



Rep. Lawrence Walsh, Jr.

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LRB101 06750 TAE 59983 a

1 AMENDMENT TO SENATE BILL 158

2 AMENDMENT NO. _____. Amend Senate Bill 158 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Property Tax Code is amended by changing
5 Section 15-60 as follows:

6 (35 ILCS 200/15-60)

7 Sec. 15-60. Taxing district property. All property
8 belonging to any county or municipality used exclusively for
9 the maintenance of the poor is exempt, as is all property owned
10 by a taxing district that is being held for future expansion or
11 development, except if leased by the taxing district to lessees
12 for use for other than public purposes.

13 Also exempt are:

14 (a) all swamp or overflowed lands belonging to any
15 county;

16 (b) all public buildings belonging to any county,

1 township, or municipality, with the ground on which the
2 buildings are erected;

3 (c) all property owned by any municipality located
4 within its incorporated limits. Any such property leased by
5 a municipality shall remain exempt, and the leasehold
6 interest of the lessee shall be assessed under Section
7 9-195 of this Act, (i) for a lease entered into on or after
8 January 1, 1994, unless the lease expressly provides that
9 this exemption shall not apply; (ii) for a lease entered
10 into on or after the effective date of Public Act 87-1280
11 and before January 1, 1994, unless the lease expressly
12 provides that this exemption shall not apply or unless
13 evidence other than the lease itself substantiates the
14 intent of the parties to the lease that this exemption
15 shall not apply; and (iii) for a lease entered into before
16 the effective date of Public Act 87-1280, if the terms of
17 the lease do not bind the lessee to pay the taxes on the
18 leased property or if, notwithstanding the terms of the
19 lease, the municipality has filed or hereafter files a
20 timely exemption petition or complaint with respect to
21 property consisting of or including the leased property for
22 an assessment year which includes part or all of the first
23 12 months of the lease period. The foregoing clause (iii)
24 added by Public Act 87-1280 shall not operate to exempt
25 property for any assessment year as to which no timely
26 exemption petition or complaint has been filed by the

1 municipality or as to which an administrative or court
2 decision denying exemption has become final and
3 nonappealable. For each assessment year or portion thereof
4 that property is made exempt by operation of the foregoing
5 clause (iii), whether such year or portion is before or
6 after the effective date of Public Act 87-1280, the
7 leasehold interest of the lessee shall, if necessary, be
8 considered omitted property for purposes of this Act;

9 (c-5) Notwithstanding clause (i) of subsection (c), or
10 any other law to the contrary, for a municipality with a
11 population over 100,000, all property owned by the a
12 municipality, or property interests or rights held by the
13 municipality, regardless of whether such property,
14 interests, or rights are, in whole or in part, within or
15 without its corporate limits, with a population of over
16 500,000 that is used for toll road or toll bridge purposes
17 and that is leased or licensed for those purposes to
18 another entity whose property or property interests or
19 rights are is not exempt shall remain exempt, and any
20 leasehold interest in such the property, interest, or
21 rights shall not be subject to taxation under Section 9-195
22 of this Code Act;

23 (d) all property owned by any municipality located
24 outside its incorporated limits but within the same county
25 when used as a tuberculosis sanitarium, farm colony in
26 connection with a house of correction, or nursery, garden,

1 or farm, or for the growing of shrubs, trees, flowers,
2 vegetables, and plants for use in beautifying,
3 maintaining, and operating playgrounds, parks, parkways,
4 public grounds, buildings, and institutions owned or
5 controlled by the municipality;

6 (e) all property owned by a township and operated as
7 senior citizen housing under Sections 35-50 through
8 35-50.6 of the Township Code; and

9 (f) all property owned by the Executive Board of the
10 Mutual Aid Box Alarm System (MABAS), a unit of
11 intergovernmental cooperation, that is used for the public
12 purpose of disaster preparedness and response for units of
13 local government and the State of Illinois pursuant to
14 Section 10 of Article VII of the Illinois Constitution and
15 the Intergovernmental Cooperation Act.

16 All property owned by any municipality outside of its
17 corporate limits is exempt if used exclusively for municipal or
18 public purposes.

19 For purposes of this Section, "municipality" means a
20 municipality, as defined in Section 1-1-2 of the Illinois
21 Municipal Code.

22 (Source: P.A. 98-206, eff. 1-1-14.)

23 Section 10. The Toll Highway Act is amended by changing
24 Section 11 as follows:

1 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

2 Sec. 11. The Authority shall have power:

3 (a) To enter upon lands, waters and premises in the State
4 for the purpose of making surveys, soundings, drillings and
5 examinations as may be necessary, expedient or convenient for
6 the purposes of this Act, and such entry shall not be deemed to
7 be a trespass, nor shall an entry for such purpose be deemed an
8 entry under any condemnation proceedings which may be then
9 pending; provided, however, that the Authority shall make
10 reimbursement for any actual damage resulting to such lands,
11 waters and premises as the result of such activities.

12 (b) To construct, maintain and operate stations for the
13 collection of tolls or charges upon and along any toll
14 highways.

15 (c) To provide for the collection of tolls and charges for
16 the privilege of using the said toll highways. Before it adopts
17 an increase in the rates for toll, the Authority shall hold a
18 public hearing at which any person may appear, express
19 opinions, suggestions, or objections, or direct inquiries
20 relating to the proposed increase. Any person may submit a
21 written statement to the Authority at the hearing, whether
22 appearing in person or not. The hearing shall be held in the
23 county in which the proposed increase of the rates is to take
24 place. The Authority shall give notice of the hearing by
25 advertisement on 3 successive days at least 15 days prior to
26 the date of the hearing in a daily newspaper of general

1 circulation within the county within which the hearing is held.
2 The notice shall state the date, time, and place of the
3 hearing, shall contain a description of the proposed increase,
4 and shall specify how interested persons may obtain copies of
5 any reports, resolutions, or certificates describing the basis
6 on which the proposed change, alteration, or modification was
7 calculated. After consideration of any statements filed or oral
8 opinions, suggestions, objections, or inquiries made at the
9 hearing, the Authority may proceed to adopt the proposed
10 increase of the rates for toll. No change or alteration in or
11 modification of the rates for toll shall be effective unless at
12 least 30 days prior to the effective date of such rates notice
13 thereof shall be given to the public by publication in a
14 newspaper of general circulation, and such notice, or notices,
15 thereof shall be posted and publicly displayed at each and
16 every toll station upon or along said toll highways.

17 (d) To construct, at the Authority's discretion, grade
18 separations at intersections with any railroads, waterways,
19 street railways, streets, thoroughfares, public roads or
20 highways intersected by the said toll highways, and to change
21 and adjust the lines and grades thereof so as to accommodate
22 the same to the design of such grade separation and to
23 construct interchange improvements. The Authority is
24 authorized to provide such grade separations or interchange
25 improvements at its own cost or to enter into contracts or
26 agreements with reference to division of cost therefor with any

1 municipality or political subdivision of the State of Illinois,
2 or with the Federal Government, or any agency thereof, or with
3 any corporation, individual, firm, person or association.
4 Where such structures have been or will be built by the
5 Authority, the local highway agency or municipality with
6 jurisdiction shall enter into an agreement with the Authority
7 for the ongoing maintenance of the structures.↵

8 (e) To contract with and grant concessions to or lease or
9 license to any person, partnership, firm, association or
10 corporation so desiring the use of any part of any toll
11 highways, excluding the paved portion thereof, but including
12 the right of way adjoining, under, or over said paved portion
13 for the placing of telephone, telegraph, electric, power lines
14 and other utilities, and for the placing of pipe lines, and to
15 enter into operating agreements with or to contract with and
16 grant concessions to or to lease to any person, partnership,
17 firm, association or corporation so desiring the use of any
18 part of the toll highways, excluding the paved portion thereof,
19 but including the right of way adjoining, or over said paved
20 portion for motor fuel service stations and facilities,
21 garages, stores and restaurants, or for any other lawful
22 purpose, and to fix the terms, conditions, rents, rates and
23 charges for such use.

24 By January 1, 2016, the Authority shall construct and
25 maintain at least one electric vehicle charging station at any
26 location where the Authority has entered into an agreement with

1 any entity pursuant to this subsection (e) for the purposes of
2 providing motor fuel service stations and facilities, garages,
3 stores, or restaurants. The Authority shall charge a fee for
4 the use of these charging stations to offset the costs of
5 constructing and maintaining these charging stations. The
6 Authority shall adopt rules to implement the erection, user
7 fees, and maintenance of electric vehicle charging stations
8 pursuant to this subsection (e).

9 The Authority shall also have power to establish reasonable
10 regulations for the installation, construction, maintenance,
11 repair, renewal, relocation and removal of pipes, mains,
12 conduits, cables, wires, towers, poles and other equipment and
13 appliances (herein called public utilities) of any public
14 utility as defined in the Public Utilities Act along, over or
15 under any toll road project. Whenever the Authority shall
16 determine that it is necessary that any such public utility
17 facilities which now are located in, on, along, over or under
18 any project or projects be relocated or removed entirely from
19 any such project or projects, the public utility owning or
20 operating such facilities shall relocate or remove the same in
21 accordance with the order of the Authority. All costs and
22 expenses of such relocation or removal, including the cost of
23 installing such facilities in a new location or locations, and
24 the cost of any land or lands, or interest in land, or any
25 other rights required to accomplish such relocation or removal
26 shall be ascertained and paid by the Authority as a part of the

1 cost of any such project or projects, and further, there shall
2 be no rent, fee or other charge of any kind imposed upon the
3 public utility owning or operating any facilities ordered
4 relocated on the properties of the said Authority and the said
5 Authority shall grant to the said public utility owning or
6 operating said facilities and its successors and assigns the
7 right to operate the same in the new location or locations for
8 as long a period and upon the same terms and conditions as it
9 had the right to maintain and operate such facilities in their
10 former location or locations.

11 (f) To enter into an intergovernmental agreement or
12 contract with a unit of local government or other public or
13 private entity for the collection, enforcement, and
14 administration of tolls, fees, revenue, and violations,
15 including for a private bridge operator's collection,
16 enforcement, and administration of tolls, violations, fees,
17 finer, charges, and penalties in connection with a bridge
18 authorized under the Toll Bridge Act.

19 The General Assembly finds that electronic toll collection
20 systems in Illinois should be standardized to promote safety,
21 efficiency, and traveler convenience. The Authority shall
22 cooperate with other public and private entities to further the
23 goal of standardized toll collection in Illinois and is
24 authorized to provide toll collection and toll violation
25 enforcement services to such entities when doing so is in the
26 best interest of the Authority and consistent with its

1 obligations under Section 23 of this Act.

2 (Source: P.A. 100-71, eff. 1-1-18.)

3 Section 15. The Toll Bridge Act is amended by changing
4 Section 7 as follows:

5 (605 ILCS 115/7) (from Ch. 137, par. 7)

6 Sec. 7. The county board shall fix the rates of toll, and
7 may from time to time, alter and change the same, including by
8 establishing a toll rate schedule, setting a maximum toll rate
9 that may be adjusted from time to time, or by establishing
10 another toll rate structure, and in case of the neglect of the
11 owner of the bridge to keep the same in proper repair and safe
12 for the crossing of persons and property, may prohibit the
13 taking of toll.

14 The General Assembly finds that electronic toll collection
15 systems in Illinois should be standardized to promote safety,
16 efficiency, and traveler convenience. If electronic toll
17 collection is used on such bridge, the county shall cause the
18 configuration of the electronic toll collection system to be
19 compatible with the electronic toll collection system used by
20 the Illinois State Toll Highway Authority. The municipality or
21 private operator may enter into an ~~intergovernmental~~ agreement
22 with the Illinois State Toll Highway Authority to provide for
23 such compatibility or to have the Authority provide electronic
24 toll collection or toll violation enforcement services. Any

1 toll bridges in Winnebago County that are in operation and
2 collecting tolls on the effective date of this amendatory Act
3 of the 97th General Assembly are exempt from the provisions of
4 the Act.

5 (Source: P.A. 97-252, eff. 8-4-11.)

6 Section 20. The Illinois Vehicle Code is amended by adding
7 Sections 3-704.3 and 6-306.8 as follows:

8 (625 ILCS 5/3-704.3 new)

9 Sec. 3-704.3. Failure to satisfy fines or penalties for
10 toll bridge violations; suspension of vehicle registration.

11 (a) Notwithstanding any law to the contrary, upon the
12 Secretary's receipt of a report, as described in subsection
13 (b), from a private tolling authority stating that the owner of
14 a registered vehicle has failed to satisfy any fees, fines,
15 charges, or penalties resulting from a final invoice or notice
16 by the private tolling authority relating directly or
17 indirectly to 5 or more toll violations, the Secretary shall
18 suspend the vehicle registration of the person in accordance
19 with the procedures set forth in this Section.

20 (b) The report from the private tolling authority notifying
21 the Secretary of unsatisfied fees, fines, charges, or penalties
22 may be generated by the private tolling authority and received
23 by the Secretary by automated process. The report shall contain
24 the following:

1 (1) The name, last known address, and driver's license
2 number of the person who failed to satisfy the fees, fines,
3 charges, or penalties, and the registration number of any
4 vehicle known to be registered in this State to that
5 person.

6 (2) A statement that the private tolling authority sent
7 a notice of impending suspension of the person's vehicle
8 registration to the person named in the report at the
9 address recorded with the Secretary; the date on which the
10 notice was sent; and the address to which the notice was
11 sent.

12 (c) Following the Secretary's receipt of a report described
13 in subsection (b), the Secretary shall notify the person whose
14 name appears on the report that the person's vehicle
15 registration will be suspended at the end of a specified period
16 unless the Secretary is presented with a notice from the
17 private tolling authority stating that the fees, fines,
18 charges, or penalties owed to the private tolling authority
19 have been satisfied or that inclusion of that person's name on
20 the report described in subsection (b) was in error. The
21 Secretary's notice shall state in substance the information
22 contained in the private tolling authority's report to the
23 Secretary described in subsection (b), and shall be effective
24 as specified by subsection (c) of Section 6-211.

25 (d) The private tolling authority, after making a report to
26 the Secretary described in subsection (b), shall notify the

1 Secretary, on a form prescribed by the Secretary or by
2 automated process, whenever a person named in the report has
3 satisfied the previously reported fees, fines, charges, or
4 penalties or whenever the private tolling authority determines
5 that the original report was in error. A copy of the
6 notification shall also be given upon request and at no
7 additional charge to the person named therein. Upon receipt of
8 the private tolling authority's notification, the Secretary
9 shall lift the suspension.

10 (e) The private tolling authority shall establish
11 procedures for persons to challenge the accuracy of the report
12 described in subsection (b). The procedures shall provide the
13 grounds for a challenge, which may include:

14 (1) the person not having been the owner or lessee of
15 the vehicle or vehicles receiving 5 or more toll violations
16 on the date or dates the violations occurred; or

17 (2) the person having already satisfied the fees,
18 fines, charges, or penalties for the 5 or more toll
19 violations indicated on the report described in subsection
20 (b).

21 (f) The Secretary and the Authority may promulgate rules
22 necessary to implement this Section.

23 (g) The Secretary, the Authority, and the private tolling
24 authority shall cooperate with one another in the
25 administration and implementation of this Section.

26 (h) The Secretary shall provide the Authority and the

1 private tolling authority with any information the Authority or
2 the private tolling authority may deem necessary for the
3 purposes of this Section or for the private tolling authority's
4 invoicing, collection, and administrative functions, including
5 regular and timely access to driver's license, vehicle
6 registration, and license plate information, and the
7 Secretary's driver, title, and vehicle record databases.
8 Section 2-123 does not apply to the provision of such
9 information, but the Secretary shall be entitled to
10 reimbursement for its costs in providing such information.

11 (i) The Authority shall provide the Secretary and the
12 private tolling authority with any information the Secretary or
13 the private tolling authority may deem necessary for purposes
14 of this Section or for the private tolling authority's
15 invoicing, collection, and administrative functions, including
16 regular and timely access to toll violation records.

17 (j) As used in this Section:

18 "Authority" means the Illinois State Toll Highway
19 Authority.

20 "Private tolling authority" means the owner, lessee,
21 licensee, or operator of a toll bridge authorized under the
22 Toll Bridge Act.

23 "Secretary" means the Illinois Secretary of State.

24 (625 ILCS 5/6-306.8 new)

25 Sec. 6-306.8. Failure to satisfy fines or penalties for

1 toll bridge violations; suspension of driving privileges.

2 (a) Notwithstanding any law to the contrary, upon the
3 Secretary's receipt of a report, as described in subsection
4 (b), from a private tolling authority stating that the owner of
5 a registered vehicle has failed to satisfy any fees, fines,
6 charges, or penalties resulting from a final invoice or notice
7 by the private tolling authority relating directly or
8 indirectly to 5 or more toll violations, the Secretary shall
9 suspend the driving privileges of the person in accordance with
10 the procedures set forth in this Section.

11 (b) The report from the private tolling authority notifying
12 the Secretary of unsatisfied fees, fines, charges, or penalties
13 may be generated by the private tolling authority and received
14 by the Secretary by automated process. The report shall contain
15 the following:

16 (1) The name, last known address, and driver's license
17 number of the person who failed to satisfy the fees, fines,
18 charges, or penalties, and the registration number of any
19 vehicle known to be registered in this State to that
20 person.

21 (2) A statement that the private tolling authority sent
22 a notice of impending suspension of the person's driver's
23 license to the person named in the report at the address
24 recorded with the Secretary; the date on which the notice
25 was sent; and the address to which the notice was sent.

26 (c) Following the Secretary's receipt of a report described

1 in subsection (b), the Secretary shall notify the person whose
2 name appears on the report that the person's driver's license
3 will be suspended at the end of a specified period unless the
4 Secretary is presented with a notice from the private tolling
5 authority stating that the fees, fines, charges, or penalties
6 owed to the private tolling authority have been satisfied or
7 that inclusion of that person's name on the report described in
8 subsection (b) was in error. The Secretary's notice shall state
9 in substance the information contained in the private tolling
10 authority's report to the Secretary described in subsection
11 (b), and shall be effective as specified by subsection (c) of
12 Section 6-211, except as to those drivers who also have been
13 issued a CDL. If a person also has been issued a CDL, notice of
14 suspension of that person's driver's license must be given in
15 writing by certified mail and is effective on the date listed
16 in the notice of suspension, except that the notice is not
17 effective until 4 days after the date on which the notice was
18 deposited into the United States mail. The notice becomes
19 effective 4 days after its deposit into the United States mail
20 regardless of whether the Secretary of State receives the
21 return receipt and regardless of whether the written
22 notification is returned for any reason to the Secretary of
23 State as undeliverable.

24 (d) The private tolling authority, after making a report to
25 the Secretary described in subsection (b), shall notify the
26 Secretary, on a form prescribed by the Secretary or by

1 automated process, whenever a person named in the report has
2 satisfied the previously reported fees, fines, charges, or
3 penalties or whenever the private tolling authority determines
4 that the original report was in error. A copy of the
5 notification shall also be given upon request and at no
6 additional charge to the person named therein. Upon receipt of
7 the private tolling authority's notification, the Secretary
8 shall lift the suspension.

9 (e) The private tolling authority shall establish
10 procedures for persons to challenge the accuracy of the report
11 described in subsection (b). The procedures shall provide the
12 grounds for a challenge, which may include:

13 (1) the person not having been the owner or lessee of
14 the vehicle or vehicles receiving 5 or more toll violations
15 on the date or dates the violations occurred; or

16 (2) the person having already satisfied the fees,
17 fines, charges, or penalties for the 5 or more toll
18 violations indicated on the report described in subsection
19 (b).

20 (f) The Secretary and the Authority may promulgate rules
21 necessary to implement this Section.

22 (g) The Secretary, the Authority, and the private tolling
23 authority shall cooperate with one another in the
24 administration and implementation of this Section.

25 (h) The Secretary shall provide the Authority and the
26 private tolling authority with any information the Authority or

1 the private tolling authority may deem necessary for purposes
2 of this Section or for the private tolling authority's
3 invoicing, collection, and administrative functions, including
4 regular and timely access to driver's license, vehicle
5 registration, and license plate information, and the
6 Secretary's driver, title, and vehicle record databases.
7 Section 2-123 does not apply to the provision of such
8 information, but the Secretary shall be entitled to
9 reimbursement for its costs in providing such information.

10 (i) The Authority shall provide the Secretary and the
11 private tolling authority with any information the Secretary or
12 the private tolling authority may deem necessary for purposes
13 of this Section or for the private tolling authority's
14 invoicing, collection, and administrative functions, including
15 regular and timely access to toll violation records.

16 (j) As used in this Section:

17 "Authority" means the Illinois State Toll Highway
18 Authority.

19 "Private tolling authority" means the owner, lessee,
20 licensee, or operator of a toll bridge authorized under the
21 Toll Bridge Act.

22 "Secretary" means the Illinois Secretary of State.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."