



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2545

Introduced 2/19/2021, by Rep. Dan Ugaste

SYNOPSIS AS INTRODUCED:

See Index

Amends the Metropolitan Transit Authority Act. Provides that, on January 1, 2022 the Chicago Transit Authority shall become a division Regional Transportation Authority. Abolishes the Chicago Transit Board and provides that the Board of Directors of the Regional Transportation Authority will serve as the Board of the Chicago Transit Authority. Makes conforming changes. Amends the Regional Transportation Authority Act. Provides that, on January 1, 2022 the Suburban Bus Board and the Commuter Rail Board are abolished and that the Board of Directors of the Regional Transportation Authority will directly operate the Suburban Bus Division and the Commuter Rail Division of the Regional Transit Authority. Creates various committees composed of Directors of the Board of the Regional Transportation Authority, including committees to oversee the operations of each Division of the Authority. Makes conforming changes. Amends the Open Meetings Act, State Employees Group Insurance Act of 1971, Broadband Access on Passenger Rail Law, and the Illinois Municipal Code making conforming changes. Effective January 1, 2022.

LRB102 13694 AWJ 19044 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 Open Meetings Act is amended by changing
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall
9 be open to the public unless excepted in subsection (c) and
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained
12 in subsection (c) are in derogation of the requirement that
13 public bodies meet in the open, and therefore, the exceptions
14 are to be strictly construed, extending only to subjects
15 clearly within their scope. The exceptions authorize but do
16 not require the holding of a closed meeting to discuss a
17 subject included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to
19 consider the following subjects:

20 (1) The appointment, employment, compensation,
21 discipline, performance, or dismissal of specific
22 employees, specific individuals who serve as independent
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or
2 legal counsel for the public body, including hearing
3 testimony on a complaint lodged against an employee, a
4 specific individual who serves as an independent
5 contractor in a park, recreational, or educational
6 setting, or a volunteer of the public body or against
7 legal counsel for the public body to determine its
8 validity. However, a meeting to consider an increase in
9 compensation to a specific employee of a public body that
10 is subject to the Local Government Wage Increase
11 Transparency Act may not be closed and shall be open to the
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public
14 body and its employees or their representatives, or
15 deliberations concerning salary schedules for one or more
16 classes of employees.

17 (3) The selection of a person to fill a public office,
18 as defined in this Act, including a vacancy in a public
19 office, when the public body is given power to appoint
20 under law or ordinance, or the discipline, performance or
21 removal of the occupant of a public office, when the
22 public body is given power to remove the occupant under
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,
25 or in closed hearing where specifically authorized by law,
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for
2 public inspection a written decision setting forth its
3 determinative reasoning.

4 (5) The purchase or lease of real property for the use
5 of the public body, including meetings held for the
6 purpose of discussing whether a particular parcel should
7 be acquired.

8 (6) The setting of a price for sale or lease of
9 property owned by the public body.

10 (7) The sale or purchase of securities, investments,
11 or investment contracts. This exception shall not apply to
12 the investment of assets or income of funds deposited into
13 the Illinois Prepaid Tuition Trust Fund.

14 (8) Security procedures, school building safety and
15 security, and the use of personnel and equipment to
16 respond to an actual, a threatened, or a reasonably
17 potential danger to the safety of employees, students,
18 staff, the public, or public property.

19 (9) Student disciplinary cases.

20 (10) The placement of individual students in special
21 education programs and other matters relating to
22 individual students.

23 (11) Litigation, when an action against, affecting or
24 on behalf of the particular public body has been filed and
25 is pending before a court or administrative tribunal, or
26 when the public body finds that an action is probable or

1 imminent, in which case the basis for the finding shall be
2 recorded and entered into the minutes of the closed
3 meeting.

4 (12) The establishment of reserves or settlement of
5 claims as provided in the Local Governmental and
6 Governmental Employees Tort Immunity Act, if otherwise the
7 disposition of a claim or potential claim might be
8 prejudiced, or the review or discussion of claims, loss or
9 risk management information, records, data, advice or
10 communications from or with respect to any insurer of the
11 public body or any intergovernmental risk management
12 association or self insurance pool of which the public
13 body is a member.

14 (13) Conciliation of complaints of discrimination in
15 the sale or rental of housing, when closed meetings are
16 authorized by the law or ordinance prescribing fair
17 housing practices and creating a commission or
18 administrative agency for their enforcement.

19 (14) Informant sources, the hiring or assignment of
20 undercover personnel or equipment, or ongoing, prior or
21 future criminal investigations, when discussed by a public
22 body with criminal investigatory responsibilities.

23 (15) Professional ethics or performance when
24 considered by an advisory body appointed to advise a
25 licensing or regulatory agency on matters germane to the
26 advisory body's field of competence.

1 (16) Self evaluation, practices and procedures or
2 professional ethics, when meeting with a representative of
3 a statewide association of which the public body is a
4 member.

5 (17) The recruitment, credentialing, discipline or
6 formal peer review of physicians or other health care
7 professionals, or for the discussion of matters protected
8 under the federal Patient Safety and Quality Improvement
9 Act of 2005, and the regulations promulgated thereunder,
10 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
11 Health Insurance Portability and Accountability Act of
12 1996, and the regulations promulgated thereunder,
13 including 45 C.F.R. Parts 160, 162, and 164, by a
14 hospital, or other institution providing medical care,
15 that is operated by the public body.

16 (18) Deliberations for decisions of the Prisoner
17 Review Board.

18 (19) Review or discussion of applications received
19 under the Experimental Organ Transplantation Procedures
20 Act.

21 (20) The classification and discussion of matters
22 classified as confidential or continued confidential by
23 the State Government Suggestion Award Board.

24 (21) Discussion of minutes of meetings lawfully closed
25 under this Act, whether for purposes of approval by the
26 body of the minutes or semi-annual review of the minutes

1 as mandated by Section 2.06.

2 (22) Deliberations for decisions of the State
3 Emergency Medical Services Disciplinary Review Board.

4 (23) The operation by a municipality of a municipal
5 utility or the operation of a municipal power agency or
6 municipal natural gas agency when the discussion involves
7 (i) contracts relating to the purchase, sale, or delivery
8 of electricity or natural gas or (ii) the results or
9 conclusions of load forecast studies.

10 (24) Meetings of a residential health care facility
11 resident sexual assault and death review team or the
12 Executive Council under the Abuse Prevention Review Team
13 Act.

14 (25) Meetings of an independent team of experts under
15 Brian's Law.

16 (26) Meetings of a mortality review team appointed
17 under the Department of Juvenile Justice Mortality Review
18 Team Act.

19 (27) (Blank).

20 (28) Correspondence and records (i) that may not be
21 disclosed under Section 11-9 of the Illinois Public Aid
22 Code or (ii) that pertain to appeals under Section 11-8 of
23 the Illinois Public Aid Code.

24 (29) Meetings between internal or external auditors
25 and governmental audit committees, finance committees, and
26 their equivalents, when the discussion involves internal

1 control weaknesses, identification of potential fraud risk
2 areas, known or suspected frauds, and fraud interviews
3 conducted in accordance with generally accepted auditing
4 standards of the United States of America.

5 (30) Those meetings or portions of meetings of a
6 fatality review team or the Illinois Fatality Review Team
7 Advisory Council during which a review of the death of an
8 eligible adult in which abuse or neglect is suspected,
9 alleged, or substantiated is conducted pursuant to Section
10 15 of the Adult Protective Services Act.

11 (31) Meetings and deliberations for decisions of the
12 Concealed Carry Licensing Review Board under the Firearm
13 Concealed Carry Act.

14 (32) Meetings of ~~between~~ the Regional Transportation
15 Authority Board ~~and its Service Boards~~ when the discussion
16 involves review by the Regional Transportation Authority
17 Board of employment contracts under ~~Section 28d of the~~
18 ~~Metropolitan Transit Authority Act and~~ Sections 3A.18 and
19 3B.26 of the Regional Transportation Authority Act.

20 (33) Those meetings or portions of meetings of the
21 advisory committee and peer review subcommittee created
22 under Section 320 of the Illinois Controlled Substances
23 Act during which specific controlled substance prescriber,
24 dispenser, or patient information is discussed.

25 (34) Meetings of the Tax Increment Financing Reform
26 Task Force under Section 2505-800 of the Department of

1 Revenue Law of the Civil Administrative Code of Illinois.

2 (35) Meetings of the group established to discuss
3 Medicaid capitation rates under Section 5-30.8 of the
4 Illinois Public Aid Code.

5 (36) Those deliberations or portions of deliberations
6 for decisions of the Illinois Gaming Board in which there
7 is discussed any of the following: (i) personal,
8 commercial, financial, or other information obtained from
9 any source that is privileged, proprietary, confidential,
10 or a trade secret; or (ii) information specifically
11 exempted from the disclosure by federal or State law.

12 (d) Definitions. For purposes of this Section:

13 "Employee" means a person employed by a public body whose
14 relationship with the public body constitutes an
15 employer-employee relationship under the usual common law
16 rules, and who is not an independent contractor.

17 "Public office" means a position created by or under the
18 Constitution or laws of this State, the occupant of which is
19 charged with the exercise of some portion of the sovereign
20 power of this State. The term "public office" shall include
21 members of the public body, but it shall not include
22 organizational positions filled by members thereof, whether
23 established by law or by a public body itself, that exist to
24 assist the body in the conduct of its business.

25 "Quasi-adjudicative body" means an administrative body
26 charged by law or ordinance with the responsibility to conduct

1 hearings, receive evidence or testimony and make
2 determinations based thereon, but does not include local
3 electoral boards when such bodies are considering petition
4 challenges.

5 (e) Final action. No final action may be taken at a closed
6 meeting. Final action shall be preceded by a public recital of
7 the nature of the matter being considered and other
8 information that will inform the public of the business being
9 conducted.

10 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;
11 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.
12 8-23-19; revised 9-27-19.)

13 (5 ILCS 375/2.6 rep.)

14 (5 ILCS 375/2.7 rep.)

15 Section 10. The State Employees Group Insurance Act of
16 1971 is amended by repealing Sections 2.6 and 2.7.

17 Section 15. The Broadband Access on Passenger Rail Law is
18 amended by changing Section 5-5 as follows:

19 (20 ILCS 2712/5-5)

20 Sec. 5-5. Definitions. As used in this Article:

21 "Department" means the Department of Transportation.

22 "Passenger rail systems" includes all passenger rail
23 systems maintained by the National Passenger Railroad

1 Corporation in Illinois and those passenger rail systems under
2 the jurisdiction of the Commuter Rail Division ~~Board~~ as
3 established in Section 3B.08 of the Regional Transportation
4 Authority Act.

5 (Source: P.A. 95-9, eff. 6-30-07.)

6 Section 20. The Illinois Municipal Code is amended by
7 changing Section 11-122.2-1 as follows:

8 (65 ILCS 5/11-122.2-1) (from Ch. 24, par. 11-122.2-1)

9 Sec. 11-122.2-1. In addition to all its other powers,
10 every municipality shall, in all its dealings with the
11 Regional Transportation Authority established by the "Regional
12 Transportation Authority Act", enacted by the 78th General
13 Assembly, have the following powers:

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

17 (b) to receive funds from the Regional Transportation
18 Authority upon such terms and conditions as shall be set forth
19 in an agreement between the municipality and the Suburban Bus
20 Division ~~Board~~ or the Commuter Rail Division ~~Board~~, which
21 contract or agreement may be for such number of years or
22 duration as they may agree, all as provided in the "Regional
23 Transportation Authority Act";

24 (c) to receive financial grants from the Suburban Bus

1 Division, Commuter Rail Division, or Chicago Transit Authority
2 ~~a Service Board, as defined in the "Regional Transportation~~
3 ~~Authority Act",~~ upon such terms and conditions as shall be set
4 forth in a Purchase of Service Agreement or other grant
5 contract between the municipality and the Suburban Bus
6 Division, Commuter Rail Division, or Chicago Transit Authority
7 ~~Service Board,~~ which contract or agreement may be for such
8 number of years or duration as the Suburban Bus Division,
9 Commuter Rail Division, or Chicago Transit Authority Service
10 ~~Board~~ and the municipality may agree, all as provided in the
11 "Regional Transportation Authority Act";

12 (d) to acquire from the Regional Transportation Authority
13 or the Suburban Bus Division, Commuter Rail Division, or
14 Chicago Transit Authority ~~a Service Board~~ any Public
15 Transportation Facility, as defined in the "Regional
16 Transportation Authority Act", by purchase contract, gift,
17 grant, exchange for other property or rights in property,
18 lease (or sublease) or installment or conditional purchase
19 contracts, which contracts or leases may provide for
20 consideration to be paid in annual installments during a
21 period not exceeding 40 years; such property may be acquired
22 subject to such conditions, restrictions, liens or security or
23 other interests of other parties as the municipality may deem
24 appropriate and in each case the municipality may acquire a
25 joint, leasehold, easement, license or other partial interest
26 in such property;

1 (e) to sell, sell by installment contract, lease (or
2 sublease) as lessor, or transfer to, or grant to or provide for
3 the use by the Regional Transportation Authority or the
4 Suburban Bus Division, Commuter Rail Division, or Chicago
5 Transit Authority ~~a Service Board~~ any Public Transportation
6 Facility, as defined in the "Regional Transportation Authority
7 Act" upon such terms and for such consideration, or for no
8 consideration, as the municipality may deem proper;

9 (f) to cooperate with the Regional Transportation
10 Authority or the Suburban Bus Division, Commuter Rail
11 Division, or Chicago Transit Authority ~~a Service Board~~ for the
12 protection of employees and users of public transportation
13 facilities against crime and also to protect such facilities;
14 such cooperation may include, without limitation, agreements
15 for the coordination of police or security forces;

16 (g) to file such reports with and transfer such records,
17 papers or documents to the Regional Transportation Authority
18 or the Suburban Bus Division, Commuter Rail Division, or
19 Chicago Transit Authority ~~a Service Board~~ as may be agreed
20 upon with, or required by, the Regional Transportation
21 Authority or the Suburban Bus Division, Commuter Rail
22 Division, or Chicago Transit Authority ~~a Service Board~~.

23 In exercising any of the powers granted in this Section
24 the municipality shall not be subject to the provisions of
25 this Code or any Act making public bidding or notice a
26 requirement for any purchase or sale by a municipality.

1 Notwithstanding any provision of this Code to the contrary,
2 every municipality may enter into Purchase of Service
3 Agreements, grant contracts, other contracts, agreements or
4 leases, as provided in this Section, and may incur obligations
5 and expenses thereunder without making a previous
6 appropriation therefor.

7 (Source: P.A. 83-886.)

8 Section 25. The Metropolitan Transit Authority Act is
9 amended by changing Sections 2, 3, 9a, 12a, 12b, 12c, 19, 24,
10 27, 27a, 28, 28a, 30, and 34 as follows:

11 (70 ILCS 3605/2) (from Ch. 111 2/3, par. 302)

12 Sec. 2. When used in this Act:

13 "Transportation System" means all plants, equipment,
14 property and rights useful for transportation of passengers
15 for hire except taxicabs and includes, without limiting the
16 generality of the foregoing, street railways, elevated
17 railroads, subways and underground railroads, motor vehicles,
18 trolley buses, motor buses and any combination thereof.

19 "Metropolitan area of Cook County" embraces all the
20 territory in the County of Cook, State of Illinois East of the
21 east line of Range Eleven (11), East of the Third Principal
22 Meridian of the United States Government survey.

23 "Metropolitan area" means the metropolitan area of Cook
24 County, as above defined.

1 "Authority" means Chicago Transit Authority, a division of
2 the Regional Transportation Authority ~~created by this Act.~~

3 "Board" means the Board of Directors of the Regional
4 Transportation Authority ~~Chicago Transit Board.~~

5 "Governor" means Governor of the State of Illinois.

6 "Mayor" means Mayor of the City of Chicago.

7 "Motor vehicle" means every vehicle which is
8 self-propelled or which is propelled by electric power
9 obtained from overhead trolley wires but not operated on
10 rails.

11 "Municipal government" means a "municipality" as defined
12 in Section 1 of Article VII of the Illinois Constitution.

13 "Service Board" mean the Suburban Bus Division or Commuter
14 Rail Division of the Regional Transportation Authority.

15 "Unit of local government" has the meaning ascribed to it
16 in Section 1 of Article VII of the Illinois Constitution.

17 (Source: P.A. 98-709, eff. 7-16-14.)

18 (70 ILCS 3605/3) (from Ch. 111 2/3, par. 303)

19 Sec. 3. All the territory in the County of Cook, State of
20 Illinois, lying east of the east line of Range Eleven, East of
21 the Third Principal Meridian of the United States Government
22 Survey is hereby created a political subdivision, body politic
23 and municipal corporation under the name of Chicago Transit
24 Authority, which, on and after January 1, 2022, shall be a
25 division of the Regional Transportation Authority.

1 (Source: Laws 1945, p. 1171.)

2 (70 ILCS 3605/9a) (from Ch. 111 2/3, par. 309a)

3 Sec. 9a. In addition to all its other powers, the
4 Authority shall, ~~in all its dealings with the Regional~~
5 ~~Transportation Authority established by the "Regional~~
6 ~~Transportation Authority Act", enacted by the 78th General~~
7 ~~Assembly,~~ have the following powers and duties:

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

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

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

24 (d) to acquire from the Regional Transportation Authority
25 any Public Transportation Facility, as defined in the

1 "Regional Transportation Authority Act", by purchase contract,
2 gift, grant, exchange for other property or rights in
3 property, lease (or sublease) or installment or conditional
4 purchase contracts, which contracts or leases may provide for
5 consideration to be paid in annual installments during a
6 period not exceeding 40 years; such property may be acquired
7 subject to such conditions, restrictions, liens or security or
8 other interests of other parties as the Authority may deem
9 appropriate and in each case the Authority may acquire or
10 dispose of a joint, leasehold, easement, license or other
11 partial interest in such property;

12 (e) to sell, sell by installment contract, lease (or
13 sublease) as lessor, or transfer to, or grant to or provide for
14 the use by the Regional Transportation Authority any Public
15 Transportation Facility, as defined in the "Regional
16 Transportation Authority Act", upon such terms and for such
17 consideration, or for no consideration, as the Authority may
18 deem proper;

19 (f) to protect ~~cooperate with the Regional Transportation~~
20 ~~Authority for the protection of~~ employees of the Authority and
21 users of public transportation facilities against crime and
22 unsafe conditions and also to protect such facilities; such
23 protection ~~cooperation~~ may include, without limitation,
24 agreements for the coordination or merger of police or
25 security forces;

26 (g) to file such budgets, financial plans and reports with

1 and transfer such records, papers or documents to the Regional
2 Transportation Authority as may be agreed upon with, or
3 required by the Regional Transportation Authority, all as
4 provided in the "Regional Transportation Authority Act".

5 (Source: P.A. 90-273, eff. 7-30-97.)

6 (70 ILCS 3605/12a) (from Ch. 111 2/3, par. 312a)

7 Sec. 12a. (a) In addition to other powers provided in
8 Section 12b, the Authority may issue its notes from time to
9 time, in anticipation of tax receipts of the Regional
10 Transportation Authority allocated to the Authority or of
11 other revenues or receipts of the Authority, in order to
12 provide money for the Authority to cover any cash flow deficit
13 which the Authority anticipates incurring. ~~Provided, however,~~
14 ~~that no such notes may be issued unless the annual cost thereof~~
15 ~~is incorporated in a budget or revised budget of the Authority~~
16 ~~which has been approved by the Regional Transportation~~
17 ~~Authority.~~ Any such notes are referred to as "Working Cash
18 Notes". Provided further that, the Board ~~board~~ shall not issue
19 and have outstanding ~~or demand and direct that the Board of the~~
20 ~~Regional Transportation Authority issue and have outstanding~~
21 more than an aggregate of \$40,000,000 in Working Cash Notes.
22 No Working Cash Notes shall be issued for a term of longer than
23 18 months. Proceeds of Working Cash Notes may be used to pay
24 day to day operating expenses of the Authority, consisting of
25 wages, salaries and fringe benefits, professional and

1 technical services (including legal, audit, engineering and
2 other consulting services), office rental, furniture, fixtures
3 and equipment, insurance premiums, claims for self-insured
4 amounts under insurance policies, public utility obligations
5 for telephone, light, heat and similar items, travel expenses,
6 office supplies, postage, dues, subscriptions, public hearings
7 and information expenses, fuel purchases, and payments of
8 grants and payments under purchase of service agreements for
9 operations of transportation agencies, prior to the receipt by
10 the Authority from time to time of funds for paying such
11 expenses. Proceeds of the Working Cash Notes shall not be used
12 (i) to increase or provide a debt service reserve fund for any
13 bonds or notes other than Working Cash Notes of the same
14 Series, or (ii) to pay principal of or interest or redemption
15 premium on any capital bonds or notes, whether as such amounts
16 become due or by earlier redemption, issued by the Authority
17 or a transportation agency to construct or acquire public
18 transportation facilities, or to provide funds to purchase
19 such capital bonds or notes.

20 (b) The ordinance providing for the issuance of any such
21 notes shall fix the date or dates of maturity, the dates on
22 which interest is payable, any sinking fund account or reserve
23 fund account provisions and all other details of such notes
24 and may provide for such covenants or agreements necessary or
25 desirable with regard to the issue, sale and security of such
26 notes. The Authority shall determine and fix the rate or rates

1 of interest of its notes issued under this Act in an ordinance
2 adopted by the Board prior to the issuance thereof, none of
3 which rates of interest shall exceed that permitted in the
4 Bond Authorization Act. Interest may be payable annually or
5 semi-annually, or at such other times as determined by the
6 Board. Notes issued under this Section may be issued as serial
7 or term obligations, shall be of such denomination or
8 denominations and form, including interest coupons to be
9 attached thereto, be executed in such manner, shall be payable
10 at such place or places and bear such date as the Board shall
11 fix by the ordinance authorizing such note and shall mature at
12 such time or times, within a period not to exceed 18 months
13 from the date of issue, and may be redeemable prior to maturity
14 with or without premium, at the option of the Board, upon such
15 terms and conditions as the Board shall fix by the ordinance
16 authorizing the issuance of such notes. The Board may provide
17 for the registration of notes in the name of the owner as to
18 the principal alone or as to both principal and interest, upon
19 such terms and conditions as the Board may determine. The
20 ordinance authorizing notes may provide for the exchange of
21 such notes which are fully registered, as to both principal
22 and interest, with notes which are registerable as to
23 principal only. All notes issued under this Section by the
24 Board shall be sold at a price which may be at a premium or
25 discount but such that the interest cost (excluding any
26 redemption premium) to the Board of the proceeds of an issue of

1 such notes, computed to stated maturity according to standard
2 tables of bond values, shall not exceed that permitted in the
3 Bond Authorization Act. Such notes shall be sold at such time
4 or times as the Board shall determine. The notes may be sold
5 either upon competitive bidding or by negotiated sale (without
6 any requirement of publication of intention to negotiate the
7 sale of such notes), as the Board shall determine by ordinance
8 adopted with the affirmative votes of at least 9 ~~4~~ Directors.
9 In case any officer whose signature appears on any notes or
10 coupons authorized pursuant to this Section shall cease to be
11 such officer before delivery of such notes, such signature
12 shall nevertheless be valid and sufficient for all purposes,
13 the same as if such officer had remained in office until such
14 delivery. Neither the Directors of the Regional Transportation
15 Authority, ~~the Directors of the Authority~~ nor any person
16 executing any bonds or notes thereof shall be liable
17 personally on any such bonds or notes or coupons by reason of
18 the issuance thereof.

19 (c) All notes of the Authority issued pursuant to this
20 Section shall be general obligations of the Authority to which
21 shall be pledged the full faith and credit of the Authority, as
22 provided in this Section. Such notes shall be secured as
23 provided in the authorizing ordinance, which may,
24 notwithstanding any other provision of this Act, include in
25 addition to any other security, a specific pledge or
26 assignment of and lien on or security interest in any or all

1 tax receipts of the Regional Transportation Authority
2 allocated to the Authority and on any or all other revenues or
3 moneys of the Authority from whatever source which may by law
4 be utilized for debt service purposes and a specific pledge or
5 assignment of and lien on or security interest in any funds or
6 accounts established or provided for by the ordinance of the
7 Board authorizing the issuance of such notes. Any such pledge,
8 assignment, lien or security interest for the benefit of
9 holders of notes of the Authority shall be valid and binding
10 from the time the notes are issued without any physical
11 delivery or further act, and shall be valid and binding as
12 against and prior to the claims of all other parties having
13 claims of any kind against the Authority or any other person
14 irrespective of whether such other parties have notice of such
15 pledge, assignment, lien or security interest. The obligations
16 of the Authority incurred pursuant to this Section shall be
17 superior to and have priority over any other obligations of
18 the Authority except for obligations under Section 12. The
19 Board may provide in the ordinance authorizing the issuance of
20 any notes issued pursuant to this Section for the creation of,
21 deposits in, and regulation and disposition of sinking fund or
22 reserve accounts relating to such notes. The ordinance
23 authorizing the issuance of any notes pursuant to this Section
24 may contain provisions as part of the contract with the
25 holders of the notes, for the creation of a separate fund to
26 provide for the payment of principal and interest on such

1 notes and for the deposit in such fund from any or all the tax
2 receipts of the Regional Transportation Authority allocated to
3 the Authority and from any or all such other moneys or revenues
4 of the Authority from whatever source which may by law be
5 utilized for debt service purposes, all as provided in such
6 ordinance, of amounts to meet the debt service requirements on
7 such notes, including principal and interest, and any sinking
8 fund or reserve fund account requirements as may be provided
9 by such ordinance, and all expenses incident to or in
10 connection with such fund and accounts or the payment of such
11 notes. Such ordinance may also provide limitations on the
12 issuance of additional notes of the Authority. No such notes
13 of the Authority shall constitute a debt of the State of
14 Illinois.

15 (d) The ordinance of the Board authorizing the issuance of
16 any notes may provide additional security for such notes by
17 providing for appointment of a corporate trustee (which may be
18 any trust company or bank having the powers of a trust company
19 within the State) with respect to such notes. The ordinance
20 shall prescribe the rights, duties and powers of the trustee
21 to be exercised for the benefit of the Authority and the
22 protection of the holders of such notes. The ordinance may
23 provide for the trustee to hold in trust, invest and use
24 amounts in funds and accounts created as provided by the
25 ordinance with respect to the notes. The ordinance shall
26 provide that amounts so paid to the trustee which are not

1 required to be deposited, held or invested in funds and
2 accounts created by the ordinance with respect to notes or
3 used for paying notes to be paid by the trustee to the
4 Authority.

5 (e) Any notes of the Authority issued pursuant to this
6 Section shall constitute a contract between the Authority and
7 the holders from time to time of such notes. In issuing any
8 note, the Board may include in the ordinance authorizing such
9 issue a covenant as part of the contract with the holders of
10 the notes, that as long as such obligations are outstanding,
11 it shall make such deposits, as provided in paragraph (c) of
12 this Section. A certified copy of the ordinance authorizing
13 the issuance of any such obligations shall be filed at or prior
14 to the issuance of such obligations with the ~~Regional~~
15 ~~Transportation Authority,~~ Comptroller of the State of Illinois
16 and the Illinois Department of Revenue.

17 (f) The State of Illinois pledges to and agrees with the
18 holders of the notes of the Authority issued pursuant to this
19 Section that the State will not limit or alter the rights and
20 powers vested in the Authority by this Act or in the Regional
21 Transportation Authority by the Regional Transportation
22 Authority Act so as to impair the terms of any contract made by
23 the Authority with such holders or in any way impair the rights
24 and remedies of such holders until such notes, together with
25 interest thereon, with interest on any unpaid installments of
26 interest, and all costs and expenses in connection with any

1 action or proceedings by or on behalf of such holders, are
2 fully met and discharged. In addition, the State pledges to
3 and agrees with the holders of the notes of the Authority
4 issued pursuant to this Section that the State will not limit
5 or alter the basis on which State funds are to be paid to the
6 Authority as provided in the Regional Transportation Authority
7 Act, or the use of such funds, so as to impair the terms of any
8 such contract. The Board is authorized to include these
9 pledges and agreements of the State in any contract with the
10 holders of bonds or notes issued pursuant to this Section.

11 (g) The Board shall not at any time issue, sell or deliver
12 any Interim Financing Notes pursuant to this Section which
13 will cause it to have issued and outstanding at any time in
14 excess of \$40,000,000 of Working Cash Notes. Notes which are
15 being paid or retired by such issuance, sale or delivery of
16 notes, and notes for which sufficient funds have been
17 deposited with the paying agency of such notes to provide for
18 payment of principal and interest thereon or to provide for
19 the redemption thereof, all pursuant to the ordinance
20 authorizing the issuance of such notes, shall not be
21 considered to be outstanding for the purposes of this
22 paragraph.

23 (h) The Board, subject to the terms of any agreements with
24 noteholders as may then exist, shall have power, out of any
25 funds available therefor, to purchase notes of the Authority
26 which shall thereupon be cancelled.

1 (i) In addition to any other authority granted by law, the
2 State Treasurer may, with the approval of the Governor, invest
3 or reinvest, at a price not to exceed par, any State money in
4 the State Treasury which is not needed for current
5 expenditures due or about to become due in Interim Financing
6 Notes. In the event of a default on an interim financing note
7 issued by the Chicago Transit Authority in which State money
8 in the State treasury was invested, the Treasurer may, after
9 giving notice to the Authority, certify to the Comptroller the
10 amounts of the defaulted interim financing note, in accordance
11 with any applicable rules of the Comptroller, and the
12 Comptroller must deduct and remit to the State treasury the
13 certified amounts or a portion of those amounts from the
14 following proportions of payments of State funds to the
15 Authority:

16 (1) in the first year after default, one-third of the
17 total amount of any payments of State funds to the
18 Authority;

19 (2) in the second year after default, two-thirds of
20 the total amount of any payments of State funds to the
21 Authority; and

22 (3) in the third year after default and for each year
23 thereafter until the total invested amount is repaid, the
24 total amount of any payments of State funds to the
25 Authority.

26 (Source: P.A. 100-201, eff. 8-18-17; 101-485, eff. 8-23-19.)

1 (70 ILCS 3605/12b) (from Ch. 111 2/3, par. 312b)

2 Sec. 12b. Working Cash Borrowing. In addition to the
3 powers provided in Section 12a, the Board with the affirmative
4 vote of 11 ~~5~~ of its Directors may ~~demand and direct the Board~~
5 ~~of the Regional Transportation Authority to~~ issue Working Cash
6 Notes at such time and in such amounts and having such
7 maturities as the Authority deems proper, provided however any
8 such borrowing shall have been specifically identified in the
9 budget of the Authority as approved by the Board of the
10 Regional Transportation Authority. Provided further, that the
11 Board may not issue and have outstanding ~~or demand and direct~~
12 ~~the Board of the Regional Transportation Authority to issue~~
13 ~~and have outstanding~~ more than an aggregate of \$40,000,000 in
14 Working Cash Notes for the Authority.

15 (Source: P.A. 83-885; 83-886.)

16 (70 ILCS 3605/12c)

17 Sec. 12c. Retiree Benefits Bonds and Notes.

18 (a) In addition to all other bonds or notes that it is
19 authorized to issue, the Authority is authorized to issue its
20 bonds or notes for the purposes of providing funds for the
21 Authority to make the deposits described in Section 12c(b) (1)
22 and (2), for refunding any bonds authorized to be issued under
23 this Section, as well as for the purposes of paying costs of
24 issuance, obtaining bond insurance or other credit enhancement

1 or liquidity facilities, paying costs of obtaining related
2 swaps as authorized in the Bond Authorization Act ("Swaps"),
3 providing a debt service reserve fund, paying Debt Service (as
4 defined in paragraph (i) of this Section 12c), and paying all
5 other costs related to any such bonds or notes.

6 (b) (1) After its receipt of a certified copy of a report of
7 the Auditor General of the State of Illinois meeting the
8 requirements of Section 3-2.3 of the Illinois State Auditing
9 Act, the Authority may issue \$1,348,550,000 aggregate original
10 principal amount of bonds and notes. After payment of the
11 costs of issuance and necessary deposits to funds and accounts
12 established with respect to debt service, the net proceeds of
13 such bonds or notes shall be deposited only in the Retirement
14 Plan for Chicago Transit Authority Employees and used only for
15 the purposes required by Section 22-101 of the Illinois
16 Pension Code. Provided that no less than \$1,110,500,000 has
17 been deposited in the Retirement Plan, remaining proceeds of
18 bonds issued under this subparagraph (b) (1) may be used to pay
19 costs of issuance and make necessary deposits to funds and
20 accounts with respect to debt service for bonds and notes
21 issued under this subparagraph or subparagraph (b) (2).

22 (2) After its receipt of a certified copy of a report of
23 the Auditor General of the State of Illinois meeting the
24 requirements of Section 3-2.3 of the Illinois State Auditing
25 Act, the Authority may issue \$639,680,000 aggregate original
26 principal amount of bonds and notes. After payment of the

1 costs of issuance and necessary deposits to funds and accounts
2 established with respect to debt service, the net proceeds of
3 such bonds or notes shall be deposited only in the Retiree
4 Health Care Trust and used only for the purposes required by
5 Section 22-101B of the Illinois Pension Code. Provided that no
6 less than \$528,800,000 has been deposited in the Retiree
7 Health Care Trust, remaining proceeds of bonds issued under
8 this subparagraph (b) (2) may be used to pay costs of issuance
9 and make necessary deposits to funds and accounts with respect
10 to debt service for bonds and notes issued under this
11 subparagraph or subparagraph (b) (1).

12 (3) In addition, refunding bonds are authorized to be
13 issued for the purpose of refunding outstanding bonds or notes
14 issued under this Section 12c.

15 (4) The bonds or notes issued under 12c(b)(1) shall be
16 issued as soon as practicable after the Auditor General issues
17 the report provided in Section 3-2.3(b) of the Illinois State
18 Auditing Act. The bonds or notes issued under 12c(b)(2) shall
19 be issued as soon as practicable after the Auditor General
20 issues the report provided in Section 3-2.3(c) of the Illinois
21 State Auditing Act.

22 (5) With respect to bonds and notes issued under
23 subparagraph (b), scheduled aggregate annual payments of
24 interest or deposits into funds and accounts established for
25 the purpose of such payment shall commence within one year
26 after the bonds and notes are issued. With respect to

1 principal and interest, scheduled aggregate annual payments of
2 principal and interest or deposits into funds and accounts
3 established for the purpose of such payment shall be not less
4 than 70% in 2009, 80% in 2010, and 90% in 2011, respectively,
5 of scheduled payments or deposits of principal and interest in
6 2012 and shall be substantially equal beginning in 2012 and
7 each year thereafter. For purposes of this subparagraph (b),
8 "substantially equal" means that debt service in any full year
9 after calendar year 2011 is not more than 115% of debt service
10 in any other full year after calendar year 2011 during the term
11 of the bonds or notes. For the purposes of this subsection (b),
12 with respect to bonds and notes that bear interest at a
13 variable rate, interest shall be assumed at a rate equal to the
14 rate for United States Treasury Securities - State and Local
15 Government Series for the same maturity, plus 75 basis points.
16 If the Authority enters into a Swap with a counterparty
17 requiring the Authority to pay a fixed interest rate on a
18 notional amount, and the Authority has made a determination
19 that such Swap was entered into for the purpose of providing
20 substitute interest payments for variable interest rate bonds
21 or notes of a particular maturity or maturities in a principal
22 amount equal to the notional amount of the Swap, then during
23 the term of the Swap for purposes of any calculation of
24 interest payable on such bonds or notes, the interest rate on
25 the bonds or notes of such maturity or maturities shall be
26 determined as if such bonds or notes bore interest at the fixed

1 interest rate payable by the Authority under such Swap.

2 (6) No bond or note issued under this Section 12c shall
3 mature later than December 31, 2040.

4 (c) The ~~Chicago Transit~~ Board shall provide for the
5 issuance of bonds or notes as authorized in this Section 12c by
6 the adoption of an ordinance. The ordinance, together with the
7 bonds or notes, shall constitute a contract among the
8 Authority, the owners from time to time of the bonds or notes,
9 any bond trustee with respect to the bonds or notes, any
10 related credit enhancer and any provider of any related Swaps.

11 (d) The Authority is authorized to cause the proceeds of
12 the bonds or notes, and any interest or investment earnings on
13 the bonds or notes, and of any Swaps, to be invested until the
14 proceeds and any interest or investment earnings have been
15 deposited with the Retirement Plan or the Retiree Health Care
16 Trust.

17 (e) Bonds or notes issued pursuant to this Section 12c may
18 be general obligations of the Authority, to which shall be
19 pledged the full faith and credit of the Authority, or may be
20 obligations payable solely from particular sources of funds
21 all as may be provided in the authorizing ordinance. The
22 authorizing ordinance for the bonds and notes, whether or not
23 general obligations of the Authority, may provide for the Debt
24 Service (as defined in paragraph (i) of this Section 12c) to
25 have a claim for payment from particular sources of funds,
26 including, without limitation, amounts to be paid to the

1 Authority or a bond trustee. The authorizing ordinance may
2 provide for the means by which the bonds or notes (and any
3 related Swaps) may be secured, which may include, a pledge of
4 any revenues or funds of the Authority from whatever source
5 which may by law be utilized for paying Debt Service. In
6 addition to any other security, upon ordinance of the ~~written~~
7 ~~approval of the~~ Regional Transportation Authority by the
8 affirmative vote of 12 of its ~~then~~ Directors, the ordinance
9 may provide a specific pledge or assignment of and lien on or
10 security interest in amounts to be paid to the Authority by the
11 Regional Transportation Authority and direct payment thereof
12 to the bond trustee for payment of Debt Service with respect to
13 the bonds or notes, subject to the provisions of existing
14 lease agreements of the Authority with any public building
15 commission. The authorizing ordinance may also provide a
16 specific pledge or assignment of and lien on or security
17 interest in and direct payment to the trustee of all or a
18 portion of the moneys otherwise payable to the Authority from
19 the City of Chicago pursuant to an intergovernmental agreement
20 with the Authority to provide financial assistance to the
21 Authority. Any such pledge, assignment, lien or security
22 interest for the benefit of owners of bonds or notes shall be
23 valid and binding from the time the bonds or notes are issued,
24 without any physical delivery or further act, and shall be
25 valid and binding as against and prior to the claims of all
26 other parties having claims of any kind against the Authority

1 or any other person, irrespective of whether such other
2 parties have notice of such pledge, assignment, lien or
3 security interest, all as provided in the Local Government
4 Debt Reform Act, as it may be amended from time to time. The
5 bonds or notes of the Authority issued pursuant to this
6 Section 12c shall have such priority of payment and as to their
7 claim for payment from particular sources of funds, including
8 their priority with respect to obligations of the Authority
9 issued under other Sections of this Act, all as shall be
10 provided in the ordinances authorizing the issuance of the
11 bonds or notes. The ordinance authorizing the issuance of any
12 bonds or notes under this Section may provide for the creation
13 of, deposits in, and regulation and disposition of sinking
14 fund or reserve accounts relating to those bonds or notes and
15 related agreements. The ordinance authorizing the issuance of
16 any such bonds or notes authorized under this Section 12c may
17 contain provisions for the creation of a separate fund to
18 provide for the payment of principal of and interest on those
19 bonds or notes and related agreements. The ordinance may also
20 provide limitations on the issuance of additional bonds or
21 notes of the Authority.

22 (f) Bonds or notes issued under this Section 12c shall not
23 constitute an indebtedness of the Regional Transportation
24 Authority, the State of Illinois, or of any other political
25 subdivision of or municipality within the State, except the
26 Authority.

1 (g) The ordinance of the ~~Chicago Transit~~ Board authorizing
2 the issuance of bonds or notes pursuant to this Section 12c may
3 provide for the appointment of a corporate trustee (which may
4 be any trust company or bank having the powers of a trust
5 company within Illinois) with respect to bonds or notes issued
6 pursuant to this Section 12c. The ordinance shall prescribe
7 the rights, duties, and powers of the trustee to be exercised
8 for the benefit of the Authority and the protection of the
9 owners of bonds or notes issued pursuant to this Section 12c.
10 The ordinance may provide for the trustee to hold in trust,
11 invest and use amounts in funds and accounts created as
12 provided by the ordinance with respect to the bonds or notes in
13 accordance with this Section 12c. The Authority may apply, as
14 it shall determine, any amounts received upon the sale of the
15 bonds or notes to pay any Debt Service on the bonds or notes.
16 The ordinance may provide for a trust indenture to set forth
17 terms of, sources of payment for and security for the bonds and
18 notes.

19 (h) The State of Illinois pledges to and agrees with the
20 owners of the bonds or notes issued pursuant to Section 12c
21 that the State of Illinois will not limit the powers vested in
22 the Authority by this Act to pledge and assign its revenues and
23 funds as security for the payment of the bonds or notes, or
24 vested in the Regional Transportation Authority by the
25 Regional Transportation Authority Act or this Act, so as to
26 materially impair the payment obligations of the Authority

1 under the terms of any contract made by the Authority with
2 those owners or to materially impair the rights and remedies
3 of those owners until those bonds or notes, together with
4 interest and any redemption premium, and all costs and
5 expenses in connection with any action or proceedings by or on
6 behalf of such owners are fully met and discharged. The
7 Authority is authorized to include these pledges and
8 agreements of the State of Illinois in any contract with
9 owners of bonds or notes issued pursuant to this Section 12c.

10 (i) For purposes of this Section, "Debt Service" with
11 respect to bonds or notes includes, without limitation,
12 principal (at maturity or upon mandatory redemption),
13 redemption premium, interest, periodic, upfront, and
14 termination payments on Swaps, fees for bond insurance or
15 other credit enhancement, liquidity facilities, the funding of
16 bond or note reserves, bond trustee fees, and all other costs
17 of providing for the security or payment of the bonds or notes.

18 (j) The Authority shall adopt a procurement program with
19 respect to contracts relating to the following service
20 providers in connection with the issuance of debt for the
21 benefit of the Retirement Plan for Chicago Transit Authority
22 Employees: underwriters, bond counsel, financial advisors, and
23 accountants. The program shall include goals for the payment
24 of not less than 30% of the total dollar value of the fees from
25 these contracts to minority-owned businesses and women-owned
26 businesses as defined in the Business Enterprise for

1 Minorities, Women, and Persons with Disabilities Act. The
2 Authority shall conduct outreach to minority-owned businesses
3 and women-owned businesses. Outreach shall include, but is not
4 limited to, advertisements in periodicals and newspapers,
5 mailings, and other appropriate media. The Authority shall
6 submit to the General Assembly a comprehensive report that
7 shall include, at a minimum, the details of the procurement
8 plan, outreach efforts, and the results of the efforts to
9 achieve goals for the payment of fees. The ~~service providers~~
10 ~~selected by the Authority pursuant to such program shall not~~
11 ~~be subject to approval by the Regional Transportation~~
12 ~~Authority, and the Regional Transportation Authority's~~
13 approval pursuant to subsection (e) of this Section 12c
14 related to the issuance of debt shall not be based in any way
15 on the service providers selected by the Authority pursuant to
16 this Section.

17 (k) No person holding an elective office in this State,
18 holding a seat in the General Assembly, serving as a director,
19 trustee, officer, or employee of the Regional Transportation
20 Authority or the Chicago Transit Authority, including the
21 spouse or minor child of that person, may receive a legal,
22 banking, consulting, or other fee related to the issuance of
23 any bond issued by the Chicago Transit Authority pursuant to
24 this Section.

25 (Source: P.A. 100-391, eff. 8-25-17.)

1 (70 ILCS 3605/19) (from Ch. 111 2/3, par. 319)

2 Sec. 19. On January 1, 2022: (1) the terms of the members
3 of the Chicago Transit Board are terminated; (2) the powers
4 and duties of the Chicago Transit Board shall be exercised and
5 performed by the Regional Transportation Authority Board; and
6 (3) the powers and duties of the Chicago Transit Authority
7 shall be exercised and performed by the Regional
8 Transportation Authority. The governing and administrative
9 body of the Authority shall be a board consisting of seven
10 members, to be known as Chicago Transit Board. Members of the
11 Board shall be residents of the metropolitan area and persons
12 of recognized business ability. No member of the Board of the
13 Authority shall hold any other office or employment under the
14 Federal, State or any County or any municipal government, or
15 any other unit of local government, except an honorary office
16 without compensation or an office in the National Guard. No
17 employee of the Authority shall hold any other office or
18 employment under the Federal, State or any County or any
19 municipal government, or any other unit of local government,
20 except an office with compensation not exceeding \$15,000
21 annually or a position in the National Guard or the United
22 States military reserves. Provided, however, that the Chairman
23 may be a member of the Board of the Regional Transportation
24 Authority. No member of the Board or employee of the Authority
25 shall have any private financial interest, profit or benefit
26 in any contract, work or business of the Authority nor in the

1 ~~sale or lease of any property to or from the Authority. The~~
2 ~~salary of each member of the initial Board shall be \$15,000.00~~
3 ~~per annum, and such salary shall not be increased or~~
4 ~~diminished during his or her term of office. The salaries of~~
5 ~~successor members of the Board shall be fixed by the Board and~~
6 ~~shall not be increased or diminished during their respective~~
7 ~~terms of office. No Board member shall be allowed any fees,~~
8 ~~perquisites or emoluments, reward or compensation for his or~~
9 ~~her services as a member or officer of the Authority aside from~~
10 ~~his or her salary or pension, but he or she shall be reimbursed~~
11 ~~for actual expenses incurred by him or her in the performance~~
12 ~~of his or her duties.~~

13 (Source: P.A. 98-709, eff. 7-16-14.)

14 (70 ILCS 3605/24) (from Ch. 111 2/3, par. 324)

15 Sec. 24. The Board shall appoint a secretary and a
16 treasurer of the Authority, who need not be members of the
17 Board, to hold office during the pleasure of the Board, and fix
18 their duties and compensation. The Secretary shall not be
19 engaged in any other business or employment during his or her
20 tenure of office as Secretary of the Authority ~~Board~~. Before
21 entering upon the duties of their respective offices they
22 shall take and subscribe the constitutional oath of office,
23 and the treasurer shall execute a bond with corporate sureties
24 to be approved by the Board. The bond shall be payable to the
25 Authority in whatever penal sum may be directed by the Board

1 conditioned upon the faithful performance of the duties of the
2 office and the payment of all money received by him or her
3 according to law and the orders of the Board. The Board may, at
4 any time, require a new bond from the treasurer in such penal
5 sum as may then be determined by the Board. The obligation of
6 the sureties shall not extend to any loss sustained by the
7 insolvency, failure or closing of any savings and loan
8 association or national or State bank wherein the treasurer
9 has deposited funds if the bank has been approved by the Board
10 as a depository for these funds. The oaths of office and the
11 treasurer's bond shall be filed in the principal office of the
12 Authority. A person appointed under this Section whose term
13 has not expired on January 1, 2022 shall continue in his or her
14 position with the Authority until the expiration of his or her
15 appointment, resignation, or removal by the Board.

16 (Source: P.A. 83-541.)

17 (70 ILCS 3605/27) (from Ch. 111 2/3, par. 327)

18 Sec. 27. The Executive Director of the Regional
19 Transportation Authority, with the advice and consent of the
20 Chicago Transit Authority Committee, ~~Board~~ may appoint an
21 Executive Director of the Authority who shall be a person of
22 recognized ability and experience in the operation of
23 transportation systems to hold office during the pleasure of
24 the Chicago Transit Authority Committee ~~Board~~. The Executive
25 Director shall have management of the properties and business

1 of the Authority and the employees thereof, subject to the
2 general control of the Chicago Transit Authority Committee
3 Board, shall direct the enforcement of all ordinances,
4 resolutions, rules and regulations of the Board and the
5 Chicago Transit Authority Committee, and shall perform such
6 other duties as may be prescribed from time to time by the
7 Board and the Chicago Transit Authority Committee. The Board
8 may appoint a General Counsel and a Chief Engineer of the
9 Authority, and shall provide for the appointment of other
10 officers, attorneys, engineers, consultants, agents and
11 employees as may be necessary for the construction, extension,
12 operation, maintenance, and policing of its properties. It
13 shall define their duties and require bonds of such of them as
14 the Board may designate. The Executive Director, General
15 Counsel, Chief Engineer, and all other officers provided for
16 pursuant to this section shall be exempt from taking and
17 subscribing any oath of office. The compensation of the
18 Executive Director, General Counsel, Chief Engineer, and all
19 other officers, attorneys, consultants, agents and employees
20 shall be fixed by the Board. A person appointed under this
21 Section whose term has not expired on January 1, 2022 shall
22 continue in his or her position with the Authority until the
23 expiration of his or her appointment, resignation, or removal
24 by the Chicago Transit Authority Committee.

25 In the policing of its properties the Board may provide
26 for the appointment and maintenance, from time to time, of

1 such police force as it may find necessary and practicable to
2 aid and supplement the police forces of any municipality in
3 the protection of its property and the protection of the
4 persons and property of its passengers and employees, or
5 otherwise in furtherance of the purposes for which such
6 Authority was organized. The members of such police force
7 shall have and exercise like police powers to those conferred
8 upon the police of cities. Neither the Authority, the Regional
9 Transit Authority, the members of its Board, nor its officers
10 or employees shall be held liable for failure to provide a
11 security or police force or, if a security or police force is
12 provided, for failure to provide adequate police protection or
13 security, failure to prevent the commission of crimes by
14 fellow passengers or other third persons or for the failure to
15 apprehend criminals.

16 (Source: P.A. 84-939; 87-597.)

17 (70 ILCS 3605/27a) (from Ch. 111 2/3, par. 327a)

18 Sec. 27a. In addition to annually expending moneys equal
19 to moneys expended by the Authority in the fiscal year ending
20 December 31, 1988 for the protection against crime of its
21 properties, employees and consumers of its public
22 transportation services, the Authority also shall annually
23 expend for the protection against crime of its employees and
24 consumers, an amount that is equal to not less than 15 percent
25 of all direct grants it receives from the State of Illinois as

1 reimbursement for providing reduced fares for mass
2 transportation services to students, persons with
3 disabilities, and the elderly. ~~The Authority shall provide to~~
4 ~~the Regional Transportation Authority such information as is~~
5 ~~required by the Regional Transportation Authority in~~
6 ~~determining whether the Authority has expended moneys in~~
7 ~~compliance with the provisions of this Section.~~ The provisions
8 of this Section shall apply in any fiscal year of the Authority
9 only after all debt service requirements are met for that
10 fiscal year.

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

12 (70 ILCS 3605/28) (from Ch. 111 2/3, par. 328)

13 Sec. 28. The Board shall classify all the offices,
14 positions and grades of regular and exempt employment
15 required, ~~excepting that of the Chairman of the Board,~~ the
16 Executive Director, Secretary, Treasurer, General Counsel, and
17 Chief Engineer, with reference to the duties, job title, job
18 schedule number, and the compensation fixed therefor, and
19 adopt rules governing appointments to any of such offices or
20 positions on the basis of merit and efficiency. The job title
21 shall be generally descriptive of the duties performed in that
22 job, and the job schedule number shall be used to identify a
23 job title and to further classify positions within a job
24 title. No discrimination shall be made in any appointment or
25 promotion to any office, position, or grade of regular

1 employment because of race, creed, color, sex, national
2 origin, physical or mental disability unrelated to ability, or
3 political or religious affiliations. No officer or employee in
4 regular employment shall be discharged or demoted except for
5 cause which is detrimental to the service. Any officer or
6 employee in regular employment who is discharged or demoted
7 may file a complaint in writing with the Board within ten days
8 after notice of his or her discharge or demotion. If an
9 employee is a member of a labor organization the complaint may
10 be filed by such organization for and in behalf of such
11 employee. The Board shall grant a hearing on such complaint
12 within thirty (30) days after it is filed. The time and place
13 of the hearing shall be fixed by the Board and due notice
14 thereof given to the complainant, the labor organization by or
15 through which the complaint was filed and the Executive
16 Director. The hearing shall be conducted by the Board, or any
17 member thereof or any officers' committee or employees'
18 committee appointed by the Board. The complainant may be
19 represented by counsel. If the Board finds, or approves a
20 finding of the member or committee appointed by the Board,
21 that the complainant has been unjustly discharged or demoted,
22 he or she shall be restored to his or her office or position
23 with back pay. The decision of the Board shall be final and not
24 subject to review. The Board may designate such offices,
25 positions, and grades of employment as exempt as it deems
26 necessary for the efficient operation of the business of the

1 Authority. The total number of employees occupying exempt
2 offices, positions, or grades of employment may not exceed 3%
3 of the total employment of the Authority. All exempt offices,
4 positions, and grades of employment shall be at will. No
5 discrimination shall be made in any appointment or promotion
6 to any office, position, or grade of exempt employment because
7 of race, creed, color, sex, national origin, physical or
8 mental disability unrelated to ability, or religious or
9 political affiliation. The Board may abolish any vacant or
10 occupied office or position. Additionally, the Board may
11 reduce the force of employees for lack of work or lack of funds
12 as determined by the Board. When the number of positions or
13 employees holding positions of regular employment within a
14 particular job title and job schedule number are reduced,
15 those employees with the least company seniority in that job
16 title and job schedule number shall be first released from
17 regular employment service. For a period of one year, an
18 employee released from service shall be eligible for
19 reinstatement to the job title and job schedule number from
20 which he or she was released, in order of company seniority, if
21 additional force of employees is required. "Company seniority"
22 as used in this Section means the overall employment service
23 credited to an employee by the Authority since the employee's
24 most recent date of hire irrespective of job titles held. If 2
25 or more employees have the same company seniority date, time
26 in the affected job title and job schedule number shall be used

1 to break the company seniority tie. For purposes of this
2 Section, company seniority shall be considered a working
3 condition. When employees are represented by a labor
4 organization that has a labor agreement with the Authority,
5 the wages, hours, and working conditions (including, but not
6 limited to, seniority rights) shall be governed by the terms
7 of the agreement. Exempt employment shall not include any
8 employees who are represented by a labor organization that has
9 a labor agreement with the Authority.

10 No employee, officer, or agent of the Chicago Transit
11 Authority Board may receive a bonus that exceeds 10% of his or
12 her annual salary unless that bonus has been reviewed for a
13 period of 14 days by the Regional Transportation Authority
14 Board. After 14 days, the bonus shall be considered reviewed.
15 This Section does not apply to usual and customary salary
16 adjustments.

17 (Source: P.A. 98-1027, eff. 1-1-15; 99-143, eff. 7-27-15.)

18 (70 ILCS 3605/28a) (from Ch. 111 2/3, par. 328a)

19 Sec. 28a. (a) The Board may deal with and enter into
20 written contracts with the employees of the Authority through
21 accredited representatives of such employees or
22 representatives of any labor organization authorized to act
23 for such employees, concerning wages, salaries, hours, working
24 conditions and pension or retirement provisions; provided,
25 nothing herein shall be construed to permit hours of labor in

1 excess of those provided by law or to permit working
2 conditions prohibited by law. In case of dispute over wages,
3 salaries, hours, working conditions, or pension or retirement
4 provisions the Board may arbitrate any question or questions
5 and may agree with such accredited representatives or labor
6 organization that the decision of a majority of any
7 arbitration board shall be final, provided each party shall
8 agree in advance to pay half of the expense of such
9 arbitration.

10 No contract or agreement shall be made with any labor
11 organization, association, group or individual for the
12 employment of members of such organization, association, group
13 or individual for the construction, improvement, maintenance,
14 operation or administration of any property, plant or
15 facilities under the jurisdiction of the Authority, where such
16 organization, association, group or individual denies on the
17 ground of race, creed, color, sex, religion, physical or
18 mental disability unrelated to ability, or national origin
19 membership and equal opportunities for employment to any
20 citizen of Illinois.

21 (b)(1) The provisions of this paragraph (b) apply to
22 collective bargaining agreements (including extensions and
23 amendments of existing agreements) entered into on or after
24 January 1, 1984.

25 (2) The Board shall deal with and enter into written
26 contracts with their employees of the Authority, through

1 accredited representatives of such employees authorized to act
2 for such employees concerning wages, salaries, hours, working
3 conditions, and pension or retirement provisions about which a
4 collective bargaining agreement has been entered prior to the
5 effective date of this amendatory Act of the 102nd General
6 Assembly 1983. ~~Any such agreement of the Authority shall~~
7 ~~provide that the agreement may be reopened if the amended~~
8 ~~budget submitted pursuant to Section 2.18a of the Regional~~
9 ~~Transportation Authority Act is not approved by the Board of~~
10 ~~the Regional Transportation Authority~~. The agreement may not
11 include a provision requiring the payment of wage increases
12 based on changes in the Consumer Price Index. The Board shall
13 not have the authority to enter into collective bargaining
14 agreements with respect to inherent management rights, which
15 include such areas of discretion or policy as the functions of
16 the employer, standards of services, its overall budget, the
17 organizational structure and selection of new employees and
18 direction of personnel. Employers, however, shall be required
19 to bargain collectively with regard to policy matters directly
20 affecting wages, hours and terms and conditions of employment,
21 as well as the impact thereon upon request by employee
22 representatives. To preserve the rights of employers and
23 exclusive representatives which have established collective
24 bargaining relationships or negotiated collective bargaining
25 agreements prior to the effective date of this amendatory Act
26 of the 102nd General Assembly 1983, employers shall be

1 required to bargain collectively with regard to any matter
2 concerning wages, hours or conditions of employment about
3 which they have bargained prior to the effective date of this
4 amendatory Act of the 102nd General Assembly ~~1983~~.

5 (3) The collective bargaining agreement may not include a
6 prohibition on the use of part-time operators on any service
7 operated by or funded by the Board, except where prohibited by
8 federal law.

9 (4) Within 30 days of the signing of any such collective
10 bargaining agreement, the Board shall determine the costs of
11 each provision of the agreement and,~~7~~ prepare an amended budget
12 incorporating the costs of the agreement,~~7~~ ~~and present the~~
13 ~~amended budget to the Board of the Regional Transportation~~
14 ~~Authority for its approval under Section 4.11 of the Regional~~
15 ~~Transportation Act. The Board of the Regional Transportation~~
16 ~~Authority may approve the amended budget by an affirmative~~
17 ~~vote of 12 of its then Directors. If the budget is not approved~~
18 ~~by the Board of the Regional Transportation Authority, the~~
19 ~~agreement may be reopened and its terms may be renegotiated.~~
20 ~~Any amended budget which may be prepared following~~
21 ~~renegotiation shall be presented to the Board of the Regional~~
22 ~~Transportation Authority for its approval in like manner.~~

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

24 (70 ILCS 3605/30) (from Ch. 111 2/3, par. 330)

25 Sec. 30. The Board shall make all rules and regulations

1 governing the operation of the transportation system of the
2 Authority, shall determine all routings and change the same
3 whenever it is deemed advisable by the Board, subject to the
4 provisions of any ordinance granting rights to the Authority.
5 Except as provided in Sections 2.04 and 4.11(b)(5) of the
6 Regional Transportation Authority Act, the Board shall fix
7 rates, fares and charges for transportation, provided that
8 they shall be at all times sufficient in the aggregate to
9 provide revenues (a) for the payment of the interest on and
10 principal of all bonds, certificates and other obligations
11 payable from said revenues and to meet all other charges upon
12 such revenues as provided by any trust agreement executed by
13 the Authority in connection with the issuance of bonds or
14 certificates under this Act, (b) for the payment of all
15 operating costs including all charges which may be incurred
16 pursuant to Sections 29 and 39 of this Act and all other costs
17 and charges incidental to the operation of the transportation
18 system, (c) for the payment of all costs and charges incurred
19 pursuant to Sections 37 and 38 of this Act and any other costs
20 and charges for acquisition, installation, construction or for
21 replacement or reconstruction of equipment, structures or
22 rights of way not financed through issuance of bonds or
23 certificates under Section 12 of this Act, and (d) for any
24 compensation required to be paid to any municipality for the
25 use of streets, subways and other public ways. The Board may
26 provide free transportation within any municipality in and by

1 which they are employed for firemen and public health nurses,
2 when in uniform, and policemen when in uniform or, when not in
3 uniform, upon presentation of identification as policemen, and
4 shall provide free transportation to sworn law enforcement
5 personnel of the Cook County Sheriff's Department when in
6 uniform or, when not in uniform, upon presentation of
7 identification as sworn law enforcement personnel of the Cook
8 County Sheriff's Department, and may provide free
9 transportation for employees of the Authority when in uniform
10 or upon presentation of identification as such employees, and
11 may enter into agreements with the United States Post Office
12 Department for the transportation of mail, and the payment of
13 compensation to the Authority in lieu of fares for the
14 transportation of letter carriers, when in uniform at all
15 times.

16 The Board may also provide free transportation, or
17 transportation at reduced fares, to all or designated classes
18 of pupils in attendance at public schools of school districts
19 within or partly within the territorial limits of the
20 Authority, or in attendance at private schools offering grades
21 of instruction comparable to those offered in public schools,
22 under such conditions as shall be prescribed by the Board,
23 and, if otherwise authorized by law, the Board may contract
24 with public school boards and representatives of private
25 schools, for reimbursement of pupil transportation costs from
26 public funds.

1 (Source: P.A. 97-85, eff. 7-7-11.)

2 (70 ILCS 3605/34) (from Ch. 111 2/3, par. 334)

3 Sec. 34. Budget and Program. The ~~Authority, subject to the~~
4 ~~powers of the~~ Regional Transportation Authority ~~in Section~~
5 ~~4.11 of the Regional Transportation Authority Act,~~ shall
6 control the finances of the Authority. The Regional Transit
7 Authority ~~it~~ shall by ordinance appropriate money to perform
8 the Authority's purposes and provide for payment of debts and
9 expenses of the Authority. Each year the Authority shall
10 prepare and publish a comprehensive annual budget and
11 five-year capital program document, and a financial plan for
12 the 2 years thereafter describing the state of the Authority
13 and presenting for the forthcoming fiscal year and the two
14 following years the Authority's plans for such operations and
15 capital expenditures as it intends to undertake and the means
16 by which it intends to finance them. The proposed budget,
17 financial plan, and five-year capital program shall be based
18 on the Regional Transportation Authority's estimate of funds
19 to be made available to the Authority by or through the
20 Regional Transportation Authority and shall conform in all
21 respects to the requirements established by the Regional
22 Transportation Authority. The proposed budget, financial plan,
23 and five-year capital program shall contain a statement of the
24 funds estimated to be on hand at the beginning of the fiscal
25 year, the funds estimated to be received from all sources for

1 such year and the funds estimated to be on hand at the end of
2 such year. The proposed budget, financial plan, and five-year
3 capital program shall be available at no cost for public
4 inspection at the Authority's main office and at the Regional
5 Transportation Authority's main office at least 3 weeks prior
6 to any public hearing. Before the proposed budget, financial
7 plan, and five-year capital program are approved by ~~submitted~~
8 ~~to~~ the Regional Transportation Authority, the Authority shall
9 hold at least one public hearing thereon in each of the
10 counties in which the Authority provides service. All Board
11 members of the Regional Transit Authority shall attend a
12 majority of the public hearings unless reasonable cause is
13 given for their absence. After the public hearings, the Board
14 ~~of the Authority~~ shall hold at least one meeting for
15 consideration of the proposed program and budget with the Cook
16 County Board. After conducting such hearings and holding such
17 meetings and after making such changes in the proposed budget,
18 financial plan, and five-year capital program as the Board
19 deems appropriate, it shall adopt an annual budget ordinance
20 at least by November 15th preceding the beginning of each
21 fiscal year. ~~The budget, financial plan, and five-year capital~~
22 ~~program shall then be submitted to the Regional Transportation~~
23 ~~Authority as provided in Section 4.11 of the Regional~~
24 ~~Transportation Authority Act. In the event that the Board of~~
25 ~~the Regional Transportation Authority determines that the~~
26 ~~budget, financial plan, and five year capital program do not~~

1 ~~meet the standards of said Section 4.11, the Board of the~~
2 ~~Authority shall make such changes as are necessary to meet~~
3 ~~such requirements and adopt an amended budget ordinance. The~~
4 ~~amended budget ordinance shall be resubmitted to the Regional~~
5 ~~Transportation Authority pursuant to said Section 4.11. The~~
6 budget ordinance shall appropriate such sums of money as are
7 deemed necessary to defray all necessary expenses and
8 obligations of the Authority, specifying purposes and the
9 objects or programs for which appropriations are made and the
10 amount appropriated for each object or program. Additional
11 appropriations, transfers between items and other changes in
12 such ordinance which do not alter the basis upon which the
13 balanced budget determination was made by the Regional
14 Transportation Authority may be made from time to time by the
15 Board.

16 The budget shall:

17 (i) show a balance between (A) anticipated revenues
18 from all sources including operating subsidies and (B) the
19 costs of providing the services specified and of funding
20 any operating deficits or encumbrances incurred in prior
21 periods, including provision for payment when due of
22 principal and interest on outstanding indebtedness;

23 (ii) show cash balances including the proceeds of any
24 anticipated cash flow borrowing sufficient to pay with
25 reasonable promptness all costs and expenses as incurred;

26 (iii) provide for a level of fares or charges and

1 operating or administrative costs for the public
2 transportation provided by or subject to the jurisdiction
3 of the Board sufficient to allow the Authority Board to
4 meet its required system generated revenue recovery ratio
5 as determined by the Board ~~in accordance with subsection~~
6 ~~(a) of Section 4.11 of the Regional Transportation~~
7 ~~Authority Act;~~

8 (iv) be based upon and employ assumptions and
9 projections which are reasonable and prudent;

10 (v) have been prepared in accordance with sound
11 financial practices as determined by the Board of the
12 Regional Transportation Authority;

13 (vi) meet such other financial, budgetary, or fiscal
14 requirements that the Board of the Regional Transportation
15 Authority may by rule or regulation establish; and

16 (vii) be consistent with the goals and objectives
17 adopted by the Regional Transportation Authority in the
18 Strategic Plan.

19 The Board shall establish a fiscal operating year. At
20 least thirty days prior to the beginning of the first full
21 fiscal year after the creation of the Authority, and annually
22 thereafter, the Board shall cause to be prepared a tentative
23 budget which shall include all operation and maintenance
24 expense for the ensuing fiscal year. The tentative budget
25 shall be considered by the Board and, subject to any revision
26 and amendments as may be determined, shall be adopted prior to

1 the first day of the ensuing fiscal year as the budget for that
2 year. No expenditures for operations and maintenance in excess
3 of the budget shall be made during any fiscal year except by
4 the affirmative vote of at least five members of the Board. It
5 shall not be necessary to include in the annual budget any
6 statement of necessary expenditures for pensions or retirement
7 annuities, or for interest or principal payments on bonds or
8 certificates, or for capital outlays, but it shall be the duty
9 of the Board to make provision for payment of same from
10 appropriate funds. ~~The Board may not alter its fiscal year
11 without the prior approval of the Board of the Regional
12 Transportation Authority.~~

13 (Source: P.A. 95-708, eff. 1-18-08.)

14 (70 ILCS 3605/4 rep.)

15 (70 ILCS 3605/6.1 rep.)

16 (70 ILCS 3605/9b rep.)

17 (70 ILCS 3605/20 rep.)

18 (70 ILCS 3605/21 rep.)

19 (70 ILCS 3605/22 rep.)

20 (70 ILCS 3605/23 rep.)

21 (70 ILCS 3605/28d rep.)

22 (70 ILCS 3605/44 rep.)

23 Section 30. The Metropolitan Transit Authority Act is
24 amended by repealing Sections 4, 6.1, 9b, 20, 21, 22, 23, 28d,
25 and 44.

1 Section 35. The Regional Transportation Authority Act is
2 amended by changing Sections 1.03, 2.01, 2.01a, 2.01b, 2.01c,
3 2.01d, 2.01e, 2.20, 2.21, 2.30, 3.01, 3.04, 3.08, 3A.01,
4 3A.02, 3A.05, 3A.09, 3A.10, 3A.11, 3A.12, 3A.14, 3A.15, 3A.16,
5 3A.17, 3A.18, 3B.01, 3B.02, 3B.05, 3B.09, 3B.10, 3B.11, 3B.12,
6 3B.13, 3B.14, 3B.15, 3B.26, 4.01, 4.02b, 4.03.3, 4.04, 4.11,
7 4.15, and 5.05 and by adding the heading of Article III-C and
8 Sections 1.06, 3.12, and 3C.05 as follows:

9 (70 ILCS 3615/1.03) (from Ch. 111 2/3, par. 701.03)

10 Sec. 1.03. Definitions. As used in this Act:

11 "Authority" means the Regional Transportation Authority;

12 "Board" means the Board of Directors of the Regional
13 Transportation Authority;

14 "Construct or acquire" means plan, design, construct,
15 reconstruct, improve, modify, extend, landscape, expand or
16 acquire;

17 "Metropolitan Region" means all territory included within
18 the territory of the Authority as provided in this Act, and
19 such territory as may be annexed to the Authority;

20 "Municipality", "County" and "Unit of Local Government"
21 have the meanings given to such terms in Section 1 of Article
22 VII of the Illinois Constitution;

23 "Operate" means operate, maintain, administer, repair,
24 promote and any other acts necessary or proper with regard to

1 such matters;

2 "Public Transportation" means the transportation or
3 conveyance of persons within the metropolitan region by means
4 available to the general public, including groups of the
5 general public with special needs, except for transportation
6 by automobiles not used for conveyance of the general public
7 as passengers;

8 "Public Transportation Facilities" means all equipment or
9 property, real or personal, or rights therein, useful or
10 necessary for providing, maintaining or administering public
11 transportation within the metropolitan region or otherwise
12 useful for carrying out or meeting the purposes or powers of
13 the Authority, except it shall not include roads, streets,
14 highways or bridges or toll highways or toll bridges for
15 general public use; and

16 "Service Boards" means the ~~Board of the~~ Commuter Rail
17 Division of the Authority, the ~~Board of the~~ Suburban Bus
18 Division of the Authority and the ~~Board of the~~ Chicago Transit
19 Authority established pursuant to the "~~Metropolitan Transit~~
20 ~~Authority Act~~", ~~approved April 12, 1945, as now or hereafter~~
21 ~~amended~~.

22 "Transportation Agency" means any individual, firm,
23 partnership, corporation, association, body politic, municipal
24 corporation, public authority, unit of local government or
25 other person, other than the Authority and the Service Boards,
26 which provides public transportation, any local mass transit

1 district created pursuant to the "Local Mass Transit District
2 Act", as now or hereafter amended, and any urban
3 transportation district created pursuant to the "Urban
4 Transportation District Act", as now or hereafter amended,
5 which districts are located in whole or in part within the
6 metropolitan region.

7 (Source: P.A. 83-885; 83-886.)

8 (70 ILCS 3615/1.06 new)

9 Sec. 1.06. Authority of the Regional Transportation
10 Authority and Service Boards. On and after January 1, 2022:

11 (1) Notwithstanding any other provision of law, the
12 Authority is primarily responsible for setting policy and
13 strategic direction, determining allocation of funds, and
14 prioritizing investments for the operation of public
15 transportation in the metropolitan region by the Commuter
16 Rail Division, Suburban Bus Division, and the Chicago
17 Transit Authority.

18 (2) Notwithstanding any other provision of law, the
19 Commuter Rail Committee, Suburban Bus Committee, and the
20 Chicago Transit Authority Committee are primarily
21 responsible for the day-to-day operation of public
22 transportation in the metropolitan region in each of their
23 respective Divisions.

24 (70 ILCS 3615/2.01) (from Ch. 111 2/3, par. 702.01)

1 Sec. 2.01. General Allocation of Responsibility for Public
2 Transportation.

3 (a) In order to accomplish the purposes as set forth in
4 this Act, the responsibility for planning, operating, and
5 funding public transportation in the metropolitan region shall
6 be allocated as described in this Act. The Authority shall:

7 (i) adopt plans that implement the public policy of
8 the State to provide adequate, efficient, geographically
9 equitable and coordinated public transportation throughout
10 the metropolitan region;

11 (ii) set goals, objectives, and standards for the
12 Authority, the Service Boards, and transportation
13 agencies;

14 (iii) develop performance measures to inform the
15 public about the extent to which the provision of public
16 transportation in the metropolitan region meets those
17 goals, objectives, and standards;

18 (iv) allocate operating and capital funds made
19 available to support public transportation in the
20 metropolitan region;

21 (v) provide financial oversight of the Service Boards;
22 and

23 (vi) coordinate the provision of public transportation
24 and the investment in public transportation facilities to
25 enhance the integration of public transportation
26 throughout the metropolitan region, all as provided in

1 this Act.

2 The Service Boards shall, on a continuing basis determine
3 the level, nature and kind of public transportation which
4 should be provided for the metropolitan region in order to
5 meet the plans, goals, objectives, and standards adopted by
6 the Authority. The Service Boards may provide public
7 transportation by purchasing such service from transportation
8 agencies through purchase of service agreements, by grants to
9 such agencies or by operating such service, all pursuant to
10 this Act and the "Metropolitan Transit Authority Act", as now
11 or hereafter amended. Certain of its actions to implement the
12 responsibilities allocated to the Authority in this subsection
13 (a) shall be taken in 3 public documents adopted by the
14 affirmative vote of at least 12 of its then Directors: A
15 Strategic Plan; a Five-Year Capital Program; and an Annual
16 Budget and Two-Year Financial Plan.

17 (b) The Authority shall subject the operating and capital
18 plans and expenditures of the Service Boards in the
19 metropolitan region with regard to public transportation to
20 continuing review so that the Authority may budget and expend
21 its funds with maximum effectiveness and efficiency. The
22 Authority shall conduct audits of each of the Service Boards
23 no less than every 5 years. Such audits may include
24 management, performance, financial, and infrastructure
25 condition audits. The Authority may conduct management,
26 performance, financial, and infrastructure condition audits of

1 transportation agencies that receive funds from the Authority.
2 The Authority may ~~direct a Service Board to~~ conduct any such
3 audit of a transportation agency that receives funds from a
4 ~~such Service Board, and the Service Board shall comply with~~
5 ~~such request to the extent it has the right to do so.~~ These
6 audits of the Service Boards or transportation agencies may be
7 project or service specific audits to evaluate their
8 achievement of the goals and objectives of that project or
9 service and their compliance with any applicable requirements.
10 (Source: P.A. 98-1027, eff. 1-1-15.)

11 (70 ILCS 3615/2.01a)

12 Sec. 2.01a. Strategic Plan.

13 (a) By the affirmative vote of at least 12 of its then
14 Directors, the Authority shall adopt a Strategic Plan, no less
15 than every 5 years, ~~after consultation with the Service Boards~~
16 and after holding a minimum of 3 public hearings in Cook County
17 and one public hearing in each of the other counties in the
18 region. The Executive Director of the Authority shall review
19 the Strategic Plan on an ongoing basis and make
20 recommendations to the Board of the Authority with respect to
21 any update or amendment of the Strategic Plan. The Strategic
22 Plan shall describe the specific actions to be taken by the
23 Authority and the Service Boards to provide adequate,
24 efficient, and coordinated public transportation.

25 (b) The Strategic Plan shall identify goals and objectives

1 with respect to:

2 (i) increasing ridership and passenger miles on public
3 transportation funded by the Authority;

4 (ii) coordination of public transportation services
5 and the investment in public transportation facilities to
6 enhance the integration of public transportation
7 throughout the metropolitan region;

8 (iii) coordination of fare and transfer policies to
9 promote transfers by riders among Service Boards,
10 transportation agencies, and public transportation modes,
11 which may include goals and objectives for development of
12 a universal fare instrument that riders may use
13 interchangeably on all public transportation funded by the
14 Authority, and methods to be used to allocate revenues
15 from transfers;

16 (iv) improvements in public transportation facilities
17 to bring those facilities into a state of good repair,
18 enhancements that attract ridership and improve customer
19 service, and expansions needed to serve areas with
20 sufficient demand for public transportation;

21 (v) access for transit-dependent populations,
22 including access by low-income communities to places of
23 employment, utilizing analyses provided by the Chicago
24 Metropolitan Agency for Planning regarding employment and
25 transportation availability, and giving consideration to
26 the location of employment centers in each county and the

1 availability of public transportation at off-peak hours
2 and on weekends;

3 (vi) the financial viability of the public
4 transportation system, including both operating and
5 capital programs;

6 (vii) limiting road congestion within the metropolitan
7 region and enhancing transit options to improve mobility;
8 and

9 (viii) such other goals and objectives that advance
10 the policy of the State to provide adequate, efficient,
11 geographically equitable and coordinated public
12 transportation in the metropolitan region.

13 (c) The Strategic Plan shall establish the process and
14 criteria by which proposals for capital improvements by a
15 Service Board or a transportation agency will be evaluated by
16 the Authority for inclusion in the Five-Year Capital Program,
17 which may include criteria for:

18 (i) allocating funds among maintenance, enhancement,
19 and expansion improvements;

20 (ii) projects to be funded from the Innovation,
21 Coordination, and Enhancement Fund;

22 (iii) projects intended to improve or enhance
23 ridership or customer service;

24 (iv) design and location of station or transit
25 improvements intended to promote transfers, increase
26 ridership, and support transit-oriented land development;

1 (v) assessing the impact of projects on the ability to
2 operate and maintain the existing transit system; and

3 (vi) other criteria that advance the goals and
4 objectives of the Strategic Plan.

5 (d) The Strategic Plan shall establish performance
6 standards and measurements regarding the adequacy, efficiency,
7 geographic equity and coordination of public transportation
8 services in the region and the implementation of the goals and
9 objectives in the Strategic Plan. At a minimum, such standards
10 and measures shall include customer-related performance data
11 measured by line, route, or sub-region, as determined by the
12 Authority, on the following:

13 (i) travel times and on-time performance;

14 (ii) ridership data;

15 (iii) equipment failure rates;

16 (iv) employee and customer safety; and

17 (v) customer satisfaction.

18 The Service Boards and transportation agencies that
19 receive funding from the Authority or Service Boards shall
20 prepare, publish, and submit to the Authority such reports
21 with regard to these standards and measurements in the
22 frequency and form required by the Authority; however, the
23 frequency of such reporting shall be no less than annual. The
24 Service Boards shall publish such reports on their respective
25 websites. The Authority shall compile and publish such reports
26 on its website. Such performance standards and measures shall

1 not be used as the basis for disciplinary action against any
2 employee of the Authority or Service Boards, except to the
3 extent the employment and disciplinary practices of the
4 Authority or Service Board provide for such action.

5 (e) The Strategic Plan shall identify innovations to
6 improve the delivery of public transportation and the
7 construction of public transportation facilities.

8 (f) The Strategic Plan shall describe the expected
9 financial condition of public transportation in the
10 metropolitan region prospectively over a 10-year period, which
11 may include information about the cash position and all known
12 obligations of the Authority and the Service Boards including
13 operating expenditures, debt service, contributions for
14 payment of pension and other post-employment benefits, the
15 expected revenues from fares, tax receipts, grants from the
16 federal, State, and local governments for operating and
17 capital purposes and issuance of debt, the availability of
18 working capital, and the resources needed to achieve the goals
19 and objectives described in the Strategic Plan.

20 (g) In developing the Strategic Plan, the Authority shall
21 rely on such demographic and other data, forecasts, and
22 assumptions developed by the Chicago Metropolitan Agency for
23 Planning with respect to the patterns of population density
24 and growth, projected commercial and residential development,
25 and environmental factors, within the metropolitan region and
26 in areas outside the metropolitan region that may impact

1 public transportation utilization in the metropolitan region.
2 The Authority shall also consult with the Illinois Department
3 of Transportation's Office of Planning and Programming when
4 developing the Strategic Plan. Before adopting or amending any
5 Strategic Plan, the Authority shall consult with the Chicago
6 Metropolitan Agency for Planning regarding the consistency of
7 the Strategic Plan with the Regional Comprehensive Plan
8 adopted pursuant to the Regional Planning Act.

9 (h) The Authority may adopt, by the affirmative vote of at
10 least 12 of its then Directors, sub-regional or corridor plans
11 for specific geographic areas of the metropolitan region in
12 order to improve the adequacy, efficiency, geographic equity
13 and coordination of existing, or the delivery of new, public
14 transportation. Such plans may also address areas outside the
15 metropolitan region that may impact public transportation
16 utilization in the metropolitan region. In preparing a
17 sub-regional or corridor plan, the Authority may identify
18 changes in operating practices or capital investment in the
19 sub-region or corridor that could increase ridership, reduce
20 costs, improve coordination, or enhance transit-oriented
21 development. The Authority shall consult with any affected
22 Service Boards in the preparation of any sub-regional or
23 corridor plans.

24 (i) If the Authority determines, by the affirmative vote
25 of at least 12 of its then Directors, that, with respect to any
26 proposed new public transportation service or facility, (i)

1 multiple Service Boards or transportation agencies are
2 potential service providers and (ii) the public transportation
3 facilities to be constructed or purchased to provide that
4 service have an expected construction cost of more than
5 \$25,000,000, the Authority shall have sole responsibility for
6 conducting any alternatives analysis and preliminary
7 environmental assessment required by federal or State law.
8 Nothing in this subparagraph (i) shall prohibit a Service
9 Board from undertaking alternatives analysis and preliminary
10 environmental assessment for any public transportation service
11 or facility identified in items (i) and (ii) above that is
12 included in the Five-Year Capital Program as of the effective
13 date of this amendatory Act of the 95th General Assembly;
14 however, any expenditure related to any such public
15 transportation service or facility must be included in a
16 Five-Year Capital Program under the requirements of Sections
17 2.01b and 4.02 of this Act.

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

19 (70 ILCS 3615/2.01b)

20 Sec. 2.01b. The Five-Year Capital Program. By the
21 affirmative vote of at least 12 of its then Directors, the
22 Authority, ~~after consultation with the Service Boards and~~
23 after holding a minimum of 3 public hearings in Cook County and
24 one public hearing in each of the other counties in the
25 metropolitan region, shall each year adopt a Five-Year Capital

1 Program that shall include each capital improvement to be
2 undertaken by or on behalf of a Service Board provided that the
3 Authority finds that the improvement meets any criteria for
4 capital improvements contained in the Strategic Plan, is not
5 inconsistent with any sub-regional or corridor plan adopted by
6 the Authority, and can be funded within amounts available with
7 respect to the capital and operating costs of such
8 improvement. In reviewing proposals for improvements to be
9 included in a Five-Year Capital Program, the Authority may
10 give priority to improvements that are intended to bring
11 public transportation facilities into a state of good repair.
12 The Five-Year Capital Program shall also identify capital
13 improvements to be undertaken by a Service Board, a
14 transportation agency, or a unit of local government and
15 funded by the Authority from amounts in the Innovation,
16 Coordination, and Enhancement Fund, provided that no
17 improvement that is included in the Five-Year Capital Program
18 as of the effective date of this amendatory Act of the 95th
19 General Assembly may receive funding from the Innovation,
20 Coordination, and Enhancement Fund. Before adopting a
21 Five-Year Capital Program, the Authority shall consult with
22 the Chicago Metropolitan Agency for Planning regarding the
23 consistency of the Five-Year Capital Program with the Regional
24 Comprehensive Plan adopted pursuant to the Regional Planning
25 Act.

26 (Source: P.A. 95-708, eff. 1-18-08.)

1 (70 ILCS 3615/2.01c)

2 Sec. 2.01c. Innovation, Coordination, and Enhancement
3 Fund.

4 (a) The Authority shall establish an Innovation,
5 Coordination, and Enhancement Fund and deposit into the Fund
6 an amount equal to \$10,000,000 in 2008, and, each year
7 thereafter, an amount equal to the amount deposited in the
8 previous year increased or decreased by the percentage growth
9 or decline in revenues received by the Authority from taxes
10 imposed under Section 4.03 in the previous year. Amounts on
11 deposit in such Fund and interest and other earnings on those
12 amounts may be used by the Authority, upon the affirmative
13 vote of 12 of its then Directors, and after a public
14 participation process, for operating or capital grants ~~or~~
15 ~~loans~~ to Service Boards, transportation agencies, or units of
16 local government that advance the goals and objectives
17 identified by the Authority in its Strategic Plan, provided
18 that no improvement that has been included in a Five-Year
19 Capital Program as of the effective date of this amendatory
20 Act of the 95th General Assembly may receive any funding from
21 the Innovation, Coordination, and Enhancement Fund. Unless the
22 Board has determined by a vote of 12 of its then Directors that
23 an emergency exists requiring the use of some or all of the
24 funds then in the Innovation, Coordination, and Enhancement
25 Fund, such funds may only be used to enhance the coordination

1 and integration of public transportation and develop and
2 implement innovations to improve the quality and delivery of
3 public transportation.

4 (b) Any grantee that receives funds from the Innovation,
5 Coordination, and Enhancement Fund for the operation of
6 eligible programs must (i) implement such programs within one
7 year of receipt of such funds and (ii) within 2 years following
8 commencement of any program utilizing such funds, determine
9 whether it is desirable to continue the program, and upon such
10 a determination, either incorporate such program into its
11 annual operating budget and capital program or discontinue
12 such program. No additional funds from the Innovation,
13 Coordination, and Enhancement Fund may be distributed to a
14 grantee for any individual program beyond 2 years unless the
15 Authority by the affirmative vote of at least 12 of its then
16 Directors waives this limitation. Any such waiver will be with
17 regard to an individual program and with regard to a one
18 year-period, and any further waivers for such individual
19 program require a subsequent vote of the Board.

20 (Source: P.A. 97-399, eff. 8-16-11.)

21 (70 ILCS 3615/2.01d)

22 Sec. 2.01d. ADA Paratransit Fund. The Authority shall
23 establish an ADA Paratransit Fund and, each year, deposit into
24 that Fund the following amounts: (i) a base amount equal to
25 \$115,000,000 in 2012, and, each year thereafter, an amount

1 equal to the final budgeted funding for ADA paratransit
2 services for the current year, (ii) any funds received from
3 the State pursuant to appropriations for the purpose of
4 funding ADA paratransit services, and (iii) any additional
5 funds necessary to fund the budget or amended budget for ADA
6 paratransit services adopted or approved by the Board for the
7 current year. The amounts on deposit in the Fund and interest
8 and other earnings on those amounts shall be used by the
9 Authority to make grants to the Suburban Bus Division ~~Board~~
10 for ADA paratransit services provided pursuant to plans
11 approved by the Authority under Section 2.30 of this Act.
12 Funds received by the Suburban Bus Division ~~Board~~ from the
13 Authority's ADA Paratransit Fund shall be used only to provide
14 ADA paratransit services to individuals who are determined to
15 be eligible for such services by the Authority under the
16 Americans with Disabilities Act of 1990 and its implementing
17 regulations. Revenues from and costs of services provided by
18 the Suburban Bus Division ~~Board~~ with grants made under this
19 Section shall be included in the Annual Budget and Two-Year
20 Financial Program of the Suburban Bus Division ~~Board~~ and shall
21 be subject to all budgetary and financial requirements under
22 this Act that apply to ADA paratransit services. Beginning in
23 2008, the Executive Director shall, no later than August 15 of
24 each year, provide to the Board a written determination of the
25 projected annual costs of ADA paratransit services that are
26 required to be provided pursuant to the Americans with

1 Disabilities Act of 1990 and its implementing regulations for
2 the current year. The Authority shall conduct triennial
3 financial, compliance, and performance audits of ADA
4 paratransit services to assist in this determination.

5 (Source: P.A. 97-399, eff. 8-16-11.)

6 (70 ILCS 3615/2.01e)

7 Sec. 2.01e. Suburban Community Mobility Fund. The
8 Authority shall establish a Suburban Community Mobility Fund
9 and deposit into that Fund an amount equal to \$20,000,000 in
10 2008, and, each year thereafter, an amount equal to the amount
11 deposited in the previous year increased or decreased by the
12 percentage growth or decline in revenues received by the
13 Authority from taxes imposed under Section 4.03 in the
14 previous year. The amounts on deposit in the Fund and interest
15 and other earnings on those amounts shall be used by the
16 Authority to make grants to the Suburban Bus Division ~~Board~~
17 for the purpose of operating transit services, other than
18 traditional fixed-route services, that enhance suburban
19 mobility, including, but not limited to, demand-responsive
20 transit services, ride sharing, van pooling, service
21 coordination, centralized dispatching and call taking, reverse
22 commuting, service restructuring, and bus rapid transit.
23 Revenues from and costs of services provided by the Suburban
24 Bus Division ~~Board~~ with moneys from the Suburban Community
25 Mobility Fund shall be included in the Annual Budget and

1 Two-Year Financial Program of the Suburban Bus Division ~~Board~~
2 and shall be subject to all budgetary and financial
3 requirements under this Act.

4 (Source: P.A. 97-399, eff. 8-16-11.)

5 (70 ILCS 3615/2.20) (from Ch. 111 2/3, par. 702.20)

6 Sec. 2.20. General Powers.

7 (a) Except as otherwise limited by this Act, the Authority
8 shall also have all powers necessary to meet its
9 responsibilities and to carry out its purposes, including, but
10 not limited to, the following powers:

11 (i) To sue and be sued;

12 (ii) To invest any funds or any monies not required
13 for immediate use or disbursement, as provided in "An Act
14 relating to certain investments of public funds by public
15 agencies", approved July 23, 1943, as now or hereafter
16 amended;

17 (iii) To make, amend and repeal by-laws, rules and
18 regulations, and ordinances not inconsistent with this
19 Act;

20 (iv) To hold, sell, sell by installment contract,
21 lease as lessor, transfer or dispose of such real or
22 personal property as it deems appropriate in the exercise
23 of its powers or to provide for the use thereof by any
24 transportation agency and to mortgage, pledge or otherwise
25 grant security interests in any such property;

1 (v) To enter at reasonable times upon such lands,
2 waters or premises as in the judgment of the Authority may
3 be necessary, convenient or desirable for the purpose of
4 making surveys, soundings, borings and examinations to
5 accomplish any purpose authorized by this Act after having
6 given reasonable notice of such proposed entry to the
7 owners and occupants of such lands, waters or premises,
8 the Authority being liable only for actual damage caused
9 by such activity;

10 (vi) To make and execute all contracts and other
11 instruments necessary or convenient to the exercise of its
12 powers;

13 (vii) To enter into contracts of group insurance for
14 the benefit of its employees and to provide for retirement
15 or pensions or other employee benefit arrangements for
16 such employees, and to assume obligations for pensions or
17 other employee benefit arrangements for employees of
18 transportation agencies, all or part of the facilities of
19 which are acquired by the Authority;

20 (viii) To provide for the insurance of any property,
21 directors, officers, employees or operations of the
22 Authority against any risk or hazard, and to self-insure
23 or participate in joint self-insurance pools or entities
24 to insure against such risk or hazard;

25 (ix) To appear before the Illinois Commerce Commission
26 in all proceedings concerning the Authority, a Service

1 Board or any transportation agency; and

2 (x) To pass all ordinances and make all rules and
3 regulations proper or necessary to regulate the use,
4 operation and maintenance of its property and facilities
5 and, by ordinance, to prescribe fines or penalties for
6 violations thereof. No fine or penalty shall exceed \$1,000
7 per offense. Any ordinance providing for any fine or
8 penalty shall be published in a newspaper of general
9 circulation in the metropolitan region. No such ordinance
10 shall take effect until 10 days after its publication.

11 The Authority may enter into arbitration arrangements,
12 which may be final and binding.

13 The ~~Commuter Rail~~ Board shall continue the separate public
14 corporation, known as the Northeast Illinois Regional Commuter
15 Railroad Corporation, as a separate operating unit to operate
16 on behalf of the Commuter Rail Division ~~Board~~ commuter
17 railroad facilities, subject at all times to the supervision
18 and direction of the ~~Commuter Rail~~ Board and may, by
19 ordinance, dissolve such Corporation. Such Corporation shall
20 be governed by a Board of Directors which shall consist of the
21 ~~members of the Transition Board until such time as all of the~~
22 ~~members of the Commuter Rail Board are appointed and qualified~~
23 ~~and thereafter the members of the Commuter Rail~~ Regional
24 Transportation Authority Board. Such Corporation shall have
25 all the powers given the Authority and the Commuter Rail
26 Division ~~Board~~ under Article II of this Act (other than under

1 Section 2.13) as are delegated to it by ordinance of the
2 ~~Commuter-Rail~~ Board with regard to such operation of
3 facilities and the same exemptions, restrictions and
4 limitations as are provided by law with regard to the
5 Authority shall apply to such Corporation. Such Corporation
6 shall be a transportation agency as provided in this Act
7 except for purposes of paragraph (e) of Section 3.01 of this
8 Act.

9 The Authority shall cooperate with the Illinois Commerce
10 Commission and local law enforcement agencies in establishing
11 a two year pilot program in DuPage County to determine the
12 effectiveness of an automated railroad grade crossing
13 enforcement system.

14 (b) In each case in which this Act gives the Authority the
15 power to construct or acquire real or personal property, the
16 Authority shall have the power to acquire such property by
17 contract, purchase, gift, grant, exchange for other property
18 or rights in property, lease (or sublease) or installment or
19 conditional purchase contracts, which leases or contracts may
20 provide for consideration therefor to be paid in annual
21 installments during a period not exceeding 40 years. Property
22 may be acquired subject to such conditions, restrictions,
23 liens, or security or other interests of other parties as the
24 Authority may deem appropriate, and in each case the Authority
25 may acquire a joint, leasehold, easement, license or other
26 partial interest in such property. Any such acquisition may

1 provide for the assumption of, or agreement to pay, perform or
2 discharge outstanding or continuing duties, obligations or
3 liabilities of the seller, lessor, donor or other transferor
4 of or of the trustee with regard to such property. In
5 connection with the acquisition of public transportation
6 equipment, including, but not limited to, rolling stock,
7 vehicles, locomotives, buses or rapid transit equipment, the
8 Authority may also execute agreements concerning such
9 equipment leases, equipment trust certificates, conditional
10 purchase agreements and such other security agreements and may
11 make such agreements and covenants as required, in the form
12 customarily used in such cases appropriate to effect such
13 acquisition. Obligations of the Authority incurred pursuant to
14 this Section shall not be considered bonds or notes within the
15 meaning of Section 4.04 of this Act.

16 (c) The Authority shall assume all costs of rights,
17 benefits and protective conditions to which any employee is
18 entitled under this Act from any transportation agency in the
19 event of the inability of the transportation agency to meet
20 its obligations in relation thereto due to bankruptcy or
21 insolvency, provided that the Authority shall retain the right
22 to proceed against the bankrupt or insolvent transportation
23 agency or its successors, trustees, assigns or debtors for the
24 costs assumed. The Authority may mitigate its liability under
25 this paragraph (c) and under Section 2.16 to the extent of
26 employment and employment benefits which it tenders.

1 (Source: P.A. 97-333, eff. 8-12-11.)

2 (70 ILCS 3615/2.21) (from Ch. 111 2/3, par. 702.21)

3 Sec. 2.21. (a) The Authority or the Commuter Rail Division
4 ~~Board~~ may not in the exercise of its powers to provide
5 effective public transportation as provided by this Act:

6 (i) require or authorize the operation of, or operate
7 or acquire by eminent domain or otherwise, any public
8 transportation facility or service on terms or in a manner
9 which unreasonably interferes with the ability of a
10 railroad to provide efficient freight or inter-city
11 passenger service. This subparagraph shall not bar the
12 Authority from acquiring title to any property pursuant to
13 Section 2.13 in a manner consistent with this
14 subparagraph.

15 (ii) obtain by eminent domain any interest in any
16 right of way or any other real property of a railroad which
17 is not a public body in excess of the interest to be used
18 for public transportation as provided in this Act.

19 (iii) prohibit the operation of public transportation
20 by a private carrier that does not receive a grant or
21 purchase of service contract from the Authority or a
22 Service Board.

23 (b) If in connection with any construction, acquisition,
24 or other activity undertaken by or for the Authority or a
25 Service Board, or pursuant to any purchase of service or grant

1 agreement with the Authority or a Service Board, any facility
2 of a public utility (as defined in the Public Utilities Act),
3 is removed or relocated from its then-existing site all costs
4 and expenses of such relocation or removal, including the cost
5 of installing such facilities in a new location or locations,
6 and the cost of any land or lands, or interest in land, or any
7 rights required to accomplish such relocation or removal,
8 shall be paid by the Authority or a Service Board. If any such
9 facilities are so relocated onto the properties of the
10 Authority or the Service Board or onto properties made
11 available for that purpose by the Authority or the Service
12 Board, there shall be no rent, fee, or other charge of any kind
13 imposed upon the public utility owning or operating such
14 facilities in excess of that imposed prior to such relocation
15 and such public utility, and its successors and assigns, shall
16 be granted the right to operate such facilities in the new
17 location or locations for as long a period and upon the same
18 terms and conditions as it had the right to maintain and
19 operate such facilities in their former location. Nothing in
20 this paragraph (b) shall prevent the Authority or the Service
21 Board and a transportation agency from agreeing in a purchase
22 of service agreement or otherwise to make different
23 arrangements for such relocations or the costs thereof.

24 (Source: P.A. 100-863, eff. 8-14-18.)

1 Sec. 2.30. Paratransit services.

2 (a) For purposes of this Act, "ADA paratransit services"
3 shall mean those comparable or specialized transportation
4 services provided by, or under grant or purchase of service
5 contracts of, the Service Boards to individuals with
6 disabilities who are unable to use fixed route transportation
7 systems and who are determined to be eligible, for some or all
8 of their trips, for such services under the Americans with
9 Disabilities Act of 1990 and its implementing regulations.

10 (b) Beginning July 1, 2005, the Authority is responsible
11 for the funding, from amounts on deposit in the ADA
12 Paratransit Fund established under Section 2.01d of this Act,
13 financial review and oversight of all ADA paratransit services
14 that are provided by the Authority or by any of the Service
15 Boards. The Suburban Bus Division ~~Board~~ shall operate or
16 provide for the operation of all ADA paratransit services by
17 no later than July 1, 2006, except that this date may be
18 extended to the extent necessary to obtain approval from the
19 Federal Transit Administration of the plan prepared pursuant
20 to subsection (c).

21 (c) No later than January 1, 2006, the Authority, in
22 collaboration with the Suburban Bus Division ~~Board~~ and the
23 Chicago Transit Authority, shall develop a plan for the
24 provision of ADA paratransit services and submit such plan to
25 the Federal Transit Administration for approval. Approval of
26 such plan by the Authority shall require the affirmative votes

1 of 12 of the then Directors. The Suburban Bus Division Board,
2 the Chicago Transit Authority and the Authority shall comply
3 with the requirements of the Americans with Disabilities Act
4 of 1990 and its implementing regulations in developing and
5 approving such plan including, without limitation, consulting
6 with individuals with disabilities and groups representing
7 them in the community, and providing adequate opportunity for
8 public comment and public hearings. The plan shall include the
9 contents required for a paratransit plan pursuant to the
10 Americans with Disabilities Act of 1990 and its implementing
11 regulations. The plan shall also include, without limitation,
12 provisions to:

13 (1) maintain, at a minimum, the levels of ADA
14 paratransit service that are required to be provided by
15 the Service Boards pursuant to the Americans with
16 Disabilities Act of 1990 and its implementing regulations;

17 (2) transfer the appropriate ADA paratransit services,
18 management, personnel, service contracts and assets from
19 the Chicago Transit Authority to the Authority or the
20 Suburban Bus Division Board, as necessary, by no later
21 than July 1, 2006, except that this date may be extended to
22 the extent necessary to obtain approval from the Federal
23 Transit Administration of the plan prepared pursuant to
24 this subsection (c);

25 (3) provide for consistent policies throughout the
26 metropolitan region for scheduling of ADA paratransit

1 service trips to and from destinations, with consideration
2 of scheduling of return trips on a "will-call" open-ended
3 basis upon request of the rider, if practicable, and with
4 consideration of an increased number of trips available by
5 subscription service than are available as of the
6 effective date of this amendatory Act;

7 (4) provide that service contracts and rates, entered
8 into or set after the approval by the Federal Transit
9 Administration of the plan prepared pursuant to subsection
10 (c) of this Section, with private carriers and taxicabs
11 for ADA paratransit service are procured by means of an
12 open procurement process;

13 (5) provide for fares, fare collection and billing
14 procedures for ADA paratransit services throughout the
15 metropolitan region;

16 (6) provide for performance standards for all ADA
17 paratransit service transportation carriers, with
18 consideration of door-to-door service;

19 (7) provide, in cooperation with the Illinois
20 Department of Transportation, the Illinois Department of
21 Public Aid and other appropriate public agencies and
22 private entities, for the application and receipt of
23 grants, including, without limitation, reimbursement from
24 Medicaid or other programs for ADA paratransit services;

25 (8) provide for a system of dispatch of ADA
26 paratransit services transportation carriers throughout

1 the metropolitan region, with consideration of
2 county-based dispatch systems already in place as of the
3 effective date of this amendatory Act;

4 (9) provide for a process of determining eligibility
5 for ADA paratransit services that complies with the
6 Americans with Disabilities Act of 1990 and its
7 implementing regulations;

8 (10) provide for consideration of innovative methods
9 to provide and fund ADA paratransit services; and

10 (11) provide for the creation of one or more ADA
11 advisory boards, or the reconstitution of the existing ADA
12 advisory boards for the Service Boards, to represent the
13 diversity of individuals with disabilities in the
14 metropolitan region and to provide appropriate ongoing
15 input from individuals with disabilities into the
16 operation of ADA paratransit services.

17 (d) All revisions and annual updates to the ADA
18 paratransit services plan developed pursuant to subsection (c)
19 of this Section, or certifications of continued compliance in
20 lieu of plan updates, that are required to be provided to the
21 Federal Transit Administration shall be developed by the
22 Authority, in collaboration with the Suburban Bus Division
23 ~~Board~~ and the Chicago Transit Authority, and the Authority
24 shall submit such revision, update or certification to the
25 Federal Transit Administration for approval. Approval of such
26 revisions, updates or certifications by the Authority shall

1 require the affirmative votes of 12 of the then Directors.

2 (e) The Illinois Department of Transportation, the
3 Illinois Department of Public Aid, the Authority, the Suburban
4 Bus Division ~~Board~~ and the Chicago Transit Authority shall
5 enter into intergovernmental agreements as may be necessary to
6 provide funding and accountability for, and implementation of,
7 the requirements of this Section.

8 (f) By no later than April 1, 2007, the Authority shall
9 develop and submit to the General Assembly and the Governor a
10 funding plan for ADA paratransit services. Approval of such
11 plan by the Authority shall require the affirmative votes of
12 12 of the then Directors. The funding plan shall, at a minimum,
13 contain an analysis of the current costs of providing ADA
14 paratransit services, projections of the long-term costs of
15 providing ADA paratransit services, identification of and
16 recommendations for possible cost efficiencies in providing
17 ADA paratransit services, and identification of and
18 recommendations for possible funding sources for providing ADA
19 paratransit services. The Illinois Department of
20 Transportation, the Illinois Department of Public Aid, the
21 Suburban Bus Division ~~Board~~, the Chicago Transit Authority and
22 other State and local public agencies as appropriate shall
23 cooperate with the Authority in the preparation of such
24 funding plan.

25 (g) Any funds derived from the federal Medicaid program
26 for reimbursement of the costs of providing ADA paratransit

1 services within the metropolitan region shall be directed to
2 the Authority and shall be used to pay for or reimburse the
3 costs of providing such services.

4 (h) Nothing in this amendatory Act shall be construed to
5 conflict with the requirements of the Americans with
6 Disabilities Act of 1990 and its implementing regulations.

7 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)

8 (70 ILCS 3615/3.01) (from Ch. 111 2/3, par. 703.01)

9 Sec. 3.01. Board of Directors. The corporate authorities
10 and governing body of the Authority shall be a Board
11 consisting of ~~13 Directors until April 1, 2008, and 16~~
12 ~~Directors thereafter,~~ appointed as follows:

13 (a) Four Directors appointed by the Mayor of the City of
14 Chicago, with the advice and consent of the City Council of the
15 City of Chicago, ~~and, only until April 1, 2008, a fifth~~
16 ~~director who shall be the Chairman of the Chicago Transit~~
17 ~~Authority. After April 1, 2008, the Mayor of the City of~~
18 ~~Chicago, with the advice and consent of the City Council of the~~
19 ~~City of Chicago, shall appoint a fifth Director. The Directors~~
20 ~~appointed by the Mayor of the City of Chicago shall not be the~~
21 ~~Chairman or a Director of the Chicago Transit Authority.~~ Each
22 such Director shall reside in the City of Chicago.

23 (b) Four Directors ~~appointed by the votes of a majority of~~
24 ~~the members of the Cook County Board elected from districts, a~~
25 ~~majority of the electors of which reside outside Chicago.~~

1 ~~After April 1, 2008, a fifth Director~~ appointed by the
2 President of the Cook County Board with the advice and consent
3 of the members of the Cook County Board. Each Director
4 appointed under this subparagraph shall reside in that part of
5 Cook County outside Chicago.

6 (c) Four Directors appointed by the Governor, with the
7 advice and consent of the Mayor of the City of Chicago, the
8 President of the Cook County Board, and a majority of the
9 county boards of DuPage, Kane, Lake, McHenry, and Will
10 Counties as follows: ~~Until April 1, 2008, 3 Directors~~
11 ~~appointed by the Chairmen of the County Boards of DuPage,~~
12 ~~Kane, Lake, McHenry, and Will Counties, as follows:~~

13 (i) Three Directors who reside in the metropolitan
14 region ~~Two Directors appointed by the Chairmen of the~~
15 ~~county boards of Kane, Lake, McHenry and Will Counties,~~
16 ~~with the concurrence of not less than a majority of the~~
17 ~~Chairmen from such counties, from nominees by the~~
18 ~~Chairmen. Each such Chairman may nominate not more than 2~~
19 ~~persons for each position. Each such Director shall reside~~
20 ~~in a county in the metropolitan region other than Cook or~~
21 ~~DuPage Counties.~~

22 (ii) One Director who shall be the Chairman of the
23 Board ~~One Director appointed by the Chairman of the DuPage~~
24 ~~County Board with the advice and consent of the DuPage~~
25 ~~County Board. Such Director shall reside in DuPage County.~~

26 (d) Five ~~After April 1, 2008, 5~~ Directors appointed by the

1 Chairmen of the County Boards of DuPage, Kane, Lake and
2 McHenry Counties and the County Executive of Will County, as
3 follows:

4 (i) One Director appointed by the Chairman of the Kane
5 County Board with the advice and consent of the Kane
6 County Board. Such Director shall reside in Kane County.

7 (ii) One Director appointed by the County Executive of
8 Will County with the advice and consent of the Will County
9 Board. Such Director shall reside in Will County.

10 (iii) One Director appointed by the Chairman of the
11 DuPage County Board with the advice and consent of the
12 DuPage County Board. Such Director shall reside in DuPage
13 County.

14 (iv) One Director appointed by the Chairman of the
15 Lake County Board with the advice and consent of the Lake
16 County Board. Such Director shall reside in Lake County.

17 (v) One Director appointed by the Chairman of the
18 McHenry County Board with the advice and consent of the
19 McHenry County Board. Such Director shall reside in
20 McHenry County.

21 (vi) To implement the changes in appointing authority
22 under this subparagraph (d) the three Directors
23 appointed under subparagraph (c) and residing in Lake
24 County, DuPage County, and Kane County respectively shall
25 each continue to serve as Director until the expiration of
26 their respective term of office and until his or her

1 successor is appointed and qualified or a vacancy occurs
2 in the office. Thereupon, the appointment shall be made by
3 the officials given appointing authority with respect to
4 the Director whose term has expired or office has become
5 vacant.

6 (e) The Chairman serving on January 1, 2022 ~~the effective~~
7 ~~date of this amendatory Act of the 95th General Assembly~~ shall
8 continue to serve as Chairman until the earlier of: the
9 expiration of his or her term of office; ~~and until~~ his or her
10 successor is appointed and qualified; or a vacancy occurs in
11 the office. ~~Upon the expiration or vacancy of the term of the~~
12 ~~Chairman then serving upon the effective date of this~~
13 ~~amendatory Act of the 95th General Assembly, the Chairman~~
14 ~~shall be appointed by the other Directors, by the affirmative~~
15 ~~vote of at least 11 of the then Directors with at least 2~~
16 ~~affirmative votes from Directors who reside in the City of~~
17 ~~Chicago, at least 2 affirmative votes from Directors who~~
18 ~~reside in Cook County outside the City of Chicago, and at least~~
19 ~~2 affirmative votes from Directors who reside in the Counties~~
20 ~~of DuPage, Lake, Will, Kane, or McHenry. The chairman shall~~
21 ~~not be appointed from among the other Directors. The chairman~~
22 ~~shall be a resident of the metropolitan region.~~

23 (f) Except as otherwise provided by this Act no Director
24 shall, while serving as such, be an officer, a member of the
25 Board of Directors or Trustees or an employee of any Service
26 Board or transportation agency, or be an employee of the State

1 of Illinois or any department or agency thereof, or of any
2 municipality, county, or any other unit of local government or
3 receive any compensation from any elected or appointed office
4 under the Constitution and laws of Illinois; except that a
5 Director may be a member of a school board.

6 (g) Each appointment made under this Section and under
7 Section 3.03 shall be certified by the appointing authority to
8 the Board, which shall maintain the certifications as part of
9 the official records of the Authority.

10 (h) (Blank).

11 (Source: P.A. 98-709, eff. 7-16-14.)

12 (70 ILCS 3615/3.04) (from Ch. 111 2/3, par. 703.04)

13 Sec. 3.04. Compensation. Each Director, including the
14 Chairman, ~~except for the Chairman of the Chicago Transit~~
15 ~~Authority who shall not be compensated by the Authority,~~ shall
16 be compensated at the rate of \$25,000 per year.

17 Officers of the Authority shall not be required to comply
18 with the requirements of Public Funds Statement Publication
19 Act ~~"An Act requiring certain custodians of public moneys to~~
20 ~~file and publish statements of the receipts and disbursements~~
21 ~~thereof", approved June 24, 1919, as now or hereafter amended.~~

22 (Source: P.A. 83-885; 83-886.)

23 (70 ILCS 3615/3.08) (from Ch. 111 2/3, par. 703.08)

24 Sec. 3.08. There is established a Regional Citizens

1 Advisory Board. This board shall be comprised of the Chairmen
2 of the Citizens Advisory Boards of the Chicago Transit
3 Authority, the Commuter Rail Division, ~~Board~~ and the Suburban
4 Bus Division ~~Board~~. This Board shall meet at least quarterly
5 and shall advise the Board of the impact of its policies and
6 programs on the communities within the metropolitan region.
7 Members shall serve without compensation.

8 (Source: P.A. 83-886.)

9 (70 ILCS 3615/3.12 new)

10 Sec. 3.12. Committees. The Chairman of the Board shall
11 appoint members of the following committees, composed only of
12 Directors of the Board, with the advice and consent of the
13 applicable persons or entities who have the authority to
14 appoint each category of Directors:

15 (1) Chicago Transit Authority Committee composed of: 3
16 Directors residing in the City of Chicago not appointed by
17 the Governor; one Director residing in Cook County outside
18 of the City of Chicago; one Director residing in DuPage
19 County, Kane County, Lake County, McHenry County, or Will
20 County; and 2 of the Directors appointed by the Governor.

21 (2) Commuter Rail Committee composed of: 2 Directors
22 residing in the City of Chicago not appointed by the
23 Governor; 2 Directors residing in Cook County outside of
24 the City of Chicago; 2 Directors residing in DuPage
25 County, Kane County, Lake County, McHenry County, or Will

1 County; and one of the Directors appointed by the
2 Governor.

3 (3) Suburban Bus Committee composed of: one Director
4 residing in the City of Chicago not appointed by the
5 Governor; 2 Directors residing in Cook County outside of
6 the City of Chicago; 3 Directors residing in DuPage
7 County, Kane County, Lake County, McHenry County, or Will
8 County; and one of the Directors appointed by the
9 Governor.

10 (4) Paratransit and Innovations Committee composed of:
11 2 Directors residing in the City of Chicago not appointed
12 by the Governor; 2 Directors residing in Cook County
13 outside of the City of Chicago; 2 Directors residing in
14 DuPage County, Kane County, Lake County, McHenry County,
15 or Will County; and one of the Directors appointed by the
16 Governor.

17 (5) Budget and Finance Committee composed of: 2
18 Directors residing in the City of Chicago not appointed by
19 the Governor; 2 Directors residing in Cook County outside
20 of the City of Chicago; 2 Directors residing in DuPage
21 County, Kane County, Lake County, McHenry County, or Will
22 County; and 2 of the Directors appointed by the Governor.

23 (6) Planning and Capital Program Committee composed
24 of: 2 Directors residing in the City of Chicago not
25 appointed by the Governor; 2 Directors residing in Cook
26 County outside of the City of Chicago; 2 Directors

1 residing in DuPage County, Kane County, Lake County,
2 McHenry County, or Will County; and 2 of the Directors
3 appointed by the Governor.

4 (7) Audit and Compliance Committee composed of: one
5 Director residing in the City of Chicago not appointed by
6 the Governor; one Director residing in Cook County outside
7 of the City of Chicago; one Director residing in DuPage
8 County, Kane County, Lake County, McHenry County, or Will
9 County; and one of the Directors appointed by the
10 Governor.

11 The Chicago Transit Authority Committee, Commuter Rail
12 Committee, and Suburban Bus Committee shall oversee operations
13 of each of those respective divisions of the Authority and
14 provided recommendations to the Board relating to those
15 respective divisions. The other committees shall oversee
16 operations in the respective areas of each committee and
17 provide recommendations to the Board relating to those
18 respective areas.

19 (70 ILCS 3615/3A.01) (from Ch. 111 2/3, par. 703A.01)

20 Sec. 3A.01. Suburban Bus Division. There is established
21 within the Authority the Suburban Bus Division as the
22 operating division responsible for providing public
23 transportation by bus and as may be provided in this Act.
24 Purchase of service agreements between a transportation agency
25 and the Authority in effect on the effective date of this

1 amendatory Act shall remain in full force and effect in
2 accordance with the terms of such agreement. Such agreements,
3 on and after January 1, 2022, ~~shall first be the~~
4 ~~responsibility of the Transition Board and, on the date of its~~
5 ~~creation,~~ shall be the responsibility of the Regional
6 Transportation Authority ~~the Suburban Bus Division~~ and its
7 Board.

8 (Source: P.A. 83-885; 83-886.)

9 (70 ILCS 3615/3A.02) (from Ch. 111 2/3, par. 703A.02)

10 Sec. 3A.02. Suburban Bus Board. On and after January 1,
11 2022: (1) the powers and duties of the Suburban Bus Board shall
12 be exercised and performed by the Regional Transportation
13 Authority Board, and any references to the Suburban Bus Board
14 in this Article shall be construed as references to the
15 Regional Transportation Authority Board; (2) the Suburban Bus
16 Board is dissolved; and (3) all terms of the directors of the
17 Suburban Bus Board are terminated. ~~The governing body of the~~
18 ~~Suburban Bus Division shall be a board consisting of 13~~
19 ~~directors appointed as follows:~~

20 ~~(a) Six Directors appointed by the members of the Cook~~
21 ~~County Board elected from that part of Cook County outside~~
22 ~~of Chicago, or in the event such Board of Commissioners~~
23 ~~becomes elected from single member districts, by those~~
24 ~~Commissioners elected from districts, a majority of the~~
25 ~~residents of which reside outside of Chicago from the~~

1 ~~chief executive officers of the municipalities, of that~~
2 ~~portion of Cook County outside of Chicago. Provided~~
3 ~~however, that:~~

4 ~~(i) One of the Directors shall be the chief~~
5 ~~executive officer of a municipality within the area of~~
6 ~~the Northwest Region defined in Section 3A.13;~~

7 ~~(ii) One of the Directors shall be the chief~~
8 ~~executive officer of a municipality within the area of~~
9 ~~the North Central Region defined in Section 3A.13;~~

10 ~~(iii) One of the Directors shall be the chief~~
11 ~~executive officer of a municipality within the area of~~
12 ~~the North Shore Region defined in Section 3A.13;~~

13 ~~(iv) One of the Directors shall be the chief~~
14 ~~executive officer of a municipality within the area of~~
15 ~~the Central Region defined in Section 3A.13;~~

16 ~~(v) One of the Directors shall be the chief~~
17 ~~executive officer of a municipality within the area of~~
18 ~~the Southwest Region defined in Section 3A.13;~~

19 ~~(vi) One of the Directors shall be the chief~~
20 ~~executive officer of a municipality within the area of~~
21 ~~the South Region defined in Section 3A.13;~~

22 ~~(b) One Director by the Chairman of the Kane County~~
23 ~~Board who shall be a chief executive officer of a~~
24 ~~municipality within Kane County;~~

25 ~~(c) One Director by the Chairman of the Lake County~~
26 ~~Board who shall be a chief executive officer of a~~

1 ~~municipality within Lake County;~~

2 ~~(d) One Director by the Chairman of the DuPage County~~
3 ~~Board who shall be a chief executive officer of a~~
4 ~~municipality within DuPage County;~~

5 ~~(e) One Director by the Chairman of the McHenry County~~
6 ~~Board who shall be a chief executive officer of a~~
7 ~~municipality within McHenry County;~~

8 ~~(f) One Director by the Chairman of the Will County~~
9 ~~Board who shall be a chief executive officer of a~~
10 ~~municipality within Will County;~~

11 ~~(g) The Commissioner of the Mayor's Office for People~~
12 ~~with Disabilities, from the City of Chicago, who shall~~
13 ~~serve as an ex-officio member; and~~

14 ~~(h) The Chairman by the Governor for the initial term,~~
15 ~~and thereafter by a majority of the Chairmen of the~~
16 ~~DuPage, Kane, Lake, McHenry and Will County Boards and the~~
17 ~~members of the Cook County Board elected from that part of~~
18 ~~Cook County outside of Chicago, or in the event such Board~~
19 ~~of Commissioners is elected from single member districts,~~
20 ~~by those Commissioners elected from districts, a majority~~
21 ~~of the electors of which reside outside of Chicago; and~~
22 ~~who after the effective date of this amendatory Act of the~~
23 ~~95th General Assembly may not be a resident of the City of~~
24 ~~Chicago.~~

25 ~~Each appointment made under paragraphs (a) through (g) and~~
26 ~~under Section 3A.03 shall be certified by the appointing~~

1 ~~authority to the Suburban Bus Board which shall maintain the~~
2 ~~certifications as part of the official records of the Suburban~~
3 ~~Bus Board; provided that the initial appointments shall be~~
4 ~~certified to the Secretary of State, who shall transmit the~~
5 ~~certifications to the Suburban Bus Board following its~~
6 ~~organization.~~

7 ~~For the purposes of this Section, "chief executive officer~~
8 ~~of a municipality" includes a former chief executive officer~~
9 ~~of a municipality within the specified Region or County,~~
10 ~~provided that the former officer continues to reside within~~
11 ~~such Region or County.~~

12 (Source: P.A. 95-906, eff. 8-26-08.)

13 (70 ILCS 3615/3A.05) (from Ch. 111 2/3, par. 703A.05)

14 Sec. 3A.05. Appointment of officers and employees. The
15 Executive Director of the Authority, with the advice and
16 consent of the Suburban Bus Committee, Board shall appoint an
17 Executive Director who shall be the chief executive officer of
18 the Division, appointed, retained or dismissed with the
19 concurrence of 4 ~~9~~ of the directors of the Suburban Bus
20 Committee Board. The Executive Director shall appoint, retain
21 and employ officers, attorneys, agents, engineers, employees
22 and shall organize the staff, shall allocate their functions
23 and duties, fix compensation and conditions of employment, and
24 consistent with the policies of and direction from the
25 ~~Suburban Bus Board~~ and the Suburban Bus Committee take all

1 actions necessary to achieve its purposes, fulfill its
2 responsibilities and carry out its powers, and shall have such
3 other powers and responsibilities as the ~~Suburban Bus~~ Board
4 and the Suburban Bus Committee shall determine. The Executive
5 Director shall be an individual of proven transportation and
6 management skills and may not be a member of the ~~Suburban Bus~~
7 Board. The Division may employ its own professional management
8 personnel to provide professional and technical expertise
9 concerning its purposes and powers and to assist it in
10 assessing the performance of transportation agencies in the
11 metropolitan region. A person appointed or employed under this
12 Section whose term or employment has not been terminated on
13 January 1, 2022 shall continue in his or her position with the
14 Suburban Bus Division until the expiration of his or her
15 appointment or employment, resignation, or removal.

16 No employee, officer, or agent of the Suburban Bus
17 Division ~~Board~~ may receive a bonus that exceeds 10% of his or
18 her annual salary unless that bonus has been reviewed by the
19 Regional Transportation Authority Board for a period of 14
20 days. After 14 days, the contract shall be considered
21 reviewed. This Section does not apply to usual and customary
22 salary adjustments.

23 No unlawful discrimination, as defined and prohibited in
24 the Illinois Human Rights Act, shall be made in any term or
25 aspect of employment nor shall there be discrimination based
26 upon political reasons or factors. The Suburban Bus Division

1 ~~Board~~ shall establish regulations to insure that its
2 discharges shall not be arbitrary and that hiring and
3 promotion are based on merit.

4 The Division shall be subject to the "Illinois Human
5 Rights Act", as now or hereafter amended, and the remedies and
6 procedure established thereunder. The Suburban Bus Division
7 ~~Board~~ shall file an affirmative action program for employment
8 by it with the Department of Human Rights to ensure that
9 applicants are employed and that employees are treated during
10 employment, without regard to unlawful discrimination. Such
11 affirmative action program shall include provisions relating
12 to hiring, upgrading, demotion, transfer, recruitment,
13 recruitment advertising, selection for training and rates of
14 pay or other forms of compensation.

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

16 (70 ILCS 3615/3A.09) (from Ch. 111 2/3, par. 703A.09)

17 Sec. 3A.09. General powers. In addition to any powers
18 elsewhere provided to the Suburban Bus Division or the former
19 Suburban Bus Board, the Regional Transportation Authority
20 Board ~~it~~ shall have all of the powers specified in Section 2.20
21 of this Act except for the powers specified in Section
22 2.20(a)(v). The Board shall also have the power:

23 (a) (blank); ~~to cooperate with the Regional~~
24 ~~Transportation Authority in the exercise by the Regional~~
25 ~~Transportation Authority of all the powers granted it by~~

1 ~~such Act;~~

2 (b) to receive funds from for the Division the
3 Regional Transportation Authority pursuant to Sections
4 2.02, 4.01, 4.02, 4.09 and 4.10 of the Regional
5 Transportation Authority Act, all as provided in the
6 Regional Transportation Authority Act;

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

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

19 (e) to borrow money for the purposes of: (i)
20 constructing a new garage in the northwestern Cook County
21 suburbs, (ii) converting the South Cook garage in Markham
22 to a Compressed Natural Gas facility, (iii) constructing a
23 new paratransit garage in DuPage County, (iv) expanding
24 the North Shore garage in Evanston to accommodate
25 additional indoor bus parking, and (v) purchasing new
26 transit buses. For the purpose of evidencing the

1 obligation of the Suburban Bus Division Board ~~Board~~ to repay any
2 money borrowed as provided in this subsection, the
3 Suburban Bus Division Board ~~Board~~ may issue revenue bonds from
4 time to time pursuant to ordinance adopted by the ~~Suburban~~
5 ~~Bus~~ Board, subject to the approval of the Regional
6 Transportation Authority of each such issuance by the
7 affirmative vote of 12 of its then Directors; provided
8 that the Suburban Bus Division Board ~~Board~~ may not issue bonds
9 for the purpose of financing the acquisition,
10 construction, or improvement of any facility other than
11 those listed in this subsection (e). All such bonds shall
12 be payable solely from the revenues or income or any other
13 funds that the Suburban Bus Division Board ~~Board~~ may receive,
14 provided that the ~~Suburban Bus~~ Board may not pledge as
15 security for such bonds the moneys, if any, that the
16 Suburban Bus Division Board ~~Board~~ receives from the Regional
17 Transportation Authority pursuant to Section 4.03.3(f) of
18 the Regional Transportation Authority Act. The bonds shall
19 bear interest at a rate not to exceed the maximum rate
20 authorized by the Bond Authorization Act and shall mature
21 at such time or times not exceeding 25 years from their
22 respective dates. Bonds issued pursuant to this paragraph
23 must be issued with scheduled principal or mandatory
24 redemption payments in equal amounts in each fiscal year
25 over the term of the bonds, with the first principal or
26 mandatory redemption payment scheduled within the fiscal

1 year in which bonds are issued or within the next
2 succeeding fiscal year. At least 25%, based on total
3 principal amount, of all bonds authorized pursuant to this
4 Section shall be sold pursuant to notice of sale and
5 public bid. No more than 75%, based on total principal
6 amount, of all bonds authorized pursuant to this Section
7 shall be sold by negotiated sale. The maximum principal
8 amount of the bonds that may be issued may not exceed
9 \$100,000,000. The bonds shall have all the qualities of
10 negotiable instruments under the laws of this State. To
11 secure the payment of any or all of such bonds and for the
12 purpose of setting forth the covenants and undertakings of
13 the Suburban Bus Division Board in connection with the
14 issuance thereof and the issuance of any additional bonds
15 payable from such revenue or income as well as the use and
16 application of the revenue or income received by the
17 Suburban Bus Division Board, the ~~Suburban Bus~~ Board may
18 execute and deliver a trust agreement or agreements;
19 provided that no lien upon any physical property of the
20 Suburban Bus Division Board shall be created thereby. A
21 remedy for any breach or default of the terms of any such
22 trust agreement by the Suburban Bus Division Board may be
23 by mandamus proceedings in any court of competent
24 jurisdiction to compel performance and compliance
25 therewith, but the trust agreement may prescribe by whom
26 or on whose behalf such action may be instituted. Under no

1 circumstances shall any bonds issued by the Suburban Bus
2 Division Board or any other obligation of the Suburban Bus
3 Division Board in connection with the issuance of such
4 bonds be or become an indebtedness or obligation of the
5 State of Illinois, the Regional Transportation Authority,
6 or any other political subdivision of or municipality
7 within the State, nor shall any such bonds or obligations
8 be or become an indebtedness of the Suburban Bus Division
9 ~~Board~~ within the purview of any constitutional limitation
10 or provision, and it shall be plainly stated on the face of
11 each bond that it does not constitute such an indebtedness
12 or obligation but is payable solely from the revenues or
13 income as aforesaid.

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

15 (70 ILCS 3615/3A.10) (from Ch. 111 2/3, par. 703A.10)

16 Sec. 3A.10. Budget and Program. The Regional
17 Transportation Authority Board ~~Suburban Bus Board~~, subject to
18 ~~the powers of the Authority in Section 4.11~~, shall control the
19 finances of the Division. It shall by ordinance appropriate
20 money to perform the Division's purposes and provide for
21 payment of debts and expenses of the Division. Each year the
22 Regional Transportation Authority Board ~~Suburban Bus Board~~
23 shall prepare and publish a comprehensive annual budget and
24 proposed five-year capital program document, and a financial
25 plan for the 2 years thereafter describing the state of the

1 Division and presenting for the forthcoming fiscal year and
2 the 2 following years the Regional Transportation Authority
3 Board's ~~Suburban Bus Board's~~ plans for such operations and
4 capital expenditures as it intends to undertake and the means
5 by which it intends to finance them. The proposed budget,
6 financial plan, and five-year capital program shall be based
7 on the Authority's estimate of funds to be made available to
8 the Suburban Bus Division ~~Board~~ by or through the Authority
9 and shall conform in all respects to the requirements
10 established by the Authority. The proposed budget, financial
11 plan, and five-year capital program shall contain a statement
12 of the funds estimated to be on hand at the beginning of the
13 fiscal year, the funds estimated to be received from all
14 sources for such year and the funds estimated to be on hand at
15 the end of such year. The fiscal year of the Division shall be
16 the same as the fiscal year of the Authority. Before the
17 proposed budget, financial plan, and five-year capital program
18 are approved by ~~submitted to~~ the Authority, the Suburban Bus
19 Division ~~Board~~ shall hold at least one public hearing thereon
20 in each of the counties in the metropolitan region in which the
21 Division provides service. The Suburban Bus Division ~~Board~~
22 shall hold at least one meeting for consideration of the
23 proposed budget, financial plan, and five-year capital program
24 with the county board of each of the several counties in the
25 metropolitan region in which the Division provides service.
26 After conducting such hearings and holding such meetings and

1 after making such changes in the proposed budget, financial
2 plan, and five-year capital program as the ~~Suburban Bus~~ Board
3 deems appropriate, the ~~it shall adopt an annual budget~~
4 ~~ordinance at least by November 15 next preceding the beginning~~
5 ~~of each fiscal year. The~~ budget, financial plan, and five-year
6 capital program shall then be submitted to the Authority as
7 provided in Section 4.11. ~~In the event that the Board of the~~
8 ~~Authority determines that the budget and financial plan do not~~
9 ~~meet the standards of Section 4.11, the Suburban Bus Board~~
10 ~~shall make such changes as are necessary to meet such~~
11 ~~requirements and adopt an amended budget ordinance. The~~
12 ~~amended budget ordinance shall be resubmitted to the Authority~~
13 ~~pursuant to Section 4.11.~~ The ordinance shall appropriate such
14 sums of money as are deemed necessary to defray all necessary
15 expenses and obligations of the Division, specifying purposes
16 and the objects or programs for which appropriations are made
17 and the amount appropriated for each object or program.
18 Additional appropriations, transfers between items and other
19 changes in such ordinance which do not alter the basis upon
20 which the balanced budget determination was made by the Board
21 of the Authority may be made from time to time by the Suburban
22 Bus Division ~~Board~~.

23 The budget shall:

24 (i) show a balance between (A) anticipated revenues
25 from all sources including operating subsidies and (B) the
26 costs of providing the services specified and of funding

1 any operating deficits or encumbrances incurred in prior
2 periods, including provision for payment when due of
3 principal and interest on outstanding indebtedness;

4 (ii) show cash balances including the proceeds of any
5 anticipated cash flow borrowing sufficient to pay with
6 reasonable promptness all costs and expenses as incurred;

7 (iii) provide for a level of fares or charges and
8 operating or administrative costs for the public
9 transportation provided by or subject to the jurisdiction
10 of the Suburban Bus Division ~~Board~~ sufficient to allow the
11 Suburban Bus Division ~~Board~~ to meet its required system
12 generated revenues recovery ratio and, beginning with the
13 2007 fiscal year, its system generated ADA paratransit
14 services revenue recovery ratio;

15 (iv) be based upon and employ assumptions and
16 projections which are reasonable and prudent;

17 (v) have been prepared in accordance with sound
18 financial practices as determined by the Board of the
19 Authority;

20 (vi) meet such other uniform financial, budgetary, or
21 fiscal requirements that the Board of the Authority may by
22 rule or regulation establish; and

23 (vii) be consistent with the goals and objectives
24 adopted by the Regional Transportation Authority in the
25 Strategic Plan.

26 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)

1 (70 ILCS 3615/3A.11) (from Ch. 111 2/3, par. 703A.11)

2 Sec. 3A.11. Citizens Advisory Board. The Regional
3 Transportation Authority Board ~~Suburban Bus Board~~ shall
4 establish a citizens advisory board composed of 10 residents
5 of those portions of the metropolitan region in which the
6 Suburban Bus Division ~~Board~~ provides service who have an
7 interest in public transportation. The members of the advisory
8 board shall be named for 2 year terms, shall select one of
9 their members to serve as chairman and shall serve without
10 compensation. The citizens advisory board shall meet with the
11 Regional Transportation Authority Board ~~Suburban Bus Board~~ at
12 least quarterly and advise the Regional Transportation
13 Authority Board ~~Suburban Bus Board~~ of the impact of its
14 policies and programs on the communities it serves.
15 Appointments to the citizens advisory board should, to the
16 greatest extent possible, reflect the ethnic, cultural, and
17 geographic diversity of all persons residing within the
18 Suburban Bus Division's ~~Board's~~ jurisdiction.

19 (Source: P.A. 95-708, eff. 1-18-08.)

20 (70 ILCS 3615/3A.12) (from Ch. 111 2/3, par. 703A.12)

21 Sec. 3A.12. Working Cash Borrowing. The Regional
22 Transportation Authority Board ~~Suburban Bus Board~~ with the
23 affirmative vote of 11 ~~9~~ of its Directors may ~~demand and direct~~
24 ~~the Board of the Authority to~~ issue Working Cash Notes at such

1 time and in such amounts and having such maturities as the
2 ~~Suburban Bus~~ Board deems proper, provided however any such
3 borrowing shall have been specifically identified in the
4 budget of the ~~Suburban Bus~~ Board ~~as approved by the Board of~~
5 ~~the Authority. Provided further, that the Suburban Bus Board~~
6 ~~may not demand and direct the Board of the Authority to have~~
7 ~~issued and have outstanding at any time in excess of~~
8 ~~\$5,000,000 in Working Cash Notes.~~

9 (Source: P.A. 95-906, eff. 8-26-08.)

10 (70 ILCS 3615/3A.14) (from Ch. 111 2/3, par. 703A.14)

11 Sec. 3A.14. Labor.

12 (a) The provisions of this Section apply to collective
13 bargaining agreements (including extensions and amendments of
14 existing agreements) entered into on or after January 1, 1984.

15 (b) The Suburban Bus Division ~~Board~~ shall deal with and
16 enter into written contracts with their employees, through
17 accredited representatives of such employees authorized to act
18 for such employees concerning wages, salaries, hours, working
19 conditions, and pension or retirement provisions about which a
20 collective bargaining agreement has been entered prior to the
21 effective date of this amendatory Act of 1983. Any such
22 agreement of the Suburban Bus Division ~~Board~~ shall provide
23 that the agreement may be reopened if the amended budget
24 submitted pursuant to Section 2.18a of this Act is not
25 approved by the Board of the Authority. The agreement may not

1 include a provision requiring the payment of wage increases
2 based on changes in the Consumer Price Index. The Suburban Bus
3 Division Board shall not have the authority to enter
4 collective bargaining agreements with respect to inherent
5 management rights, which include such areas of discretion or
6 policy as the functions of the employer, standards of
7 services, its overall budget, the organizational structure and
8 selection of new employees and direction of personnel.
9 Employers, however, shall be required to bargain collectively
10 with regard to policy matters directly affecting wages, hours
11 and terms and conditions of employment, as well as the impact
12 thereon, upon request by employee representatives. To preserve
13 the rights of employers and exclusive representatives which
14 have established collective bargaining relationships or
15 negotiated collective bargaining agreements prior to the
16 effective date of this amendatory Act of 1983, employers shall
17 be required to bargain collectively with regard to any matter
18 concerning wages, hours or conditions of employment about
19 which they have bargained prior to the effective date of this
20 amendatory Act of 1983.

21 (c) The collective bargaining agreement may not include a
22 prohibition on the use of part-time operators on any service
23 operated by the Suburban Bus Division Board except where
24 prohibited by federal law.

25 (d) Within 30 days of the signing of any such collective
26 bargaining agreement, the Suburban Bus Division Board shall

1 determine the costs of each provision of the agreement,
2 prepare an amended budget incorporating the costs of the
3 agreement, and present the amended budget to the Board of the
4 Authority for its approval under Section 4.11. The Board may
5 approve the amended budget by an affirmative vote of 14 ~~12~~ of
6 its then Directors. If the budget is not approved by the Board
7 of the Authority, the agreement may be reopened and its terms
8 may be renegotiated. ~~Any amended budget which may be prepared~~
9 ~~following renegotiation shall be presented to the Board of the~~
10 ~~Authority for its approval in like manner.~~

11 (Source: P.A. 95-708, eff. 1-18-08.)

12 (70 ILCS 3615/3A.15)

13 Sec. 3A.15. Free services; eligibility.

14 (a) Notwithstanding any law to the contrary, no later than
15 60 days following the effective date of this amendatory Act of
16 the 95th General Assembly and until subsection (b) is
17 implemented, any fixed route public transportation services
18 provided by, or under grant or purchase of service contracts
19 of, the Suburban Bus Division Board ~~Board~~ shall be provided without
20 charge to all senior citizens of the Metropolitan Region aged
21 65 and older, under such conditions as shall be prescribed by
22 the Regional Transportation Authority Board ~~Suburban Bus~~
23 ~~Board~~.

24 (b) Notwithstanding any law to the contrary, no later than
25 180 days following the effective date of this amendatory Act

1 of the 96th General Assembly, any fixed route public
2 transportation services provided by, or under grant or
3 purchase of service contracts of, the Suburban Bus Division
4 ~~Board~~ shall be provided without charge to senior citizens aged
5 65 and older who meet the income eligibility limitation set
6 forth in subsection (a-5) of Section 4 of the Senior Citizens
7 and Persons with Disabilities Property Tax Relief Act, under
8 such conditions as shall be prescribed by the Suburban Bus
9 Division ~~Board~~. The Department on Aging shall furnish all
10 information reasonably necessary to determine eligibility,
11 including updated lists of individuals who are eligible for
12 services without charge under this Section. Nothing in this
13 Section shall relieve the Suburban Bus Division ~~Board~~ from
14 providing reduced fares as may be required by federal law.

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

16 (70 ILCS 3615/3A.16)

17 Sec. 3A.16. Transit services for individuals with
18 disabilities. Notwithstanding any law to the contrary, no
19 later than 60 days following the effective date of this
20 amendatory Act of the 95th General Assembly, all fixed route
21 public transportation services provided by, or under grant or
22 purchase of service contract of, the Suburban Bus Division
23 ~~Board~~ shall be provided without charge to all persons with
24 disabilities who meet the income eligibility limitation set
25 forth in subsection (a-5) of Section 4 of the Senior Citizens

1 and Persons with Disabilities Property Tax Relief Act, under
2 such procedures as shall be prescribed by the Regional
3 Transportation Authority Board. The Department on Aging shall
4 furnish all information reasonably necessary to determine
5 eligibility, including updated lists of individuals who are
6 eligible for services without charge under this Section.

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

8 (70 ILCS 3615/3A.17)

9 Sec. 3A.17. Emergency protocols. Within 6 months after the
10 effective date of this amendatory Act of the 96th General
11 Assembly, the Suburban Bus Division ~~Board~~ must develop written
12 protocols to respond to medical and sanitation emergencies and
13 to other safety hazards.

14 (Source: P.A. 96-677, eff. 8-25-09.)

15 (70 ILCS 3615/3A.18)

16 Sec. 3A.18. Employment contracts. Except as otherwise
17 provided in Section 3A.14, before the Suburban Bus Division
18 ~~Board~~ may enter into or amend any employment contract in
19 excess of \$100,000, the Regional Transportation Authority
20 Board ~~Suburban Bus Board~~ must review ~~submit~~ that contract or
21 amendment ~~to the Board for review~~ for a period of 14 days.
22 After 14 days, the contract shall be considered reviewed. This
23 Section applies only to contracts entered into or amended on
24 or after the effective date of this amendatory Act of the 98th

1 General Assembly.

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

3 (70 ILCS 3615/3B.01) (from Ch. 111 2/3, par. 703B.01)

4 Sec. 3B.01. Commuter Rail Division. There is established
5 within the Authority the Commuter Rail Division as the
6 operating division responsible for providing public
7 transportation by commuter rail. Purchase of service
8 agreements between a transportation agency and the Authority
9 in effect on the effective date of this amendatory Act shall
10 remain in full force and effect in accordance with the terms of
11 such agreement. Such agreements, on and after January 1, 2022,
12 ~~shall first be the responsibility of the Transition Board and,~~
13 ~~on the date of its creation,~~ shall become the responsibility
14 of the Regional Transportation Authority Commuter Rail
15 Division and its Board.

16 (Source: P.A. 83-885; 83-886.)

17 (70 ILCS 3615/3B.02) (from Ch. 111 2/3, par. 703B.02)

18 Sec. 3B.02. Commuter Rail Board. On and after January 1,
19 2022: (1) the powers and duties of the Commuter Rail Board
20 shall be exercised and performed by the Regional
21 Transportation Authority Board, and any references to the
22 Commuter Rail Board in this Article shall be construed as
23 references to the Regional Transportation Authority Board; (2)
24 the Commuter Rail Board is dissolved; and (3) all terms of the

1 directors of the Commuter Rail Board are terminated. ~~(a) Until~~
2 ~~April 1, 2008, the governing body of the Commuter Rail~~
3 ~~Division shall be a board consisting of 7 directors appointed~~
4 ~~pursuant to Sections 3B.03 and 3B.04, as follows:~~

5 ~~(1) One director shall be appointed by the Chairman of~~
6 ~~the Board of DuPage County with the advice and consent of~~
7 ~~the County Board of DuPage County and shall reside in~~
8 ~~DuPage County.~~

9 ~~(2) Two directors appointed by the Chairmen of the~~
10 ~~County Boards of Kane, Lake, McHenry and Will Counties~~
11 ~~with the concurrence of not less than a majority of the~~
12 ~~chairmen from such counties, from nominees by the~~
13 ~~Chairmen. Each such chairman may nominate not more than~~
14 ~~two persons for each position. Each such director shall~~
15 ~~reside in a county in the metropolitan region other than~~
16 ~~Cook or DuPage County.~~

17 ~~(3) Three directors appointed by the members of the~~
18 ~~Cook County Board elected from that part of Cook County~~
19 ~~outside of Chicago, or, in the event such Board of~~
20 ~~Commissioners becomes elected from single member~~
21 ~~districts, by those Commissioners elected from districts,~~
22 ~~a majority of the residents of which reside outside~~
23 ~~Chicago. In either case, such appointment shall be with~~
24 ~~the concurrence of four such Commissioners. Each such~~
25 ~~director shall reside in that part of Cook County outside~~
26 ~~Chicago.~~

1 ~~(4) One director appointed by the Mayor of the City of~~
2 ~~Chicago, with the advice and consent of the City Council~~
3 ~~of the City of Chicago. Such director shall reside in the~~
4 ~~City of Chicago.~~

5 ~~(5) The chairman shall be appointed by the directors,~~
6 ~~from the members of the board, with the concurrence of 5 of~~
7 ~~such directors.~~

8 ~~(b) After April 1, 2008 the governing body of the Commuter~~
9 ~~Rail Division shall be a board consisting of 11 directors~~
10 ~~appointed, pursuant to Sections 3B.03 and 3B.04, as follows:~~

11 ~~(1) One Director shall be appointed by the Chairman of~~
12 ~~the DuPage County Board with the advice and consent of the~~
13 ~~DuPage County Board and shall reside in DuPage County. To~~
14 ~~implement the changes in appointing authority under this~~
15 ~~Section, upon the expiration of the term of or vacancy in~~
16 ~~office of the Director appointed under item (1) of~~
17 ~~subsection (a) of this Section who resides in DuPage~~
18 ~~County, a Director shall be appointed under this~~
19 ~~subparagraph.~~

20 ~~(2) One Director shall be appointed by the Chairman of~~
21 ~~the McHenry County Board with the advice and consent of~~
22 ~~the McHenry County Board and shall reside in McHenry~~
23 ~~County. To implement the change in appointing authority~~
24 ~~under this Section, upon the expiration of the term of or~~
25 ~~vacancy in office of the Director appointed under item (2)~~
26 ~~of subsection (a) of this Section who resides in McHenry~~

1 ~~County, a Director shall be appointed under this~~
2 ~~subparagraph.~~

3 ~~(3) One Director shall be appointed by the Will County~~
4 ~~Executive with the advice and consent of the Will County~~
5 ~~Board and shall reside in Will County. To implement the~~
6 ~~change in appointing authority under this Section, upon~~
7 ~~the expiration of the term of or vacancy in office of the~~
8 ~~Director appointed under item (2) of subsection (a) of~~
9 ~~this Section who resides in Will County, a Director shall~~
10 ~~be appointed under this subparagraph.~~

11 ~~(4) One Director shall be appointed by the Chairman of~~
12 ~~the Lake County Board with the advice and consent of the~~
13 ~~Lake County Board and shall reside in Lake County.~~

14 ~~(5) One Director shall be appointed by the Chairman of~~
15 ~~the Kane County Board with the advice and consent of the~~
16 ~~Kane County Board and shall reside in Kane County.~~

17 ~~(6) One Director shall be appointed by the Mayor of~~
18 ~~the City of Chicago with the advice and consent of the City~~
19 ~~Council of the City of Chicago and shall reside in the City~~
20 ~~of Chicago. To implement the changes in appointing~~
21 ~~authority under this Section, upon the expiration of the~~
22 ~~term of or vacancy in office of the Director appointed~~
23 ~~under item (4) of subsection (a) of this Section who~~
24 ~~resides in the City of Chicago, a Director shall be~~
25 ~~appointed under this subparagraph.~~

26 ~~(7) Five Directors residing in Cook County outside of~~

1 ~~the City of Chicago, as follows:~~

2 ~~(i) One Director who resides in Cook County~~
3 ~~outside of the City of Chicago, appointed by the~~
4 ~~President of the Cook County Board with the advice and~~
5 ~~consent of the members of the Cook County Board.~~

6 ~~(ii) One Director who resides in the township of~~
7 ~~Barrington, Palatine, Wheeling, Hanover, Schaumburg,~~
8 ~~or Elk Grove. To implement the changes in appointing~~
9 ~~authority under this Section, upon the expiration of~~
10 ~~the term of or vacancy in office of the Director~~
11 ~~appointed under paragraph (3) of subsection (a) of~~
12 ~~this Section who resides in the geographic area~~
13 ~~described in this subparagraph, a Director shall be~~
14 ~~appointed under this subparagraph.~~

15 ~~(iii) One Director who resides in the township of~~
16 ~~Northfield, New Trier, Maine, Niles, Evanston, Leyden,~~
17 ~~Norwood Park, River Forest, or Oak Park.~~

18 ~~(iv) One Director who resides in the township of~~
19 ~~Proviso, Riverside, Berwyn, Cicero, Lyons, Stickney,~~
20 ~~Lemont, Palos, or Orland. To implement the changes in~~
21 ~~appointing authority under this Section, upon the~~
22 ~~expiration of the term of or vacancy in office of the~~
23 ~~Director appointed under paragraph (3) of subsection~~
24 ~~(a) of this Section who resides in the geographic area~~
25 ~~described in this subparagraph and whose term of~~
26 ~~office had not expired as of August 1, 2007, a Director~~

1 ~~shall be appointed under this subparagraph.~~

2 ~~(v) One Director who resides in the township of~~
3 ~~Worth, Calumet, Bremen, Thornton, Rich, or Bloom. To~~
4 ~~implement the changes in appointing authority under~~
5 ~~this Section, upon the expiration of the term of or~~
6 ~~vacancy in office of the Director appointed under~~
7 ~~paragraph (3) of subsection (a) of this Section who~~
8 ~~resides in the geographic area described in this~~
9 ~~subparagraph and whose term of office had expired as~~
10 ~~of August 1, 2007, a Director shall be appointed under~~
11 ~~this subparagraph.~~

12 ~~(vi) The Directors identified under the provisions~~
13 ~~of subparagraphs (ii) through (v) of this paragraph~~
14 ~~(7) shall be appointed by the members of the Cook~~
15 ~~County Board. Each individual Director shall be~~
16 ~~appointed by those members of the Cook County Board~~
17 ~~whose Board districts overlap in whole or in part with~~
18 ~~the geographic territory described in the relevant~~
19 ~~subparagraph. The vote of County Board members~~
20 ~~eligible to appoint directors under the provisions of~~
21 ~~subparagraphs (ii) through (v) of this paragraph (7)~~
22 ~~shall be weighted by the number of electors residing~~
23 ~~in those portions of their Board districts within the~~
24 ~~geographic territory described in the relevant~~
25 ~~subparagraph (ii) through (v) of this paragraph (7).~~

26 ~~(8) The Chairman shall be appointed by the Directors,~~

1 ~~from the members of the Board, with the concurrence of 8 of~~
2 ~~such Directors. To implement the changes in appointing~~
3 ~~authority under this Section, upon the expiration of the~~
4 ~~term of or vacancy in office of the Chairman appointed~~
5 ~~under item (5) of subsection (a) of this Section, a~~
6 ~~Chairman shall be appointed under this subparagraph.~~

7 ~~(c) No director, while serving as such, shall be an~~
8 ~~officer, a member of the board of directors or trustee or an~~
9 ~~employee of any transportation agency, or be an employee of~~
10 ~~the State of Illinois or any department or agency thereof, or~~
11 ~~of any county, municipality, or any other unit of local~~
12 ~~government or receive any compensation from any elected or~~
13 ~~appointed office under the Constitution and laws of Illinois.~~

14 ~~(d) Each appointment made under subsections (a) and (b) of~~
15 ~~this Section and under Section 3B.03 shall be certified by the~~
16 ~~appointing authority to the Commuter Rail Board which shall~~
17 ~~maintain the certifications as part of the official records of~~
18 ~~the Commuter Rail Board.~~

19 (Source: P.A. 98-709, eff. 7-16-14.)

20 (70 ILCS 3615/3B.05) (from Ch. 111 2/3, par. 703B.05)

21 Sec. 3B.05. Appointment of officers and employees. The
22 Executive Director of the Authority, with the advice and
23 consent of the Commuter Rail Committee, Board shall appoint an
24 Executive Director who shall be the chief executive officer of
25 the Division, appointed, retained or dismissed with the

1 concurrence of 4 ~~5~~ of the directors of the Commuter Rail
2 Committee Board. The Executive Director shall appoint, retain
3 and employ officers, attorneys, agents, engineers, employees
4 and shall organize the staff, shall allocate their functions
5 and duties, fix compensation and conditions of employment, and
6 consistent with the policies of and direction from the
7 ~~Commuter Rail~~ Board and the Commuter Rail Committee take all
8 actions necessary to achieve its purposes, fulfill its
9 responsibilities and carry out its powers, and shall have such
10 other powers and responsibilities as the ~~Commuter Rail~~ Board
11 and the Commuter Rail Committee shall determine. The Executive
12 Director shall be an individual of proven transportation and
13 management skills and may not be a member of the ~~Commuter Rail~~
14 Board. The Division may employ its own professional management
15 personnel to provide professional and technical expertise
16 concerning its purposes and powers and to assist it in
17 assessing the performance of transportation agencies in the
18 metropolitan region. A person appointed or employed under this
19 Section whose term or employment has not been terminated on
20 January 1, 2022 shall continue in his or her position with the
21 Commuter Rail Division until the expiration of his or her
22 appointment or employment, resignation, or removal.

23 No employee, officer, or agent of the Commuter Rail
24 Division Board may receive a bonus that exceeds 10% of his or
25 her annual salary unless that bonus has been reviewed by the
26 Regional Transportation Authority Board for a period of 14

1 days. After 14 days, the contract shall be considered
2 reviewed. This Section does not apply to usual and customary
3 salary adjustments.

4 No unlawful discrimination, as defined and prohibited in
5 the Illinois Human Rights Act, shall be made in any term or
6 aspect of employment nor shall there be discrimination based
7 upon political reasons or factors. The Commuter Rail Division
8 ~~Board~~ shall establish regulations to insure that its
9 discharges shall not be arbitrary and that hiring and
10 promotion are based on merit.

11 The Division shall be subject to the "Illinois Human
12 Rights Act", as now or hereafter amended, and the remedies and
13 procedure established thereunder. The Commuter Rail Division
14 ~~Board~~ shall file an affirmative action program for employment
15 by it with the Department of Human Rights to ensure that
16 applicants are employed and that employees are treated during
17 employment, without regard to unlawful discrimination. Such
18 affirmative action program shall include provisions relating
19 to hiring, upgrading, demotion, transfer, recruitment,
20 recruitment advertising, selection for training and rates of
21 pay or other forms of compensation.

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

23 (70 ILCS 3615/3B.09) (from Ch. 111 2/3, par. 703B.09)

24 Sec. 3B.09. General Powers. In addition to any powers
25 elsewhere provided to the Commuter Rail Division or the former

1 Commuter Rail Board, the Regional Transportation Authority
2 Board ~~it~~ shall have all of the powers specified in Section 2.20
3 of this Act except for the powers specified in Section
4 2.20(a)(v). The Board shall also have the power:

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

8 (b) to receive funds for the Division from the Regional
9 Transportation Authority pursuant to Sections 2.02, 4.01,
10 4.02, 4.09 and 4.10 of the "Regional Transportation Authority
11 Act", all as provided in the "Regional Transportation
12 Authority Act";

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

22 (d) to borrow money for the purpose of acquiring,
23 constructing, reconstructing, extending, or improving any
24 Public Transportation Facilities (as defined in Section 1.03
25 of the Regional Transportation Authority Act) operated by or
26 to be operated by or on behalf of the Commuter Rail Division.

1 For the purpose of evidencing the obligation of the Commuter
2 Rail Division Board to repay any money borrowed as provided in
3 this subsection, the Commuter Rail Division Board may issue
4 revenue bonds from time to time pursuant to ordinance adopted
5 by the ~~Commuter Rail Board~~, subject to the approval of the
6 Regional Transportation Authority of each such issuance by the
7 affirmative vote of 12 of its then Directors; provided that
8 the Commuter Rail Division Board may not issue bonds for the
9 purpose of financing the acquisition, construction, or
10 improvement of a corporate headquarters building. All such
11 bonds shall be payable solely from the revenues or income or
12 any other funds that the Commuter Rail Division Board may
13 receive, provided that the Commuter Rail Division Board may
14 not pledge as security for such bonds the moneys, if any, that
15 the Commuter Rail Division Board receives from the Regional
16 Transportation Authority pursuant to Section 4.03.3(f) of the
17 Regional Transportation Authority Act. The bonds shall bear
18 interest at a rate not to exceed the maximum rate authorized by
19 the Bond Authorization Act and shall mature at such time or
20 times not exceeding 25 years from their respective dates.
21 Bonds issued pursuant to this paragraph must be issued with
22 scheduled principal or mandatory redemption payments in equal
23 amounts in each fiscal year over the term of the bonds, with
24 the first principal or mandatory redemption payment scheduled
25 within the fiscal year in which bonds are issued or within the
26 next succeeding fiscal year. At least 25%, based on total

1 principal amount, of all bonds authorized pursuant to this
2 Section shall be sold pursuant to notice of sale and public
3 bid. No more than 75%, based on total principal amount, of all
4 bonds authorized pursuant to this Section shall be sold by
5 negotiated sale. The maximum principal amount of the bonds
6 that may be issued and outstanding at any time may not exceed
7 \$1,000,000,000. The bonds shall have all the qualities of
8 negotiable instruments under the laws of this State. To secure
9 the payment of any or all of such bonds and for the purpose of
10 setting forth the covenants and undertakings of the Commuter
11 Rail Division Board in connection with the issuance thereof
12 and the issuance of any additional bonds payable from such
13 revenue or income as well as the use and application of the
14 revenue or income received by the Commuter Rail Division
15 ~~Board~~, the ~~Commuter-Rail~~ Board may execute and deliver a trust
16 agreement or agreements; provided that no lien upon any
17 physical property of the Commuter Rail Division Board shall be
18 created thereby. A remedy for any breach or default of the
19 terms of any such trust agreement by the Commuter Rail
20 Division Board may be by mandamus proceedings in any court of
21 competent jurisdiction to compel performance and compliance
22 therewith, but the trust agreement may prescribe by whom or on
23 whose behalf such action may be instituted. Under no
24 circumstances shall any bonds issued by the Commuter Rail
25 Division Board or any other obligation of the Commuter Rail
26 Division Board in connection with the issuance of such bonds

1 be or become an indebtedness or obligation of the State of
2 Illinois, the Regional Transportation Authority, or any other
3 political subdivision of or municipality within the State, nor
4 shall any such bonds or obligations be or become an
5 indebtedness of the Commuter Rail Division ~~Board~~ within the
6 purview of any constitutional limitation or provision, and it
7 shall be plainly stated on the face of each bond that it does
8 not constitute such an indebtedness or obligation but is
9 payable solely from the revenues or income as aforesaid.

10 (Source: P.A. 95-708, eff. 1-18-08.)

11 (70 ILCS 3615/3B.10) (from Ch. 111 2/3, par. 703B.10)

12 Sec. 3B.10. Budget and Program. The Regional
13 Transportation Authority Board ~~Commuter Rail Board~~, ~~subject to~~
14 ~~the powers of the Authority in Section 4.11~~, shall control the
15 finances of the Division. It shall by ordinance appropriate
16 money to perform the Division's purposes and provide for
17 payment of debts and expenses of the Division. Each year the
18 Regional Transportation Authority Board ~~Commuter Rail Board~~
19 shall prepare and publish a comprehensive annual budget and
20 proposed five-year capital program document, and a financial
21 plan for the two years thereafter describing the state of the
22 Division and presenting for the forthcoming fiscal year and
23 the two following years the Regional Transportation Authority
24 Board's ~~Commuter Rail Board's~~ plans for such operations and
25 capital expenditures as the Regional Transportation Authority

1 Board ~~Commuter Rail Board~~ intends to undertake and the means
2 by which it intends to finance them. The proposed budget,
3 financial plan, and five-year capital program shall be based
4 on the Authority's estimate of funds to be made available to
5 the Commuter Rail Division ~~Board~~ by or through the Authority
6 and shall conform in all respects to the requirements
7 established by the Authority. The proposed budget, financial
8 plan, and five-year capital program shall contain a statement
9 of the funds estimated to be on hand at the beginning of the
10 fiscal year, the funds estimated to be received from all
11 sources for such year and the funds estimated to be on hand at
12 the end of such year. The fiscal year of the Division shall be
13 the same as the fiscal year of the Authority. Before the
14 proposed budget, financial plan, and five-year capital program
15 are approved by ~~submitted to~~ the Authority, the ~~Commuter Rail~~
16 Board shall hold at least one public hearing thereon in each of
17 the counties in the metropolitan region in which the Division
18 provides service. The ~~Commuter Rail~~ Board shall hold at least
19 one meeting for consideration of the proposed budget,
20 financial plan, and five-year capital plan with the county
21 board of each of the several counties in the metropolitan
22 region in which the Division provides service. After
23 conducting such hearings and holding such meetings and after
24 making such changes in the proposed budget, financial plan,
25 and five-year capital plan as the ~~Commuter Rail~~ Board deems
26 appropriate, the ~~board shall adopt its annual budget ordinance~~

1 ~~at least by November 15 next preceding the beginning of each~~
2 ~~fiscal year. The budget, financial plan, and five-year capital~~
3 program shall then be submitted to the Authority as provided
4 in Section 4.11. ~~In the event that the Board of the Authority~~
5 ~~determines that the budget and program, and financial plan do~~
6 ~~not meet the standards of Section 4.11, the Commuter Rail~~
7 ~~Board shall make such changes as are necessary to meet such~~
8 ~~requirements and adopt an amended budget ordinance.~~ The
9 amended budget ordinance shall be resubmitted to the Authority
10 pursuant to Section 4.11. The ordinance shall appropriate such
11 sums of money as are deemed necessary to defray all necessary
12 expenses and obligations of the Division, specifying purposes
13 and the objects or programs for which appropriations are made
14 and the amount appropriated for each object or program.
15 Additional appropriations, transfers between items and other
16 changes in such ordinance which do not alter the basis upon
17 which the balanced budget determination was made by the Board
18 of the Authority may be made from time to time by the Commuter
19 Rail Division Board.

20 The budget shall:

21 (i) show a balance between (A) anticipated revenues
22 from all sources including operating subsidies and (B) the
23 costs of providing the services specified and of funding
24 any operating deficits or encumbrances incurred in prior
25 periods, including provision for payment when due of
26 principal and interest on outstanding indebtedness;

1 (ii) show cash balances including the proceeds of any
2 anticipated cash flow borrowing sufficient to pay with
3 reasonable promptness all costs and expenses as incurred;

4 (iii) provide for a level of fares or charges for the
5 public transportation provided by or subject to the
6 jurisdiction of such Commuter Rail Division Board
7 sufficient to allow the Commuter Rail Division Board to
8 meet its required system generated revenue recovery ratio;

9 (iv) be based upon and employ assumptions and
10 projections which the Board of the Authority finds to be
11 reasonable and prudent;

12 (v) have been prepared in accordance with sound
13 financial practices as determined by the Board of the
14 Authority;

15 (vi) meet such other uniform financial, budgetary, or
16 fiscal requirements that the Board of the Authority may by
17 rule or regulation establish; and

18 (vii) be consistent with the goals and objectives
19 adopted by the Regional Transportation Authority in the
20 Strategic Plan.

21 (Source: P.A. 95-708, eff. 1-18-08.)

22 (70 ILCS 3615/3B.11) (from Ch. 111 2/3, par. 703B.11)

23 Sec. 3B.11. Citizens Advisory Board. The Regional
24 Transportation Authority Board ~~Commuter Rail Board~~ shall
25 establish a citizens advisory board composed of ten residents

1 of those portions of the metropolitan region in which the
2 Commuter Rail Division ~~Board~~ provides service who have an
3 interest in public transportation. The members of the advisory
4 board shall be named for two year terms, shall select one of
5 their members to serve as chairman and shall serve without
6 compensation. The citizens advisory board shall meet with the
7 Regional Transportation Authority Board ~~Commuter Rail Board~~ at
8 least quarterly and advise the Regional Transportation
9 Authority Board ~~Commuter Rail Board~~ of the impact of its
10 policies and programs on the communities it serves.
11 Appointments to the citizens advisory board should, to the
12 greatest extent possible, reflect the ethnic, cultural, and
13 geographic diversity of all persons residing within the
14 Commuter Rail Division's jurisdiction.

15 (Source: P.A. 95-708, eff. 1-18-08.)

16 (70 ILCS 3615/3B.12) (from Ch. 111 2/3, par. 703B.12)

17 Sec. 3B.12. Working Cash Borrowing. The Regional
18 Transportation Authority Board ~~Commuter Rail Board~~ with the
19 affirmative vote of 10 ~~7~~ of its Directors may ~~demand and direct~~
20 ~~the Board of the Authority to~~ issue Working Cash Notes at such
21 time and in such amounts and having such maturities as the
22 ~~Commuter Rail~~ Board deems proper, provided however any such
23 borrowing shall have been specifically identified in the
24 budget of the ~~Commuter Rail Board as approved by the Board of~~
25 ~~the Authority. Provided further, that the Commuter Rail Board~~

1 ~~may not demand and direct the Board of the Authority to have~~
2 ~~issued and have outstanding at any time in excess of~~
3 ~~\$20,000,000 in Working Cash Notes.~~

4 (Source: P.A. 95-708, eff. 1-18-08.)

5 (70 ILCS 3615/3B.13) (from Ch. 111 2/3, par. 703B.13)

6 Sec. 3B.13. Labor.

7 (a) The provisions of this Section apply to collective
8 bargaining agreements (including extensions and amendments of
9 existing agreements) entered into on or after January 1, 1984.
10 This Section does not apply to collective bargaining
11 agreements that are subject to the provisions of the Railway
12 Labor Act, as now or hereafter amended.

13 (b) The Commuter Rail Division ~~Board~~ shall deal with and
14 enter into written contracts with their employees, through
15 accredited representatives of such employees authorized to act
16 for such employees concerning wages, salaries, hours, working
17 conditions, and pension or retirement provisions about which a
18 collective bargaining agreement has been entered prior to the
19 effective date of this amendatory Act of 1983. Any such
20 agreement of the Commuter Rail Division ~~Board~~ shall provide
21 that the agreement may be reopened if the amended budget
22 submitted pursuant to Section 2.18a of this Act is not
23 approved by the Board of the Authority. The agreement may not
24 include a provision requiring the payment of wage increases
25 based on changes in the Consumer Price Index. The Commuter

1 Rail Division Board shall not have the authority to enter
2 collective bargaining agreements with respect to inherent
3 management rights which include such areas of discretion or
4 policy as the functions of the employer, standards of
5 services, its overall budget, the organizational structure and
6 selection of new employees and direction of personnel.
7 Employers, however, shall be required to bargain collectively
8 with regard to policy matters directly affecting wages, hours
9 and terms and conditions of employment, as well as the impact
10 thereon, upon request by employee representatives. To preserve
11 the rights of the Commuter Rail Division Board and exclusive
12 representatives which have established collective bargaining
13 relationships or negotiated collective bargaining agreements
14 prior to the effective date of this amendatory Act of 1983, the
15 Commuter Rail Division Board shall be required to bargain
16 collectively with regard to any matter concerning wages, hours
17 or conditions of employment about which they have bargained
18 prior to the effective date of this amendatory Act of 1983.

19 (c) The collective bargaining agreement may not include a
20 prohibition on the use of part-time operators on any service
21 operated by the Commuter Rail Division Board except where
22 prohibited by federal law.

23 (d) Within 30 days of the signing of any such collective
24 bargaining agreement, the Commuter Rail Division Board shall
25 determine the costs of each provision of the agreement,
26 prepare an amended budget incorporating the costs of the

1 agreement, and present the amended budget to the Board of the
2 Authority for its approval under Section 4.11. The Board may
3 approve the amended budget by an affirmative vote of 12 of its
4 then Directors. If the budget is not approved by the Board of
5 the Authority, the agreement may be reopened and its terms may
6 be renegotiated. ~~Any amended budget which may be prepared~~
7 ~~following renegotiation shall be presented to the Board of the~~
8 ~~Authority for its approval in like manner.~~

9 (Source: P.A. 95-708, eff. 1-18-08.)

10 (70 ILCS 3615/3B.14)

11 Sec. 3B.14. Free services; eligibility.

12 (a) Notwithstanding any law to the contrary, no later than
13 60 days following the effective date of this amendatory Act of
14 the 95th General Assembly and until subsection (b) is
15 implemented, any fixed route public transportation services
16 provided by, or under grant or purchase of service contracts
17 of, the Commuter Rail Division Board shall be provided without
18 charge to all senior citizens of the Metropolitan Region aged
19 65 and older, under such conditions as shall be prescribed by
20 the Regional Transportation Authority Board ~~Commuter Rail~~
21 ~~Board~~.

22 (b) Notwithstanding any law to the contrary, no later than
23 180 days following the effective date of this amendatory Act
24 of the 96th General Assembly, any fixed route public
25 transportation services provided by, or under grant or

1 purchase of service contracts of, the Commuter Rail Division
2 ~~Board~~ shall be provided without charge to senior citizens aged
3 65 and older who meet the income eligibility limitation set
4 forth in subsection (a-5) of Section 4 of the Senior Citizens
5 and Persons with Disabilities Property Tax Relief Act, under
6 such conditions as shall be prescribed by the Commuter Rail
7 Division ~~Board~~. The Department on Aging shall furnish all
8 information reasonably necessary to determine eligibility,
9 including updated lists of individuals who are eligible for
10 services without charge under this Section. Nothing in this
11 Section shall relieve the Commuter Rail Division ~~Board~~ from
12 providing reduced fares as may be required by federal law.

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

14 (70 ILCS 3615/3B.15)

15 Sec. 3B.15. Transit services for individuals with
16 disabilities. Notwithstanding any law to the contrary, no
17 later than 60 days following the effective date of this
18 amendatory Act of the 95th General Assembly, all fixed route
19 public transportation services provided by, or under grant or
20 purchase of service contract of, the Commuter Rail Division
21 ~~Board~~ shall be provided without charge to all persons with
22 disabilities who meet the income eligibility limitation set
23 forth in subsection (a-5) of Section 4 of the Senior Citizens
24 and Persons with Disabilities Property Tax Relief Act, under
25 such procedures as shall be prescribed by the Board. The

1 Department on Aging shall furnish all information reasonably
2 necessary to determine eligibility, including updated lists of
3 individuals who are eligible for services without charge under
4 this Section.

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

6 (70 ILCS 3615/3B.26)

7 Sec. 3B.26. Employment contracts. Except as otherwise
8 provided in Section 3B.13, before the Commuter Rail Division
9 ~~Board~~ may enter into or amend any employment contract in
10 excess of \$100,000, the Regional Transportation Authority
11 Board ~~Commuter Rail Board~~ must review ~~submit~~ that contract or
12 amendment ~~to the Board for review~~ for a period of 14 days.
13 After 14 days, the contract shall be considered reviewed. This
14 Section applies only to contracts entered into or amended on
15 or after the effective date of this amendatory Act of the 98th
16 General Assembly.

17 Before the Board of the Regional Transportation Authority
18 may enter into or amend any employment contract in excess of
19 \$100,000, the Board must submit that contract to the Chairman
20 and Minority Spokesman of the Mass Transit Committee, or its
21 successor committee, of the House of Representatives, and to
22 the Chairman and Minority Spokesman of the Transportation
23 Committee, or its successor committee, of the Senate.

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

1 (70 ILCS 3615/Art. III-C heading new)

2 ARTICLE III-C

3 CHICAGO TRANSIT AUTHORITY

4 (70 ILCS 3615/3C.05 new)

5 Sec. 3C.05. Establishment; operation. The Chicago Transit
6 Authority of the Regional Transportation Authority is
7 established on January 1, 2022 as provided in the Metropolitan
8 Transit Authority Act. The Chicago Transit Authority shall be
9 operated as provided in the Metropolitan Transit Authority
10 Act.

11 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

12 Sec. 4.01. Budget and Program.

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

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

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

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

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

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

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

1 facilities made pursuant to subsection (b) of Section 2.20
2 of this Act; any payments with respect to rate protection
3 contracts, credit enhancements or liquidity agreements
4 made under Section 4.14; any other cost to which it is
5 reasonably expected that a cash expenditure will not be
6 made; costs for passenger security including grants,
7 contracts, personnel, equipment and administrative
8 expenses, except in the case of the Chicago Transit
9 Authority, in which case the term does not include costs
10 spent annually by that entity for protection against crime
11 as required by Section 27a of the Metropolitan Transit
12 Authority Act; the payment by the Chicago Transit
13 Authority of Debt Service, as defined in Section 12c of
14 the Metropolitan Transit Authority Act, on bonds or notes
15 issued pursuant to that Section; the payment by the
16 Commuter Rail Division of debt service on bonds issued
17 pursuant to Section 3B.09; expenses incurred by the
18 Suburban Bus Division for the cost of new public
19 transportation services funded from grants pursuant to
20 Section 2.01e of this amendatory Act of the 95th General
21 Assembly for a period of 2 years from the date of
22 initiation of each such service; costs as exempted by the
23 Board for projects pursuant to Section 2.09 of this Act;
24 or, beginning with the 2007 fiscal year, expenses related
25 to providing ADA paratransit service pursuant to Section
26 2.30 of the Regional Transportation Authority Act; and in

1 fiscal years 2008 through 2012 inclusive, costs in the
2 amount of \$200,000,000 in fiscal year 2008, reducing by
3 \$40,000,000 in each fiscal year thereafter until this
4 exemption is eliminated; 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
11 this subsection (b)(ii) shall be referred to as the
12 "system generated ADA paratransit services revenue
13 recovery 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
23 for 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;
5 (2) payments to Service Boards; and (3) payment of principal
6 and interest on bonds, notes or other evidence of obligation
7 for borrowed money issued by the Authority; (4) costs for
8 passenger security including grants, contracts, personnel,
9 equipment and administrative expenses; (5) payments with
10 respect to public transportation facilities made pursuant to
11 subsection (b) of Section 2.20 of this Act; and (6) any
12 payments with respect to rate protection contracts, credit
13 enhancements or liquidity agreements made pursuant to Section
14 4.14.

15 (d) 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. After withholding 15% of the proceeds
19 of any tax imposed by the Authority and 15% of money received
20 by the Authority from the Regional Transportation Authority
21 Occupation and Use Tax Replacement Fund, the Board shall
22 allocate the proceeds and money remaining to the Service
23 Boards as follows: (1) an amount equal to 85% of the proceeds
24 of those taxes collected within the City of Chicago and 85% of
25 the money received by the Authority on account of transfers to
26 the Regional Transportation Authority Occupation and Use Tax

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

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

1 be practicable after the Authority receives payment. Moneys
2 which are distributable to the Service Boards pursuant to the
3 preceding sentence shall be allocated among the Service Boards
4 on the basis of each Service Board's distribution ratio. The
5 term "distribution ratio" means, for purposes of this
6 subsection (e) of this Section 4.01, the ratio of the total
7 amount distributed to a Service Board pursuant to subsection
8 (d) of Section 4.01 for the immediately preceding calendar
9 year to the total amount distributed to all of the Service
10 Boards pursuant to subsection (d) of Section 4.01 for the
11 immediately preceding calendar year as the Board shall
12 determine.

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

1 in terms of the goals and objectives set out in the Strategic
2 Plan; (3) keep the Board and the public informed of the extent
3 to which the Service Boards and transportation agencies are
4 meeting the goals and objectives adopted by the Authority in
5 the Strategic Plan; and (4) assess the efficiency or adequacy
6 of public transportation services provided by a Service Board
7 and make recommendations for change in that service to the end
8 that the moneys available to the Authority may be expended in
9 the most economical manner possible with the least possible
10 duplication.

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

1 Director.

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

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

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

12 (70 ILCS 3615/4.02b)

13 Sec. 4.02b. Other contributions to pension funds.

14 (a) The Authority shall continually review the payment of
15 the required employer contributions to affected pension plans
16 under Section 22-103 of the Illinois Pension Code.

17 (b) Beginning January 1, 2009, if at any time the
18 Authority determines that the Commuter Rail Division's ~~Board's~~
19 or Suburban Bus Division's ~~Board's~~ payment of any portion of
20 the required contributions to an affected pension plan under
21 Section 22-103 of the Illinois Pension Code is more than one
22 month overdue, it shall as soon as possible pay the amount of
23 those overdue contributions to the trustee of the affected
24 pension plan on behalf of that Service Board out of moneys
25 otherwise payable to that Service Board under Section 4.03.3

1 of this Act. The Authority shall thereafter have no liability
2 to the Service Board for amounts paid to the trustee of the
3 affected pension plan under this Section.

4 (c) Whenever the Authority acts or determines that it is
5 required to act under subsection (b), it shall so notify the
6 affected Service Board, the Mayor of Chicago, the Governor,
7 the Auditor General of the State of Illinois, and the General
8 Assembly.

9 (d) Beginning January 1, 2009, if the Authority fails to
10 pay to an affected pension fund within 30 days after it is due
11 any employer contribution that it is required to make as a
12 contributing employer under Section 22-103 of the Illinois
13 Pension Code, it shall promptly so notify the Commission on
14 Government Forecasting and Accountability, the Mayor of
15 Chicago, the Governor, and the General Assembly, and it shall
16 promptly pay the overdue amount out of the first money
17 available to the Authority for its administrative expenses, as
18 that term is defined in Section 4.01(c).

19 (Source: P.A. 94-839, eff. 6-6-06; 95-708, eff. 1-18-08.)

20 (70 ILCS 3615/4.03.3)

21 Sec. 4.03.3. Distribution of Revenues. This Section
22 applies only after the Department begins administering and
23 enforcing an increased tax under Section 4.03(m) as authorized
24 by this amendatory Act of the 95th General Assembly. After
25 providing for payment of its obligations with respect to bonds

1 and notes issued under the provisions of Section 4.04 and
2 obligations related to those bonds and notes and separately
3 accounting for the tax on aviation fuel deposited into the
4 Local Government Aviation Trust Fund, the Authority shall
5 disburse the remaining proceeds from taxes it has received
6 from the Department of Revenue under this Article IV and the
7 remaining proceeds it has received from the State under
8 Section 4.09(a) as follows:

9 (a) With respect to taxes imposed by the Authority under
10 Section 4.03, after withholding 15% of 80% of the receipts
11 from those taxes collected in Cook County at a rate of 1.25%,
12 15% of 75% of the receipts from those taxes collected in Cook
13 County at the rate of 1%, 15% of one-half of the receipts from
14 those taxes collected in DuPage, Kane, Lake, McHenry, and Will
15 Counties, and 15% of money received by the Authority from the
16 Regional Transportation Authority Occupation and Use Tax
17 Replacement Fund or from the Regional Transportation Authority
18 tax fund created in Section 4.03(n), the Board shall allocate
19 the proceeds and money remaining to the Service Boards as
20 follows:

21 (1) an amount equal to (i) 85% of 80% of the receipts
22 from those taxes collected within the City of Chicago at a
23 rate of 1.25%, (ii) 85% of 75% of the receipts from those
24 taxes collected in the City of Chicago at the rate of 1%,
25 and (iii) 85% of the money received by the Authority on
26 account of transfers to the Regional Transportation

1 Authority Occupation and Use Tax Replacement Fund or to
2 the Regional Transportation Authority tax fund created in
3 Section 4.03(n) from the County and Mass Transit District
4 Fund attributable to retail sales within the City of
5 Chicago shall be allocated to the Chicago Transit
6 Authority;

7 (2) an amount equal to (i) 85% of 80% of the receipts
8 from those taxes collected within Cook County outside of
9 the City of Chicago at a rate of 1.25%, (ii) 85% of 75% of
10 the receipts from those taxes collected within Cook County
11 outside the City of Chicago at a rate of 1%, and (iii) 85%
12 of the money received by the Authority on account of
13 transfers to the Regional Transportation Authority
14 Occupation and Use Tax Replacement Fund or to the Regional
15 Transportation Authority tax fund created in Section
16 4.03(n) from the County and Mass Transit District Fund
17 attributable to retail sales within Cook County outside of
18 the City of Chicago shall be allocated 30% to the Chicago
19 Transit Authority, 55% to the Commuter Rail Division
20 ~~Board~~, and 15% to the Suburban Bus Division ~~Board~~; and

21 (3) an amount equal to 85% of one-half of the receipts
22 from the taxes collected within the Counties of DuPage,
23 Kane, Lake, McHenry, and Will shall be allocated 70% to
24 the Commuter Rail Division ~~Board~~ and 30% to the Suburban
25 Bus Division ~~Board~~.

26 (b) Moneys received by the Authority on account of

1 transfers to the Regional Transportation Authority Occupation
2 and Use Tax Replacement Fund from the State and Local Sales Tax
3 Reform Fund shall be allocated among the Authority and the
4 Service Boards as follows: 15% of such moneys shall be
5 retained by the Authority and the remaining 85% shall be
6 transferred to the Service Boards as soon as may be
7 practicable after the Authority receives payment. Moneys which
8 are distributable to the Service Boards pursuant to the
9 preceding sentence shall be allocated among the Service Boards
10 on the basis of each Service Board's distribution ratio. The
11 term "distribution ratio" means, for purposes of this
12 subsection (b), the ratio of the total amount distributed to a
13 Service Board pursuant to subsection (a) of Section 4.03.3 for
14 the immediately preceding calendar year to the total amount
15 distributed to all of the Service Boards pursuant to
16 subsection (a) of Section 4.03.3 for the immediately preceding
17 calendar year.

18 (c) (i) 20% of the receipts from those taxes collected in
19 Cook County under Section 4.03 at the rate of 1.25%, (ii) 25%
20 of the receipts from those taxes collected in Cook County
21 under Section 4.03 at the rate of 1%, (iii) 50% of the receipts
22 from those taxes collected in DuPage, Kane, Lake, McHenry, and
23 Will Counties under Section 4.03, and (iv) amounts received
24 from the State under Section 4.09 (a) (2) and items (i), (ii),
25 and (iii) of Section 4.09 (a) (3) shall be allocated as
26 follows: the amount required to be deposited into the ADA

1 Paratransit Fund described in Section 2.01d, the amount
2 required to be deposited into the Suburban Community Mobility
3 Fund described in Section 2.01e, and the amount required to be
4 deposited into the Innovation, Coordination and Enhancement
5 Fund described in Section 2.01c, and the balance shall be
6 allocated 48% to the Chicago Transit Authority, 39% to the
7 Commuter Rail Division Board, and 13% to the Suburban Bus
8 Division Board.

9 (d) Amounts received from the State under Section 4.09
10 (a)(3)(iv) shall be distributed 100% to the Chicago Transit
11 Authority.

12 (e) With respect to those taxes collected in DuPage, Kane,
13 Lake, McHenry, and Will Counties and paid directly to the
14 counties under Section 4.03, the County Board of each county
15 shall use those amounts to fund operating and capital costs of
16 public safety and public transportation services or facilities
17 or to fund operating, capital, right-of-way, construction, and
18 maintenance costs of other transportation purposes, including
19 road, bridge, public safety, and transit purposes intended to
20 improve mobility or reduce congestion in the county. The
21 receipt of funding by such counties pursuant to this paragraph
22 shall not be used as the basis for reducing any funds that such
23 counties would otherwise have received from the State of
24 Illinois, any agency or instrumentality thereof, the
25 Authority, or the Service Boards.

26 (f) The Authority by ordinance adopted by 12 of its then

1 Directors shall apportion to the Service Boards funds provided
2 by the State of Illinois under Section 4.09(a)(1) as it shall
3 determine and shall make payment of the amounts to each
4 Service Board as soon as may be practicable upon their receipt
5 provided the Authority has adopted a balanced budget as
6 required by Section 4.01 and further provided the Service
7 Board is in compliance with the requirements in Section 4.11.

8 (g) Beginning January 1, 2009, before making any payments,
9 transfers, or expenditures under this Section to a Service
10 Board, the Authority must first comply with Section 4.02a or
11 4.02b of this Act, whichever may be applicable.

12 (h) Moneys may be appropriated from the Public
13 Transportation Fund to the Office of the Executive Inspector
14 General for the costs incurred by the Executive Inspector
15 General while serving as the inspector general for the
16 Authority and each of the Service Boards. Beginning December
17 31, 2012, and each year thereafter, the Office of the
18 Executive Inspector General shall annually report to the
19 General Assembly the expenses incurred while serving as the
20 inspector general for the Authority and each of the Service
21 Boards.

22 (Source: P.A. 101-604, eff. 12-13-19.)

23 (70 ILCS 3615/4.04) (from Ch. 111 2/3, par. 704.04)

24 Sec. 4.04. Issuance and Pledge of Bonds and Notes.

25 (a) The Authority shall have the continuing power to

1 borrow money and to issue its negotiable bonds or notes as
2 provided in this Section. Unless otherwise indicated in this
3 Section, the term "notes" also includes bond anticipation
4 notes, which are notes which by their terms provide for their
5 payment from the proceeds of bonds thereafter to be issued.
6 Bonds or notes of the Authority may be issued for any or all of
7 the following purposes: to pay costs to the Authority or a
8 Service Board of constructing or acquiring any public
9 transportation facilities (including funds and rights relating
10 thereto, as provided in Section 2.05 of this Act); to repay
11 advances to the Authority or a Service Board made for such
12 purposes; to pay other expenses of the Authority or a Service
13 Board incident to or incurred in connection with such
14 construction or acquisition; to provide funds for any
15 transportation agency to pay principal of or interest or
16 redemption premium on any bonds or notes, whether as such
17 amounts become due or by earlier redemption, issued prior to
18 the date of this amendatory Act by such transportation agency
19 to construct or acquire public transportation facilities or to
20 provide funds to purchase such bonds or notes; and to provide
21 funds for any transportation agency to construct or acquire
22 any public transportation facilities, to repay advances made
23 for such purposes, and to pay other expenses incident to or
24 incurred in connection with such construction or acquisition;
25 and to provide funds for payment of obligations, including the
26 funding of reserves, under any self-insurance plan or joint

1 self-insurance pool or entity.

2 In addition to any other borrowing as may be authorized by
3 this Section, the Authority may issue its notes, from time to
4 time, in anticipation of tax receipts of the Authority or of
5 other revenues or receipts of the Authority, in order to
6 provide money for the Authority or the Service Boards to cover
7 any cash flow deficit which the Authority or a Service Board
8 anticipates incurring. Any such notes are referred to in this
9 Section as "Working Cash Notes". No Working Cash Notes shall
10 be issued for a term of longer than 24 months. Proceeds of
11 Working Cash Notes may be used to pay day to day operating
12 expenses of the Authority or the Service Boards, consisting of
13 wages, salaries, and fringe benefits, professional and
14 technical services (including legal, audit, engineering, and
15 other consulting services), office rental, furniture, fixtures
16 and equipment, insurance premiums, claims for self-insured
17 amounts under insurance policies, public utility obligations
18 for telephone, light, heat and similar items, travel expenses,
19 office supplies, postage, dues, subscriptions, public hearings
20 and information expenses, fuel purchases, and payments of
21 grants and payments under purchase of service agreements for
22 operations of transportation agencies, prior to the receipt by
23 the Authority or a Service Board from time to time of funds for
24 paying such expenses. ~~In addition to any Working Cash Notes~~
25 ~~that the Board of the Authority may determine to issue, the~~
26 ~~Suburban Bus Board, the Commuter Rail Board or the Board of the~~

1 ~~Chicago Transit Authority may demand and direct that the~~
2 ~~Authority issue its Working Cash Notes in such amounts and~~
3 ~~having such maturities as the Service Board may determine.~~

4 Notwithstanding any other provision of this Act, any
5 amounts necessary to pay principal of and interest on any
6 Working Cash Notes issued at the demand and direction of a
7 Service Board or any Working Cash Notes the proceeds of which
8 were used for the direct benefit of a Service Board or any
9 other Bonds or Notes of the Authority the proceeds of which
10 were used for the direct benefit of a Service Board shall
11 constitute a reduction of the amount of any other funds
12 provided by the Authority to that Service Board. The Authority
13 shall, after deducting any costs of issuance, tender the net
14 proceeds of any Working Cash Notes issued at the demand and
15 direction of a Service Board to such Service Board as soon as
16 may be practicable after the proceeds are received. The
17 Authority may also issue notes or bonds to pay, refund or
18 redeem any of its notes and bonds, including to pay redemption
19 premiums or accrued interest on such bonds or notes being
20 renewed, paid or refunded, and other costs in connection
21 therewith. The Authority may also utilize the proceeds of any
22 such bonds or notes to pay the legal, financial,
23 administrative and other expenses of such authorization,
24 issuance, sale or delivery of bonds or notes or to provide or
25 increase a debt service reserve fund with respect to any or all
26 of its bonds or notes. The Authority may also issue and deliver

1 its bonds or notes in exchange for any public transportation
2 facilities, (including funds and rights relating thereto, as
3 provided in Section 2.05 of this Act) or in exchange for
4 outstanding bonds or notes of the Authority, including any
5 accrued interest or redemption premium thereon, without
6 advertising or submitting such notes or bonds for public
7 bidding.

8 (b) The ordinance providing for the issuance of any such
9 bonds or notes shall fix the date or dates of maturity, the
10 dates on which interest is payable, any sinking fund account
11 or reserve fund account provisions and all other details of
12 such bonds or notes and may provide for such covenants or
13 agreements necessary or desirable with regard to the issue,
14 sale and security of such bonds or notes. The rate or rates of
15 interest on its bonds or notes may be fixed or variable and the
16 Authority shall determine or provide for the determination of
17 the rate or rates of interest of its bonds or notes issued
18 under this Act in an ordinance adopted by the Authority prior
19 to the issuance thereof, none of which rates of interest shall
20 exceed that permitted in the Bond Authorization Act. Interest
21 may be payable at such times as are provided for by the Board.
22 Bonds and notes issued under this Section may be issued as
23 serial or term obligations, shall be of such denomination or
24 denominations and form, including interest coupons to be
25 attached thereto, be executed in such manner, shall be payable
26 at such place or places and bear such date as the Authority

1 shall fix by the ordinance authorizing such bond or note and
2 shall mature at such time or times, within a period not to
3 exceed forty years from the date of issue, and may be
4 redeemable prior to maturity with or without premium, at the
5 option of the Authority, upon such terms and conditions as the
6 Authority shall fix by the ordinance authorizing the issuance
7 of such bonds or notes. No bond anticipation note or any
8 renewal thereof shall mature at any time or times exceeding 5
9 years from the date of the first issuance of such note. The
10 Authority may provide for the registration of bonds or notes
11 in the name of the owner as to the principal alone or as to
12 both principal and interest, upon such terms and conditions as
13 the Authority may determine. The ordinance authorizing bonds
14 or notes may provide for the exchange of such bonds or notes
15 which are fully registered, as to both principal and interest,
16 with bonds or notes which are registerable as to principal
17 only. All bonds or notes issued under this Section by the
18 Authority other than those issued in exchange for property or
19 for bonds or notes of the Authority shall be sold at a price
20 which may be at a premium or discount but such that the
21 interest cost (excluding any redemption premium) to the
22 Authority of the proceeds of an issue of such bonds or notes,
23 computed to stated maturity according to standard tables of
24 bond values, shall not exceed that permitted in the Bond
25 Authorization Act. The Authority shall notify the Governor's
26 Office of Management and Budget and the State Comptroller at

1 least 30 days before any bond sale and shall file with the
2 Governor's Office of Management and Budget and the State
3 Comptroller a certified copy of any ordinance authorizing the
4 issuance of bonds at or before the issuance of the bonds. After
5 December 31, 1994, any such bonds or notes shall be sold to the
6 highest and best bidder on sealed bids as the Authority shall
7 deem. As such bonds or notes are to be sold the Authority shall
8 advertise for proposals to purchase the bonds or notes which
9 advertisement shall be published at least once in a daily
10 newspaper of general circulation published in the metropolitan
11 region at least 10 days before the time set for the submission
12 of bids. The Authority shall have the right to reject any or
13 all bids. Notwithstanding any other provisions of this
14 Section, Working Cash Notes or bonds or notes to provide funds
15 for self-insurance or a joint self-insurance pool or entity
16 may be sold either upon competitive bidding or by negotiated
17 sale (without any requirement of publication of intention to
18 negotiate the sale of such Notes), as the Board shall
19 determine by ordinance adopted with the affirmative votes of
20 at least 9 Directors. In case any officer whose signature
21 appears on any bonds, notes or coupons authorized pursuant to
22 this Section shall cease to be such officer before delivery of
23 such bonds or notes, such signature shall nevertheless be
24 valid and sufficient for all purposes, the same as if such
25 officer had remained in office until such delivery. Neither
26 the Directors of the Authority nor any person executing any

1 bonds or notes thereof shall be liable personally on any such
2 bonds or notes or coupons by reason of the issuance thereof.

3 (c) All bonds or notes of the Authority issued pursuant to
4 this Section shall be general obligations of the Authority to
5 which shall be pledged the full faith and credit of the
6 Authority, as provided in this Section. Such bonds or notes
7 shall be secured as provided in the authorizing ordinance,
8 which may, notwithstanding any other provision of this Act,
9 include in addition to any other security, a specific pledge
10 or assignment of and lien on or security interest in any or all
11 tax receipts of the Authority and on any or all other revenues
12 or moneys of the Authority from whatever source, which may by
13 law be utilized for debt service purposes and a specific
14 pledge or assignment of and lien on or security interest in any
15 funds or accounts established or provided for by the ordinance
16 of the Authority authorizing the issuance of such bonds or
17 notes. Any such pledge, assignment, lien, or security interest
18 for the benefit of holders of bonds or notes of the Authority
19 shall be valid and binding from the time the bonds or notes are
20 issued without any physical delivery or further act and shall
21 be valid and binding as against and prior to the claims of all
22 other parties having claims of any kind against the Authority
23 or any other person irrespective of whether such other parties
24 have notice of such pledge, assignment, lien, or security
25 interest. The obligations of the Authority incurred pursuant
26 to this Section shall be superior to and have priority over any

1 other obligations of the Authority.

2 The Authority may provide in the ordinance authorizing the
3 issuance of any bonds or notes issued pursuant to this Section
4 for the creation of, deposits in, and regulation and
5 disposition of sinking fund or reserve accounts relating to
6 such bonds or notes. The ordinance authorizing the issuance of
7 any bonds or notes pursuant to this Section may contain
8 provisions as part of the contract with the holders of the
9 bonds or notes, for the creation of a separate fund to provide
10 for the payment of principal and interest on such bonds or
11 notes and for the deposit in such fund from any or all the tax
12 receipts of the Authority and from any or all such other moneys
13 or revenues of the Authority from whatever source which may by
14 law be utilized for debt service purposes, all as provided in
15 such ordinance, of amounts to meet the debt service
16 requirements on such bonds or notes, including principal and
17 interest, and any sinking fund or reserve fund account
18 requirements as may be provided by such ordinance, and all
19 expenses incident to or in connection with such fund and
20 accounts or the payment of such bonds or notes. Such ordinance
21 may also provide limitations on the issuance of additional
22 bonds or notes of the Authority. No such bonds or notes of the
23 Authority shall constitute a debt of the State of Illinois.
24 Nothing in this Act shall be construed to enable the Authority
25 to impose any ad valorem tax on property.

26 (d) The ordinance of the Authority authorizing the

1 issuance of any bonds or notes may provide additional security
2 for such bonds or notes by providing for appointment of a
3 corporate trustee (which may be any trust company or bank
4 having the powers of a trust company within the state) with
5 respect to such bonds or notes. The ordinance shall prescribe
6 the rights, duties, and powers of the trustee to be exercised
7 for the benefit of the Authority and the protection of the
8 holders of such bonds or notes. The ordinance may provide for
9 the trustee to hold in trust, invest, and use amounts in funds
10 and accounts created as provided by the ordinance with respect
11 to the bonds or notes. The ordinance may provide for the
12 assignment and direct payment to the trustee of any or all
13 amounts produced from the sources provided in Section 4.03 and
14 Section 4.09 of this Act and provided in Section 6z-17 of the
15 State Finance Act ~~"An Act in relation to State finance",~~
16 ~~approved June 10, 1919, as amended.~~ Upon receipt of notice of
17 any such assignment, the Department of Revenue and the
18 Comptroller of the State of Illinois shall thereafter,
19 notwithstanding the provisions of Section 4.03 and Section
20 4.09 of this Act and Section 6z-17 of the State Finance Act ~~"An~~
21 ~~Act in relation to State finance", approved June 10, 1919, as~~
22 ~~amended,~~ provide for such assigned amounts to be paid directly
23 to the trustee instead of the Authority, all in accordance
24 with the terms of the ordinance making the assignment. The
25 ordinance shall provide that amounts so paid to the trustee
26 which are not required to be deposited, held or invested in

1 funds and accounts created by the ordinance with respect to
2 bonds or notes or used for paying bonds or notes to be paid by
3 the trustee to the Authority.

4 (e) Any bonds or notes of the Authority issued pursuant to
5 this Section shall constitute a contract between the Authority
6 and the holders from time to time of such bonds or notes. In
7 issuing any bond or note, the Authority may include in the
8 ordinance authorizing such issue a covenant as part of the
9 contract with the holders of the bonds or notes, that as long
10 as such obligations are outstanding, it shall make such
11 deposits, as provided in paragraph (c) of this Section. It may
12 also so covenant that it shall impose and continue to impose
13 taxes, as provided in Section 4.03 of this Act and in addition
14 thereto as subsequently authorized by law, sufficient to make
15 such deposits and pay the principal and interest and to meet
16 other debt service requirements of such bonds or notes as they
17 become due. A certified copy of the ordinance authorizing the
18 issuance of any such obligations shall be filed at or prior to
19 the issuance of such obligations with the Comptroller of the
20 State of Illinois and the Illinois Department of Revenue.

21 (f) The State of Illinois pledges to and agrees with the
22 holders of the bonds and notes of the Authority issued
23 pursuant to this Section that the State will not limit or alter
24 the rights and powers vested in the Authority by this Act so as
25 to impair the terms of any contract made by the Authority with
26 such holders or in any way impair the rights and remedies of

1 such holders until such bonds and notes, together with
2 interest thereon, with interest on any unpaid installments of
3 interest, and all costs and expenses in connection with any
4 action or proceedings by or on behalf of such holders, are
5 fully met and discharged. In addition, the State pledges to
6 and agrees with the holders of the bonds and notes of the
7 Authority issued pursuant to this Section that the State will
8 not limit or alter the basis on which State funds are to be
9 paid to the Authority as provided in this Act, or the use of
10 such funds, so as to impair the terms of any such contract. The
11 Authority is authorized to include these pledges and
12 agreements of the State in any contract with the holders of
13 bonds or notes issued pursuant to this Section.

14 (g) (1) Except as provided in subdivisions (g) (2) and
15 (g) (3) of Section 4.04 of this Act, the Authority shall not at
16 any time issue, sell or deliver any bonds or notes (other than
17 Working Cash Notes and lines of credit) pursuant to this
18 Section 4.04 which will cause it to have issued and
19 outstanding at any time in excess of \$800,000,000 of such
20 bonds and notes (other than Working Cash Notes and lines of
21 credit). The Authority shall not issue, sell, or deliver any
22 Working Cash Notes or establish a line of credit pursuant to
23 this Section that will cause it to have issued and outstanding
24 at any time in excess of \$100,000,000. However, the Authority
25 may issue, sell, and deliver additional Working Cash Notes or
26 establish a line of credit before July 1, 2022 that are over

1 and above and in addition to the \$100,000,000 authorization
2 such that the outstanding amount of these additional Working
3 Cash Notes and lines of credit does ~~do~~ not exceed at any time
4 \$300,000,000. Bonds or notes which are being paid or retired
5 by such issuance, sale or delivery of bonds or notes, and bonds
6 or notes for which sufficient funds have been deposited with
7 the paying agency of such bonds or notes to provide for payment
8 of principal and interest thereon or to provide for the
9 redemption thereof, all pursuant to the ordinance authorizing
10 the issuance of such bonds or notes, shall not be considered to
11 be outstanding for the purposes of this subsection.

12 (2) In addition to the authority provided by paragraphs
13 (1) and (3), the Authority is authorized to issue, sell, and
14 deliver bonds or notes for Strategic Capital Improvement
15 Projects approved pursuant to Section 4.13 as follows:

16 \$100,000,000 is authorized to be issued on or after
17 January 1, 1990;

18 an additional \$100,000,000 is authorized to be issued
19 on or after January 1, 1991;

20 an additional \$100,000,000 is authorized to be issued
21 on or after January 1, 1992;

22 an additional \$100,000,000 is authorized to be issued
23 on or after January 1, 1993;

24 an additional \$100,000,000 is authorized to be issued
25 on or after January 1, 1994; and

26 the aggregate total authorization of bonds and notes

1 for Strategic Capital Improvement Projects as of January
2 1, 1994, shall be \$500,000,000.

3 The Authority is also authorized to issue, sell, and
4 deliver bonds or notes in such amounts as are necessary to
5 provide for the refunding or advance refunding of bonds or
6 notes issued for Strategic Capital Improvement Projects under
7 this subdivision (g) (2), provided that no such refunding bond
8 or note shall mature later than the final maturity date of the
9 series of bonds or notes being refunded, and provided further
10 that the debt service requirements for such refunding bonds or
11 notes in the current or any future fiscal year shall not exceed
12 the debt service requirements for that year on the refunded
13 bonds or notes.

14 (3) In addition to the authority provided by paragraphs
15 (1) and (2), the Authority is authorized to issue, sell, and
16 deliver bonds or notes for Strategic Capital Improvement
17 Projects approved pursuant to Section 4.13 as follows:

18 \$260,000,000 is authorized to be issued on or after
19 January 1, 2000;

20 an additional \$260,000,000 is authorized to be issued
21 on or after January 1, 2001;

22 an additional \$260,000,000 is authorized to be issued
23 on or after January 1, 2002;

24 an additional \$260,000,000 is authorized to be issued
25 on or after January 1, 2003;

26 an additional \$260,000,000 is authorized to be issued

1 on or after January 1, 2004; and
2 the aggregate total authorization of bonds and notes
3 for Strategic Capital Improvement Projects pursuant to
4 this paragraph (3) as of January 1, 2004 shall be
5 \$1,300,000,000.

6 The Authority is also authorized to issue, sell, and
7 deliver bonds or notes in such amounts as are necessary to
8 provide for the refunding or advance refunding of bonds or
9 notes issued for Strategic Capital Improvement projects under
10 this subdivision (g) (3), provided that no such refunding bond
11 or note shall mature later than the final maturity date of the
12 series of bonds or notes being refunded, and provided further
13 that the debt service requirements for such refunding bonds or
14 notes in the current or any future fiscal year shall not exceed
15 the debt service requirements for that year on the refunded
16 bonds or notes.

17 (h) The Authority, subject to the terms of any agreements
18 with noteholders or bond holders as may then exist, shall have
19 power, out of any funds available therefor, to purchase notes
20 or bonds of the Authority, which shall thereupon be cancelled.

21 (i) In addition to any other authority granted by law, the
22 State Treasurer may, with the approval of the Governor, invest
23 or reinvest, at a price not to exceed par, any State money in
24 the State Treasury which is not needed for current
25 expenditures due or about to become due in Working Cash Notes.
26 In the event of a default on a Working Cash Note issued by the

1 Regional Transportation Authority in which State money in the
2 State treasury was invested, the Treasurer may, after giving
3 notice to the Authority, certify to the Comptroller the
4 amounts of the defaulted Working Cash Note, in accordance with
5 any applicable rules of the Comptroller, and the Comptroller
6 must deduct and remit to the State treasury the certified
7 amounts or a portion of those amounts from the following
8 proportions of payments of State funds to the Authority:

9 (1) in the first year after default, one-third of the
10 total amount of any payments of State funds to the
11 Authority;

12 (2) in the second year after default, two-thirds of
13 the total amount of any payments of State funds to the
14 Authority; and

15 (3) in the third year after default and for each year
16 thereafter until the total invested amount is repaid, the
17 total amount of any payments of State funds to the
18 Authority.

19 (j) The Authority may establish a line of credit with a
20 bank or other financial institution as may be evidenced by the
21 issuance of notes or other obligations, secured by and payable
22 from all tax receipts of the Authority and any or all other
23 revenues or moneys of the Authority, in an amount not to exceed
24 the limitations set forth in paragraph (1) of subsection (g).
25 Money borrowed under this subsection (j) shall be used to
26 provide money for the Authority or the Service Boards to cover

1 any cash flow deficit that the Authority or a Service Board
2 anticipates incurring and shall be repaid within 24 months.

3 Before establishing a line of credit under this subsection
4 (j), the Authority shall authorize the line of credit by
5 ordinance. The ordinance shall set forth facts demonstrating
6 the need for the line of credit, state the amount to be
7 borrowed, establish a maximum interest rate limit not to
8 exceed the maximum rate authorized by the Bond Authorization
9 Act, and provide a date by which the borrowed funds shall be
10 repaid. The ordinance shall authorize and direct the relevant
11 officials to make arrangements to set apart and hold, as
12 applicable, the moneys that will be used to repay the
13 borrowing. In addition, the ordinance may authorize the
14 relevant officials to make partial repayments on the line of
15 credit as the moneys become available and may contain any
16 other terms, restrictions, or limitations desirable or
17 necessary to give effect to this subsection (j).

18 The Authority shall notify the Governor's Office of
19 Management and Budget and the State Comptroller at least 30
20 days before establishing a line of credit and shall file with
21 the Governor's Office of Management and Budget and the State
22 Comptroller a certified copy of any ordinance authorizing the
23 establishment of a line of credit upon or before establishing
24 the line of credit.

25 Moneys borrowed under a line of credit pursuant to this
26 subsection (j) are general obligations of the Authority that

1 are secured by the full faith and credit of the Authority.

2 (Source: P.A. 101-485, eff. 8-23-19; revised 8-24-20.)

3 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

4 Sec. 4.11. Budget Review Powers.

5 (a) Based upon estimates which shall be given to the
6 Authority by the Director of the Governor's Office of
7 Management and Budget (formerly Bureau of the Budget) of the
8 receipts to be received by the Authority from the taxes
9 imposed by the Authority and the authorized estimates of
10 amounts to be available from State and other sources to the
11 Service Boards, and the times at which such receipts and
12 amounts will be available, the Board shall, not later than the
13 next preceding September 15th prior to the beginning of the
14 Authority's next fiscal year, advise each Service Board of the
15 amounts estimated by the Board to be available for such
16 Service Board during such fiscal year and the two following
17 fiscal years and the times at which such amounts will be
18 available. The Board shall, at the same time, also advise each
19 Service Board of its required system generated revenues
20 recovery ratio for the next fiscal year which shall be the
21 percentage of the aggregate costs of providing public
22 transportation by or under jurisdiction of that Service Board
23 which must be recovered from system generated revenues. The
24 Board shall, at the same time, consider the written
25 determination of the Executive Director, made pursuant to

1 Section 2.01d, of the costs of ADA paratransit services that
2 are required to be provided under the federal Americans with
3 Disabilities Act of 1990 and its implementing regulations, and
4 shall amend the current year budgets of the Authority and the
5 Service Boards to provide for additional funding for the
6 provision of ADA paratransit services, if needed. The Board
7 shall, at the same time, beginning with the 2007 fiscal year,
8 also advise each Service Board that provides ADA paratransit
9 services of its required system generated ADA paratransit
10 services revenue recovery ratio for the next fiscal year which
11 shall be the percentage of the aggregate costs of providing
12 ADA paratransit services by or under jurisdiction of that
13 Service Board which must be recovered from fares charged for
14 such services, except that such required system generated ADA
15 paratransit services revenue recovery ratio shall not exceed
16 the minimum percentage established pursuant to Section
17 4.01(b)(ii) of this Act. In determining a Service Board's
18 system generated revenue recovery ratio, the Board shall
19 consider the historical system generated revenues recovery
20 ratio for the services subject to the jurisdiction of that
21 Service Board. The Board shall not increase a Service Board's
22 system generated revenues recovery ratio for the next fiscal
23 year over such ratio for the current fiscal year
24 disproportionately or prejudicially to increases in such
25 ratios for other Service Boards. The Board may, by ordinance,
26 provide that (i) the cost of research and development projects

1 in the fiscal year beginning January 1, 1986 and ending
2 December 31, 1986 conducted pursuant to Section 2.09 of this
3 Act, (ii) the costs for passenger security, and (iii)
4 expenditures of amounts granted to a Service Board from the
5 Innovation, Coordination, and Enhancement Fund for operating
6 purposes may be exempted from the farebox recovery ratio or
7 the system generated revenues recovery ratio of the Chicago
8 Transit Authority, the Suburban Bus Division Board, and the
9 Commuter Rail Division Board, or any of them. During fiscal
10 years 2008 through 2012, the Board may also allocate the
11 exemption of \$200,000,000 and the reducing amounts of costs
12 provided by this amendatory Act of the 95th General Assembly
13 from the farebox recovery ratio or system generated revenues
14 recovery ratio of each Service Board.

15 (b) (1) Not later than the next preceding November 15 prior
16 to the commencement of such fiscal year, each Service Board
17 shall submit to the Authority its proposed budget for such
18 fiscal year and its proposed financial plan for the two
19 following fiscal years. Such budget and financial plan shall
20 (i) be prepared in the format, follow the financial and
21 budgetary practices, and be based on any assumptions and
22 projections required by the Authority and (ii) not project or
23 assume a receipt of revenues from the Authority in amounts
24 greater than those set forth in the estimates provided by the
25 Authority pursuant to subsection (a) of this Section.

26 (2) The Board shall review the proposed budget and

1 two-year financial plan submitted by each Service Board. The
2 Board shall approve the budget and two-year financial plan of
3 a Service Board if:

4 (i) such budget and plan show a balance between (A)
5 anticipated revenues from all sources including operating
6 subsidies and (B) the costs of providing the services
7 specified and of funding any operating deficits or
8 encumbrances incurred in prior periods, including
9 provision for payment when due of principal and interest
10 on outstanding indebtedness;

11 (ii) such budget and plan show cash balances including
12 the proceeds of any anticipated cash flow borrowing
13 sufficient to pay with reasonable promptness all costs and
14 expenses as incurred;

15 (iii) such budget and plan provide for a level of
16 fares or charges and operating or administrative costs for
17 the public transportation provided by or subject to the
18 jurisdiction of such Service Board sufficient to allow the
19 Service Board to meet its required system generated
20 revenue recovery ratio and, beginning with the 2007 fiscal
21 year, system generated ADA paratransit services revenue
22 recovery ratio;

23 (iv) such budget and plan are based upon and employ
24 assumptions and projections which are reasonable and
25 prudent;

26 (v) such budget and plan have been prepared in

1 accordance with sound financial practices as determined by
2 the Board;

3 (vi) such budget and plan meet such other financial,
4 budgetary, or fiscal requirements that the Board may by
5 rule or regulation establish; and

6 (vii) such budget and plan are consistent with the
7 goals and objectives adopted by the Authority in the
8 Strategic Plan.

9 (3) (Blank).

10 (4) Unless the Board by an affirmative vote of 12 of the
11 then Directors determines that the budget and financial plan
12 of a Service Board meets the criteria specified in clauses (i)
13 through (vii) of subparagraph (2) of this paragraph (b), the
14 Board shall withhold from that Service Board 25% of the cash
15 proceeds of taxes imposed by the Authority under Section 4.03
16 and Section 4.03.1 and received after February 1 and 25% of the
17 amounts transferred to the Authority from the Public
18 Transportation Fund under Section 4.09(a) (but not including
19 Section 4.09(a)(3)(iv)) after February 1 that the Board has
20 estimated to be available to that Service Board under Section
21 4.11(a). Such funding shall be released to the Service Board
22 only upon approval of a budget and financial plan under this
23 Section or adoption of a budget and financial plan on behalf of
24 the Service Board by the Authority.

25 (5) If the Board has not found that the budget and
26 financial plan of a Service Board meets the criteria specified

1 in clauses (i) through (vii) of subparagraph (2) of this
2 paragraph (b), the Board, by the affirmative vote of at least
3 12 of its then Directors, shall adopt a budget and financial
4 plan meeting such criteria for that Service Board.

5 (c)(1) If the Board shall at any time have received a
6 revised estimate, or revises any estimate the Board has made,
7 pursuant to this Section of the receipts to be collected by the
8 Authority which, in the judgment of the Board, requires a
9 change in the estimates on which the budget of any Service
10 Board is based, the Board shall advise the affected Service
11 Board of such revised estimates, and such Service Board shall
12 within 30 days after receipt of such advice submit a revised
13 budget incorporating such revised estimates. If the revised
14 estimates require, in the judgment of the Board, that the
15 system generated revenues recovery ratio of one or more
16 Service Boards be revised in order to allow the Authority to
17 meet its required ratio, the Board shall advise any such
18 Service Board of its revised ratio and such Service Board
19 shall within 30 days after receipt of such advice submit a
20 revised budget incorporating such revised estimates or ratio.

21 (2) Each Service Board shall, within such period after the
22 end of each fiscal quarter as shall be specified by the Board,
23 report to the Authority its financial condition and results of
24 operations and the financial condition and results of
25 operations of the public transportation services subject to
26 its jurisdiction, as at the end of and for such quarter. If in

1 the judgment of the Board such condition and results are not
2 substantially in accordance with such Service Board's budget
3 for such period, the Board shall so advise such Service Board
4 and such Service Board shall within the period specified by
5 the Board submit a revised budget incorporating such results.

6 (3) If the Board shall determine that a revised budget
7 submitted by a Service Board pursuant to subparagraph (1) or
8 (2) of this paragraph (c) does not meet the criteria specified
9 in clauses (i) through (vii) of subparagraph (2) of paragraph
10 (b) of this Section, the Board shall withhold from that
11 Service Board 25% of the cash proceeds of taxes imposed by the
12 Authority under Section 4.03 or 4.03.1 and received by the
13 Authority after February 1 and 25% of the amounts transferred
14 to the Authority from the Public Transportation Fund under
15 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))
16 after February 1 that the Board has estimated to be available
17 to that Service Board under Section 4.11(a). If the Service
18 Board submits a revised financial plan and budget which plan
19 and budget shows that the criteria will be met within a four
20 quarter period, the Board shall release any such withheld
21 funds to the Service Board. The Board by the affirmative vote
22 of at least 12 of its then Directors may require a Service
23 Board to submit a revised financial plan and budget which
24 shows that the criteria will be met in a time period less than
25 four quarters.

26 (d) All budgets and financial plans, financial statements,

1 audits and other information presented to the Authority
2 pursuant to this Section or which may be required by the Board
3 to permit it to monitor compliance with the provisions of this
4 Section shall be prepared and presented in such manner and
5 frequency and in such detail as shall have been prescribed by
6 the Board, shall be prepared on both an accrual and cash flow
7 basis as specified by the Board, shall present such
8 information as the Authority shall prescribe that fairly
9 presents the condition of any pension plan or trust for health
10 care benefits with respect to retirees established by the
11 Service Board and describes the plans of the Service Board to
12 meet the requirements of Sections 4.02a and 4.02b, and shall
13 identify and describe the assumptions and projections employed
14 in the preparation thereof to the extent required by the
15 Board. If the Executive Director certifies that a Service
16 Board has not presented its budget and two-year financial plan
17 in conformity with the rules adopted by the Authority under
18 the provisions of Section 4.01(f) and this subsection (d), and
19 such certification is accepted by the affirmative vote of at
20 least 12 of the then Directors of the Authority, the Authority
21 shall not distribute to that Service Board any funds for
22 operating purposes in excess of the amounts distributed for
23 such purposes to the Service Board in the previous fiscal
24 year. Except when the Board adopts a budget and a financial
25 plan for a Service Board under paragraph (b)(5), a Service
26 Board shall provide for such levels of transportation services

1 and fares or charges therefor as it deems appropriate and
2 necessary in the preparation of a budget and financial plan
3 meeting the criteria set forth in clauses (i) through (vii) of
4 subparagraph (2) of paragraph (b) of this Section. The
5 Authority shall have access to and the right to examine and
6 copy all books, documents, papers, records, or other source
7 data of a Service Board relevant to any information submitted
8 pursuant to this Section.

9 (e) Whenever this Section requires the Board to make
10 determinations with respect to estimates, budgets or financial
11 plans, or rules or regulations with respect thereto such
12 determinations shall be made upon the affirmative vote of at
13 least 12 of the then Directors and shall be incorporated in a
14 written report of the Board and such report shall be submitted
15 within 10 days after such determinations are made to the
16 Governor, the Mayor of Chicago (if such determinations relate
17 to the Chicago Transit Authority), and the Auditor General of
18 Illinois.

19 (Source: P.A. 97-399, eff. 8-16-11.)

20 (70 ILCS 3615/4.15)

21 Sec. 4.15. Revolving door prohibition. No Director,
22 Service Board director or member, former Director, or former
23 Service Board director or member shall, during his or her term
24 and for a period of one year immediately after the end of his
25 or her term, engage in business dealings with, knowingly

1 accept employment from, or receive compensation or fees for
2 services from the Regional Transportation Authority, the
3 Suburban Bus Division ~~Board~~, the Commuter Rail Division, ~~Board~~
4 or the Chicago Transit Authority ~~Board~~. This prohibition shall
5 not apply to any business dealings engaged in by the Director
6 or Service Board director or member in the course of his or her
7 official duties or responsibilities as a Director or Service
8 Board director or member.

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

10 (70 ILCS 3615/5.05) (from Ch. 111 2/3, par. 705.05)

11 Sec. 5.05. Opt Out.

12 (a) Notwithstanding any other provision of this Act, if
13 the County Board of the County of DuPage, Kane, Lake, McHenry
14 or Will by ordinance authorizes that such county shall elect
15 to terminate the powers of the Authority and the Suburban Bus
16 Division in that County, the Secretary of such County Board
17 shall certify that proposition to the proper election
18 officials, who shall submit such proposition at an election in
19 accordance with the general election law to decide whether or
20 not the County shall opt out; and if a majority of the voters
21 voting upon the proposition is in favor of terminating the
22 powers of the Authority and the Suburban Bus Division those
23 powers shall be terminated.

24 The form of the ballot to be used at the referendum shall
25 be substantially as follows:

1 the referendum by the electors provided on or prior to the date
2 of such termination, such County shall have:

3 (i) assumed the obligations of the Authority under all
4 laws, federal or State, and all contracts with respect to
5 public transportation or public transportation facilities
6 in such County, which statutory or contractual obligations
7 extend beyond the termination date provided for in
8 accordance with paragraph (c) of this Section provided
9 that such obligations shall not be deemed to include any
10 indebtedness of the Authority for borrowed money;

11 (ii) agreed to indemnify and hold harmless the
12 Authority against any and all claims, actions and
13 liabilities arising out of or in connection with the
14 termination of the Authority's powers and functions
15 pursuant to paragraph (a) of this Section; and

16 (iii) taken or caused to be taken all necessary
17 actions and fulfilled or caused to be fulfilled all
18 requirements under federal and State laws, rules and
19 regulations with respect to such termination and any
20 related transfers of assets or liabilities of the
21 Authority. A County may, by mutual agreement with the
22 Authority, permit the Authority to fulfill one or more
23 contracts which by their terms extend beyond the
24 termination date provided for in accordance with paragraph
25 (c) of this Section, in which case the powers and
26 functions of the Authority in that County shall survive

1 only to the extent deemed necessary by the Authority to
2 fulfill said contract or contracts. The satisfaction of
3 the requirements provided for in this paragraph shall be
4 evidenced in such manner as the Authority may require.

5 (c) Following an election to terminate the powers of the
6 Authority and the Suburban Bus Division at a referendum held
7 under paragraph (a) of this Section the County Board shall
8 notify the Authority of the results of the referendum which
9 notice shall specify a termination date, which is the last day
10 of the calendar month, but no earlier than December 31, 1984.
11 Unless the termination date is extended by mutual agreement
12 between the County and the Authority, the termination of the
13 powers and functions of the Authority in the County shall
14 occur at midnight on the termination date, provided that the
15 requirements of this Section have been met.

16 (d) The proceeds of taxes imposed by the Authority under
17 Sections 4.03 and 4.03.1 collected after the termination date
18 within a County wherein the powers of the Authority and the
19 Suburban Bus Division have been terminated under this Section
20 shall be provided by the Authority to the Commuter Rail
21 Division Board to support services under the jurisdiction of
22 the Commuter Rail Division Board which are attributable to
23 that County, as determined by the Regional Transportation
24 Authority Board ~~Commuter Rail Board~~. Any proceeds which are in
25 excess of that necessary to support such services shall be
26 paid by the Authority to that County to be expended for general

1 transportation purposes in accordance with law. If no services
2 under the jurisdiction of the Commuter Rail Division ~~Board~~ are
3 provided in a County wherein the powers of the Authority have
4 been terminated under this Section, all proceeds of taxes
5 imposed by the Authority in the County shall be paid by the
6 Authority to the County to be expended for general
7 transportation purposes in accordance with law. The Authority
8 or the Suburban Bus Division has no obligation to see that the
9 funds expended under this paragraph by the County are spent
10 for general transportation purposes in accordance with law.

11 (Source: P.A. 83-885; 83-886.)

12 (70 ILCS 3615/3A.03 rep.)

13 (70 ILCS 3615/3A.04 rep.)

14 (70 ILCS 3615/3A.06 rep.)

15 (70 ILCS 3615/3A.07 rep.)

16 (70 ILCS 3615/3B.03 rep.)

17 (70 ILCS 3615/3B.04 rep.)

18 (70 ILCS 3615/3B.06 rep.)

19 (70 ILCS 3615/3B.07 rep.)

20 Section 40. The Regional Transportation Authority Act is
21 amended by repealing Sections 3A.03, 3A.04, 3A.06, 3A.07,
22 3B.03, 3B.04, 3B.06, and 3B.07.

23 Section 99. Effective date. This Act takes effect January
24 1, 2022.

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3	5 ILCS 120/2	from Ch. 102, par. 42
4	5 ILCS 375/2.6 rep.	
5	5 ILCS 375/2.7 rep.	
6	20 ILCS 2712/5-5	
7	65 ILCS 5/11-122.2-1	from Ch. 24, par. 11-122.2-1
8	70 ILCS 3605/2	from Ch. 111 2/3, par. 302
9	70 ILCS 3605/3	from Ch. 111 2/3, par. 303
10	70 ILCS 3605/9a	from Ch. 111 2/3, par. 309a
11	70 ILCS 3605/12a	from Ch. 111 2/3, par. 312a
12	70 ILCS 3605/12b	from Ch. 111 2/3, par. 312b
13	70 ILCS 3605/12c	
14	70 ILCS 3605/19	from Ch. 111 2/3, par. 319
15	70 ILCS 3605/24	from Ch. 111 2/3, par. 324
16	70 ILCS 3605/27	from Ch. 111 2/3, par. 327
17	70 ILCS 3605/27a	from Ch. 111 2/3, par. 327a
18	70 ILCS 3605/28	from Ch. 111 2/3, par. 328
19	70 ILCS 3605/28a	from Ch. 111 2/3, par. 328a
20	70 ILCS 3605/30	from Ch. 111 2/3, par. 330
21	70 ILCS 3605/34	from Ch. 111 2/3, par. 334
22	70 ILCS 3605/4 rep.	
23	70 ILCS 3605/6.1 rep.	
24	70 ILCS 3605/9b rep.	
25	70 ILCS 3605/20 rep.	

1 70 ILCS 3605/21 rep.
2 70 ILCS 3605/22 rep.
3 70 ILCS 3605/23 rep.
4 70 ILCS 3605/28d rep.
5 70 ILCS 3605/44 rep.
6 70 ILCS 3615/1.03 from Ch. 111 2/3, par. 701.03
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8 70 ILCS 3615/2.01 from Ch. 111 2/3, par. 702.01
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10 70 ILCS 3615/2.01b
11 70 ILCS 3615/2.01c
12 70 ILCS 3615/2.01d
13 70 ILCS 3615/2.01e
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15 70 ILCS 3615/2.21 from Ch. 111 2/3, par. 702.21
16 70 ILCS 3615/2.30
17 70 ILCS 3615/3.01 from Ch. 111 2/3, par. 703.01
18 70 ILCS 3615/3.04 from Ch. 111 2/3, par. 703.04
19 70 ILCS 3615/3.08 from Ch. 111 2/3, par. 703.08
20 70 ILCS 3615/3.12 new
21 70 ILCS 3615/3A.01 from Ch. 111 2/3, par. 703A.01
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23 70 ILCS 3615/3A.05 from Ch. 111 2/3, par. 703A.05
24 70 ILCS 3615/3A.09 from Ch. 111 2/3, par. 703A.09
25 70 ILCS 3615/3A.10 from Ch. 111 2/3, par. 703A.10
26 70 ILCS 3615/3A.11 from Ch. 111 2/3, par. 703A.11

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26 70 ILCS 3615/4.15

- 1 70 ILCS 3615/5.05 from Ch. 111 2/3, par. 705.05
- 2 70 ILCS 3615/3A.03 rep.
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- 4 70 ILCS 3615/3A.06 rep.
- 5 70 ILCS 3615/3A.07 rep.
- 6 70 ILCS 3615/3B.03 rep.
- 7 70 ILCS 3615/3B.04 rep.
- 8 70 ILCS 3615/3B.06 rep.
- 9 70 ILCS 3615/3B.07 rep.