granted read-only access to the Service Board's
5 financial information.

6 (Source: P.A. 98-1027, eff. 1-1-15.)

7 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

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

11 (a)(1) Except as otherwise provided in paragraph (4), as
12 soon as possible after the first day of each month, beginning
13 July 1, 1984, upon certification of the Department of Revenue,
14 the Comptroller shall order transferred and the Treasurer shall
15 transfer from the General Revenue Fund to a special fund in the
16 State Treasury to be known as the Public Transportation Fund an
17 amount equal to 25% of the net revenue, before the deduction of
18 the serviceman and retailer discounts pursuant to Section 9 of
19 the Service Occupation Tax Act and Section 3 of the Retailers'
20 Occupation Tax Act, realized from any tax imposed by the
21 Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the
22 amounts deposited into the Regional Transportation Authority
23 tax fund created by Section 4.03 of this Act, from the County
24 and Mass Transit District Fund as provided in Section 6z-20 of
25 the State Finance Act and 25% of the amounts deposited into the

1 Regional Transportation Authority Occupation and Use Tax
2 Replacement Fund from the State and Local Sales Tax Reform Fund
3 as provided in Section 6z-17 of the State Finance Act. On the
4 first day of the month following the date that the Department
5 receives revenues from increased taxes under Section 4.03(m) as
6 authorized by Public Act 95-708, in lieu of the transfers
7 authorized in the preceding sentence, upon certification of the
8 Department of Revenue, the Comptroller shall order transferred
9 and the Treasurer shall transfer from the General Revenue Fund
10 to the Public Transportation Fund an amount equal to 25% of the
11 net revenue, before the deduction of the serviceman and
12 retailer discounts pursuant to Section 9 of the Service
13 Occupation Tax Act and Section 3 of the Retailers' Occupation
14 Tax Act, realized from (i) 80% of the proceeds of any tax
15 imposed by the Authority at a rate of 1.25% in Cook County,
16 (ii) 75% of the proceeds of any tax imposed by the Authority at
17 the rate of 1% in Cook County, and (iii) one-third of the
18 proceeds of any tax imposed by the Authority at the rate of
19 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will,
20 all pursuant to Section 4.03, and 25% of the net revenue
21 realized from any tax imposed by the Authority pursuant to
22 Section 4.03.1, and 25% of the amounts deposited into the
23 Regional Transportation Authority tax fund created by Section
24 4.03 of this Act from the County and Mass Transit District Fund
25 as provided in Section 6z-20 of the State Finance Act, and 25%
26 of the amounts deposited into the Regional Transportation

1 Authority Occupation and Use Tax Replacement Fund from the
2 State and Local Sales Tax Reform Fund as provided in Section
3 6z-17 of the State Finance Act. As used in this Section, net
4 revenue realized for a month shall be the revenue collected by
5 the State pursuant to Sections 4.03 and 4.03.1 during the
6 previous month from within the metropolitan region, less the
7 amount paid out during that same month as refunds to taxpayers
8 for overpayment of liability in the metropolitan region under
9 Sections 4.03 and 4.03.1.

10 Notwithstanding any provision of law to the contrary,
11 beginning on July 6, 2017 (the effective date of Public Act
12 100-23), those amounts required under this paragraph (1) of
13 subsection (a) to be transferred by the Treasurer into the
14 Public Transportation Fund from the General Revenue Fund shall
15 be directly deposited into the Public Transportation Fund as
16 the revenues are realized from the taxes indicated.

17 (2) Except as otherwise provided in paragraph (4), on
18 February 1, 2009 (the first day of the month following the
19 effective date of Public Act 95-708) and each month thereafter,
20 upon certification by the Department of Revenue, the
21 Comptroller shall order transferred and the Treasurer shall
22 transfer from the General Revenue Fund to the Public
23 Transportation Fund an amount equal to 5% of the net revenue,
24 before the deduction of the serviceman and retailer discounts
25 pursuant to Section 9 of the Service Occupation Tax Act and
26 Section 3 of the Retailers' Occupation Tax Act, realized from

1 any tax imposed by the Authority pursuant to Sections 4.03 and
2 4.03.1 and certified by the Department of Revenue under Section
3 4.03(n) of this Act to be paid to the Authority and 5% of the
4 amounts deposited into the Regional Transportation Authority
5 tax fund created by Section 4.03 of this Act from the County
6 and Mass Transit District Fund as provided in Section 6z-20 of
7 the State Finance Act, and 5% of the amounts deposited into the
8 Regional Transportation Authority Occupation and Use Tax
9 Replacement Fund from the State and Local Sales Tax Reform Fund
10 as provided in Section 6z-17 of the State Finance Act, and 5%
11 of the revenue realized by the Chicago Transit Authority as
12 financial assistance from the City of Chicago from the proceeds
13 of any tax imposed by the City of Chicago under Section 8-3-19
14 of the Illinois Municipal Code.

15 Notwithstanding any provision of law to the contrary,
16 beginning on July 6, 2017 (the effective date of Public Act
17 100-23), those amounts required under this paragraph (2) of
18 subsection (a) to be transferred by the Treasurer into the
19 Public Transportation Fund from the General Revenue Fund shall
20 be directly deposited into the Public Transportation Fund as
21 the revenues are realized from the taxes indicated.

22 (3) Except as otherwise provided in paragraph (4), as soon
23 as possible after the first day of January, 2009 and each month
24 thereafter, upon certification of the Department of Revenue
25 with respect to the taxes collected under Section 4.03, the
26 Comptroller shall order transferred and the Treasurer shall

1 transfer from the General Revenue Fund to the Public
2 Transportation Fund an amount equal to 25% of the net revenue,
3 before the deduction of the serviceman and retailer discounts
4 pursuant to Section 9 of the Service Occupation Tax Act and
5 Section 3 of the Retailers' Occupation Tax Act, realized from
6 (i) 20% of the proceeds of any tax imposed by the Authority at
7 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
8 tax imposed by the Authority at the rate of 1% in Cook County,
9 and (iii) one-third of the proceeds of any tax imposed by the
10 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
11 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
12 Comptroller shall order transferred and the Treasurer shall
13 transfer from the General Revenue Fund to the Public
14 Transportation Fund (iv) an amount equal to 25% of the revenue
15 realized by the Chicago Transit Authority as financial
16 assistance from the City of Chicago from the proceeds of any
17 tax imposed by the City of Chicago under Section 8-3-19 of the
18 Illinois Municipal Code.

19 Notwithstanding any provision of law to the contrary,
20 beginning on July 6, 2017 (the effective date of Public Act
21 100-23), those amounts required under this paragraph (3) of
22 subsection (a) to be transferred by the Treasurer into the
23 Public Transportation Fund from the General Revenue Fund shall
24 be directly deposited into the Public Transportation Fund as
25 the revenues are realized from the taxes indicated.

26 (4) Notwithstanding any provision of law to the contrary,

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

7 (5) (Blank).

8 (6) (Blank).

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

13 (b)(1) All moneys deposited in the Public Transportation
14 Fund and the Regional Transportation Authority Occupation and
15 Use Tax Replacement Fund, whether deposited pursuant to this
16 Section or otherwise, are allocated to the Authority, except
17 for amounts appropriated to the Office of the Executive
18 Inspector General as authorized by subsection (h) of Section
19 4.03.3 and amounts transferred to the Audit Expense Fund
20 pursuant to Section 6z-27 of the State Finance Act. The
21 Comptroller, as soon as possible after each monthly transfer
22 provided in this Section and after each deposit into the Public
23 Transportation Fund, shall order the Treasurer to pay to the
24 Authority out of the Public Transportation Fund the amount so
25 transferred or deposited. Any Additional State Assistance and
26 Additional Financial Assistance paid to the Authority under

1 this Section shall be expended by the Authority for its
2 purposes as provided in this Act. The balance of the amounts
3 paid to the Authority from the Public Transportation Fund shall
4 be expended by the Authority as provided in Section 4.03.3. The
5 Comptroller, as soon as possible after each deposit into the
6 Regional Transportation Authority Occupation and Use Tax
7 Replacement Fund provided in this Section and Section 6z-17 of
8 the State Finance Act, shall order the Treasurer to pay to the
9 Authority out of the Regional Transportation Authority
10 Occupation and Use Tax Replacement Fund the amount so
11 deposited. Such amounts paid to the Authority may be expended
12 by it for its purposes as provided in this Act. The provisions
13 directing the distributions from the Public Transportation
14 Fund and the Regional Transportation Authority Occupation and
15 Use Tax Replacement Fund provided for in this Section shall
16 constitute an irrevocable and continuing appropriation of all
17 amounts as provided herein. The State Treasurer and State
18 Comptroller are hereby authorized and directed to make
19 distributions as provided in this Section. (2) Provided,
20 however, no moneys deposited under subsection (a) of this
21 Section shall be paid from the Public Transportation Fund to
22 the Authority or its assignee for any fiscal year until the
23 Authority has certified to the Governor, the Comptroller, and
24 the Mayor of the City of Chicago that it has adopted for that
25 fiscal year an Annual Budget and Two-Year Financial Plan
26 meeting the requirements in Section 4.01(b).

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

10	1990	\$5,000,000;
11	1991	\$5,000,000;
12	1992	\$10,000,000;
13	1993	\$10,000,000;
14	1994	\$20,000,000;
15	1995	\$30,000,000;
16	1996	\$40,000,000;
17	1997	\$50,000,000;
18	1998	\$55,000,000; and
19	each year thereafter	\$55,000,000.

20 (c-5) The State shall provide financial assistance
21 ("Additional Financial Assistance") in addition to the
22 Additional State Assistance provided by subsection (c) and the
23 amounts transferred to the Authority from the General Revenue
24 Fund under subsection (a) of this Section. Additional Financial
25 Assistance provided by this subsection shall be calculated as
26 provided in subsection (d), but shall in no event exceed the

1 following specified amounts with respect to the following State
2 fiscal years:

3	2000	\$0;
4	2001	\$16,000,000;
5	2002	\$35,000,000;
6	2003	\$54,000,000;
7	2004	\$73,000,000;
8	2005	\$93,000,000; and
9	each year thereafter	\$100,000,000.

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

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

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

25 (3) Its debt service savings during the preceding State
26 fiscal year from refunding or advance refunding of bonds or

1 notes issued under subdivisions (g)(2) and (g)(3) of
2 Section 4.04.

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

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

14 Immediately upon the issuance of bonds for which an
15 estimated schedule of debt service payments was prepared, the
16 Authority shall file an amended certification with respect to
17 item (2) above, to specify the actual schedule of debt service
18 payments, including the date and amount of each payment, for
19 the remainder of the State fiscal year.

20 On the first day of each month of the State fiscal year in
21 which there are bonds outstanding with respect to which the
22 certification is made, the State Comptroller shall order
23 transferred and the State Treasurer shall transfer from the
24 Road Fund to the Public Transportation Fund the Additional
25 State Assistance and Additional Financial Assistance in an
26 amount equal to the aggregate of (i) one-twelfth of the sum of

1 the amounts certified under items (1) and (3) above less the
2 amount certified under item (4) above, plus (ii) the amount
3 required to pay debt service on bonds and notes issued during
4 the fiscal year, if any, divided by the number of months
5 remaining in the fiscal year after the date of issuance, or
6 some smaller portion as may be necessary under subsection (c)
7 or (c-5) of this Section for the relevant State fiscal year,
8 plus (iii) any cumulative deficiencies in transfers for prior
9 months, until an amount equal to the sum of the amounts
10 certified under items (1) and (3) above, plus the actual debt
11 service certified under item (2) above, less the amount
12 certified under item (4) above, has been transferred; except
13 that these transfers are subject to the following limits:

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

23 (B) In no event shall the total transfers in any State
24 fiscal year relating to outstanding bonds and notes issued
25 by the Authority under subdivision (g) (3) of Section 4.04
26 exceed the lesser of the annual maximum amount specified in

1 subsection (c-5) or the sum of the amounts certified under
2 items (1) and (3) above, plus the actual debt service
3 certified under item (2) above, less the amount certified
4 under item (4) above, with respect to those bonds and
5 notes.

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

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

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

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

26 (i) whether the aggregate of all system generated

1 revenues for public transportation in the metropolitan
2 region which is provided by, or under grant or purchase of
3 service contracts with, the Service Boards equals 50% of
4 the aggregate of all costs of providing such public
5 transportation. "System generated revenues" include all
6 the proceeds of fares and charges for services provided,
7 contributions received in connection with public
8 transportation from units of local government other than
9 the Authority, except for contributions received by the
10 Chicago Transit Authority from a real estate transfer tax
11 imposed under subsection (i) of Section 8-3-19 of the
12 Illinois Municipal Code, and from the State pursuant to
13 subsection (i) of Section 2705-305 of the Department of
14 Transportation Law, and all other revenues properly
15 included consistent with generally accepted accounting
16 principles but may not include: the proceeds from any
17 borrowing, and, beginning with the 2007 fiscal year, all
18 revenues and receipts, including but not limited to fares
19 and grants received from the federal, State or any unit of
20 local government or other entity, derived from providing
21 ADA paratransit service pursuant to Section 2.30 of the
22 Regional Transportation Authority Act. "Costs" include all
23 items properly included as operating costs consistent with
24 generally accepted accounting principles, including
25 administrative costs, but do not include: depreciation;
26 payment of principal and interest on bonds, notes or other

1 evidences of obligations for borrowed money of the
2 Authority; payments with respect to public transportation
3 facilities made pursuant to subsection (b) of Section 2.20;
4 any payments with respect to rate protection contracts,
5 credit enhancements or liquidity agreements made under
6 Section 4.14; any other cost as to which it is reasonably
7 expected that a cash expenditure will not be made; costs
8 for passenger security including grants, contracts,
9 personnel, equipment and administrative expenses, except
10 in the case of the Chicago Transit Authority, in which case
11 the term does not include costs spent annually by that
12 entity for protection against crime as required by Section
13 27a of the Metropolitan Transit Authority Act; the costs of
14 Debt Service paid by the Chicago Transit Authority, as
15 defined in Section 12c of the Metropolitan Transit
16 Authority Act, or bonds or notes issued pursuant to that
17 Section; the payment by the Commuter Rail Division of debt
18 service on bonds issued pursuant to Section 3B.09; expenses
19 incurred by the Suburban Bus Division for the cost of new
20 public transportation services funded from grants pursuant
21 to Section 2.01e of this Act for a period of 2 years from
22 the date of initiation of each such service; costs as
23 exempted by the Board for projects pursuant to Section 2.09
24 of this Act; ~~or~~ beginning with the 2007 fiscal year,
25 expenses related to providing ADA paratransit service
26 pursuant to Section 2.30 of the Regional Transportation

1 Authority Act; ~~or~~ in fiscal years 2008 through 2012
2 inclusive, costs in the amount of \$200,000,000 in fiscal
3 year 2008, reducing by \$40,000,000 in each fiscal year
4 thereafter until this exemption is eliminated; and any lost
5 revenue experienced by the Commuter Rail Board due to the
6 implementation of any requirement of Section 3B.09c. If
7 said system generated revenues are less than 50% of said
8 costs, the Board shall remit an amount equal to the amount
9 of the deficit to the State. The Treasurer shall deposit
10 any such payment in the Road Fund; and

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

17 (h) If the Authority makes any payment to the State under
18 paragraph (g), the Authority shall reduce the amount provided
19 to a Service Board from funds transferred under paragraph (a)
20 in proportion to the amount by which that Service Board failed
21 to meet its required system generated revenues recovery ratio.
22 A Service Board which is affected by a reduction in funds under
23 this paragraph shall submit to the Authority concurrently with
24 its next due quarterly report a revised budget incorporating
25 the reduction in funds. The revised budget must meet the
26 criteria specified in clauses (i) through (vi) of Section

1 4.11(b)(2). The Board shall review and act on the revised
2 budget as provided in Section 4.11(b)(3).

3 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18;
4 101-10, eff. 6-5-19.)

5 (70 ILCS 3615/4.17 new)

6 Sec. 4.17. Lost revenue report; reimbursement.

7 (a) Not later than the 15th day of each month, each Service
8 Board shall submit to the Authority a report containing the
9 amount of lost revenue, if any, that is attributed to
10 implementation of Sections 3A.19 and 3B.09c of this Act and
11 Section 30.5 of the Metropolitan Transit Authority Act as
12 compared with revenue and expenses before the effective date of
13 this amendatory Act of the 101st General Assembly. The report
14 shall specify how lost revenue under Sections 3A.19, 3B.09c,
15 and 30.5 should be attributed between the Service Boards.

16 (b) The Board shall review the reports submitted under
17 subsection (a) and may require a Service Board to reimburse
18 another Service Board that lost revenue due to implementation
19 of Sections 3A.19 and 3B.09c of this Act and Section 30.5 of
20 the Metropolitan Transit Authority Act.

21 (c) Each Service Board shall include in their annual budget
22 estimates of expected lost revenues and expenses under
23 subsection (a) and expected reimbursement under subsection
24 (b).

25 (d) The Authority shall adopt rules to implement the

1 requirements of this Section.

2 Section 99. Effective date. This Act takes effect June 1,
3 2020.

1 INDEX

2 Statutes amended in order of appearance

3 70 ILCS 3605/30.5 new

4 70 ILCS 3615/3A.19 new

5 70 ILCS 3615/3B.09c new

6 70 ILCS 3615/4.01 from Ch. 111 2/3, par. 704.01

7 70 ILCS 3615/4.09 from Ch. 111 2/3, par. 704.09

8 70 ILCS 3615/4.17 new