



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4342

Introduced 1/16/2024, by Rep. Rita Mayfield

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regional Transportation Authority Act. Provides that, beginning in the fiscal year next following the effective date of the amendatory Act, the Suburban Bus Division's revenue recovery ratio may not include fares for any area within the jurisdiction of the Suburban Bus Board in which more than 45% of households are low-income households or very low-income households or any area within the jurisdiction of the Suburban Bus Board in which more than 45% of residents are minority persons. Provides that the Authority must provide the Suburban Bus Division with any funding assistance the Suburban Bus Board determines is needed to maintain routes in any area within the jurisdiction of the Suburban Bus Board in which more than 45% of households are low-income households or very low-income households or any area within the jurisdiction of the Suburban Bus Board in which more than 45% of persons are minority persons. Provides that the Suburban Bus Board must annually, before the close of the Suburban Bus Board's fiscal year, provide to the Authority (i) the boundaries of each area within the jurisdiction of the Suburban Bus Board in which more than 45% of households are low-income households or very low-income households and each area within the jurisdiction of the Suburban Bus Board in which more than 45% of residents are minority persons and (ii) the amount of funding assistance needed to maintain those routes. Amends the State Mandates Act to require implementation without reimbursement.

LRB103 35589 AWJ 65661 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Regional Transportation Authority Act is
5 amended by changing Sections 4.01, 4.09 and 4.11 and by adding
6 Section 4.17 as follows:

7 (70 ILCS 3615/4.01) (from Ch. 111 2/3, par. 704.01)

8 Sec. 4.01. Budget and Program.

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

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

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

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

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

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

1 plan next following the effective date of this amendatory
2 Act of the 103rd General Assembly, fares and charges for
3 mass transportation to be collected by the Suburban Bus
4 Board within any area within its jurisdiction in which
5 more than 45% of households are low-income households or
6 very low-income households, as those terms are defined in
7 Section 3 of the Illinois Affordable Housing Act, and any
8 area in its jurisdiction in which more than 45% of
9 residents are minority persons, as that term is defined in
10 Section 2 of the Business Enterprise for Minorities,
11 Women, and Persons with Disabilities Act. However, due to
12 the fiscal impacts of the COVID-19 pandemic, the aggregate
13 of all projected fare revenues from such fares and charges
14 received in fiscal years 2021, 2022, 2023, 2024, and 2025
15 may be less than 50% of the aggregate costs of providing
16 such public transportation in those fiscal years. "Fare
17 revenues" include the proceeds of all fares and charges
18 for services provided, contributions received in
19 connection with public transportation from units of local
20 government other than the Authority, except for
21 contributions received by the Chicago Transit Authority
22 from a real estate transfer tax imposed under subsection
23 (i) of Section 8-3-19 of the Illinois Municipal Code, and
24 from the State pursuant to subsection (i) of Section
25 2705-305 of the Department of Transportation Law (20 ILCS
26 2705/2705-305), and all other operating revenues properly

1 included consistent with generally accepted accounting
2 principles but do not include: the proceeds of any
3 borrowings, and, beginning with the 2007 fiscal year, all
4 revenues and receipts, including but not limited to fares
5 and grants received from the federal, State or any unit of
6 local government or other entity, derived from providing
7 ADA paratransit service pursuant to Section 2.30 of the
8 Regional Transportation Authority Act. "Costs" include all
9 items properly included as operating costs consistent with
10 generally accepted accounting principles, including
11 administrative costs, but do not include: depreciation;
12 payment of principal and interest on bonds, notes or other
13 evidences of obligation for borrowed money issued by the
14 Authority; payments with respect to public transportation
15 facilities made pursuant to subsection (b) of Section 2.20
16 of this Act; any payments with respect to rate protection
17 contracts, credit enhancements or liquidity agreements
18 made under Section 4.14; any other cost to which it is
19 reasonably expected that a cash expenditure will not be
20 made; costs for passenger security including grants,
21 contracts, personnel, equipment and administrative
22 expenses, except in the case of the Chicago Transit
23 Authority, in which case the term does not include costs
24 spent annually by that entity for protection against crime
25 as required by Section 27a of the Metropolitan Transit
26 Authority Act; the payment by the Chicago Transit

1 Authority of Debt Service, as defined in Section 12c of
2 the Metropolitan Transit Authority Act, on bonds or notes
3 issued pursuant to that Section; the payment by the
4 Commuter Rail Division of debt service on bonds issued
5 pursuant to Section 3B.09; expenses incurred by the
6 Suburban Bus Division for the cost of new public
7 transportation services funded from grants pursuant to
8 Section 2.01e of this amendatory Act of the 95th General
9 Assembly for a period of 2 years from the date of
10 initiation of each such service; costs as exempted by the
11 Board for projects pursuant to Section 2.09 of this Act;
12 or, beginning with the 2007 fiscal year, expenses related
13 to providing ADA paratransit service pursuant to Section
14 2.30 of the Regional Transportation Authority Act; and in
15 fiscal years 2008 through 2012 inclusive, costs in the
16 amount of \$200,000,000 in fiscal year 2008, reducing by
17 \$40,000,000 in each fiscal year thereafter until this
18 exemption is eliminated; and

19 (ii) that the level of fares charged for ADA
20 paratransit services is sufficient to cause the aggregate
21 of all projected revenues from such fares charged and
22 received in each fiscal year to equal at least 10% of the
23 aggregate costs of providing such ADA paratransit
24 services, excluding, beginning with the Annual Budget and
25 Two-Year Financial plan next following the effective date
26 of this amendatory Act of the 103rd General Assembly,

1 fares and charges for mass transportation to be collected
2 by the Suburban Bus Board within any area within its
3 jurisdiction in which more than 45% of households are
4 low-income households or very low-income households, as
5 those terms are defined in Section 3 of the Illinois
6 Affordable Housing Act, and any area in its jurisdiction
7 in which more than 45% of residents are minority persons,
8 as that term is defined in Section 2 of the Business
9 Enterprise for Minorities, Women, and Persons with
10 Disabilities Act. However, due to the fiscal impacts of
11 the COVID-19 pandemic, the aggregate of all projected fare
12 revenues from such fares and charges received in fiscal
13 years 2021, 2022, 2023, 2024, and 2025 may be less than 10%
14 of the aggregate costs of providing such ADA paratransit
15 services in those fiscal years. For purposes of this Act,
16 the percentages in this subsection (b)(ii) shall be
17 referred to as the "system generated ADA paratransit
18 services revenue recovery ratio". For purposes of the
19 system generated ADA paratransit services revenue recovery
20 ratio, "costs" shall include all items properly included
21 as operating costs consistent with generally accepted
22 accounting principles. However, the Board may exclude from
23 costs an amount that does not exceed the allowable
24 "capital costs of contracting" for ADA paratransit
25 services pursuant to the Federal Transit Administration
26 guidelines for the Urbanized Area Formula Program.

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

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

14 (1) staffing levels, including numbers of budgeted
15 positions, current positions employed, hired staff,
16 attrition, staff in training, and absenteeism rates;

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

23 (3) safety on the system, including the number of
24 incidents of crime and code of conduct violations on
25 system, any performance measures used to evaluate the
26 effectiveness of investments in private security, safety

1 equipment, and other security investments in the system.
2 If no performance measures exist to evaluate the
3 effectiveness of these safety investments, the Service
4 Boards and Authority shall develop and publish these
5 performance measures.

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

10 (c) The actual administrative expenses of the Authority
11 for the fiscal year commencing January 1, 1985 may not exceed
12 \$5,000,000. The actual administrative expenses of the
13 Authority for the fiscal year commencing January 1, 1986, and
14 for each fiscal year thereafter shall not exceed the maximum
15 administrative expenses for the previous fiscal year plus 5%.
16 "Administrative expenses" are defined for purposes of this
17 Section as all expenses except: (1) capital expenses and
18 purchases of the Authority on behalf of the Service Boards;
19 (2) payments to Service Boards; and (3) payment of principal
20 and interest on bonds, notes or other evidence of obligation
21 for borrowed money issued by the Authority; (4) costs for
22 passenger security including grants, contracts, personnel,
23 equipment and administrative expenses; (5) payments with
24 respect to public transportation facilities made pursuant to
25 subsection (b) of Section 2.20 of this Act; and (6) any
26 payments with respect to rate protection contracts, credit

1 enhancements or liquidity agreements made pursuant to Section
2 4.14.

3 (d) This subsection applies only until the Department
4 begins administering and enforcing an increased tax under
5 Section 4.03(m) as authorized by this amendatory Act of the
6 95th General Assembly. After withholding 15% of the proceeds
7 of any tax imposed by the Authority and 15% of money received
8 by the Authority from the Regional Transportation Authority
9 Occupation and Use Tax Replacement Fund, the Board shall
10 allocate the proceeds and money remaining to the Service
11 Boards as follows: (1) an amount equal to 85% of the proceeds
12 of those taxes collected within the City of Chicago and 85% of
13 the money received by the Authority on account of transfers to
14 the Regional Transportation Authority Occupation and Use Tax
15 Replacement Fund from the County and Mass Transit District
16 Fund attributable to retail sales within the City of Chicago
17 shall be allocated to the Chicago Transit Authority; (2) an
18 amount equal to 85% of the proceeds of those taxes collected
19 within Cook County outside the City of Chicago and 85% of the
20 money received by the Authority on account of transfers to the
21 Regional Transportation Authority Occupation and Use Tax
22 Replacement Fund from the County and Mass Transit District
23 Fund attributable to retail sales within Cook County outside
24 of the city of Chicago shall be allocated 30% to the Chicago
25 Transit Authority, 55% to the Commuter Rail Board and 15% to
26 the Suburban Bus Board; and (3) an amount equal to 85% of the

1 proceeds of the taxes collected within the Counties of DuPage,
2 Kane, Lake, McHenry and Will shall be allocated 70% to the
3 Commuter Rail Board and 30% to the Suburban Bus Board.

4 (e) This subsection applies only until the Department
5 begins administering and enforcing an increased tax under
6 Section 4.03(m) as authorized by this amendatory Act of the
7 95th General Assembly. Moneys received by the Authority on
8 account of transfers to the Regional Transportation Authority
9 Occupation and Use Tax Replacement Fund from the State and
10 Local Sales Tax Reform Fund shall be allocated among the
11 Authority and the Service Boards as follows: 15% of such
12 moneys shall be retained by the Authority and the remaining
13 85% shall be transferred to the Service Boards as soon as may
14 be practicable after the Authority receives payment. Moneys
15 which are distributable to the Service Boards pursuant to the
16 preceding sentence shall be allocated among the Service Boards
17 on the basis of each Service Board's distribution ratio. The
18 term "distribution ratio" means, for purposes of this
19 subsection (e) of this Section 4.01, the ratio of the total
20 amount distributed to a Service Board pursuant to subsection
21 (d) of Section 4.01 for the immediately preceding calendar
22 year to the total amount distributed to all of the Service
23 Boards pursuant to subsection (d) of Section 4.01 for the
24 immediately preceding calendar year.

25 (f) To carry out its duties and responsibilities under
26 this Act, the Board shall employ staff which shall: (1)

1 propose for adoption by the Board of the Authority rules for
2 the Service Boards that establish (i) forms and schedules to
3 be used and information required to be provided with respect
4 to a five-year capital program, annual budgets, and two-year
5 financial plans and regular reporting of actual results
6 against adopted budgets and financial plans, (ii) financial
7 practices to be followed in the budgeting and expenditure of
8 public funds, (iii) assumptions and projections that must be
9 followed in preparing and submitting its annual budget and
10 two-year financial plan or a five-year capital program; (2)
11 evaluate for the Board public transportation programs operated
12 or proposed by the Service Boards and transportation agencies
13 in terms of the goals and objectives set out in the Strategic
14 Plan; (3) keep the Board and the public informed of the extent
15 to which the Service Boards and transportation agencies are
16 meeting the goals and objectives adopted by the Authority in
17 the Strategic Plan; and (4) assess the efficiency or adequacy
18 of public transportation services provided by a Service Board
19 and make recommendations for change in that service to the end
20 that the moneys available to the Authority may be expended in
21 the most economical manner possible with the least possible
22 duplication.

23 (g) All Service Boards, transportation agencies,
24 comprehensive planning agencies, including the Chicago
25 Metropolitan Agency for Planning, or transportation planning
26 agencies in the metropolitan region shall furnish to the

1 Authority such information pertaining to public transportation
2 or relevant for plans therefor as it may from time to time
3 require. The Executive Director, or his or her designee,
4 shall, for the purpose of securing any such information
5 necessary or appropriate to carry out any of the powers and
6 responsibilities of the Authority under this Act, have access
7 to, and the right to examine, all books, documents, papers or
8 records of a Service Board or any transportation agency
9 receiving funds from the Authority or Service Board, and such
10 Service Board or transportation agency shall comply with any
11 request by the Executive Director, or his or her designee,
12 within 30 days or an extended time provided by the Executive
13 Director.

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

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

23 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

24 (70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

25 Sec. 4.09. Public Transportation Fund and the Regional

1 Transportation Authority Occupation and Use Tax Replacement
2 Fund.

3 (a)(1) Except as otherwise provided in paragraph (4), as
4 soon as possible after the first day of each month, beginning
5 July 1, 1984, upon certification of the Department of Revenue,
6 the Comptroller shall order transferred and the Treasurer
7 shall transfer from the General Revenue Fund to a special fund
8 in the State Treasury to be known as the Public Transportation
9 Fund an amount equal to 25% of the net revenue, before the
10 deduction of the serviceman and retailer discounts pursuant to
11 Section 9 of the Service Occupation Tax Act and Section 3 of
12 the Retailers' Occupation Tax Act, realized from any tax
13 imposed by the Authority pursuant to Sections 4.03 and 4.03.1
14 and 25% of the amounts deposited into the Regional
15 Transportation Authority tax fund created by Section 4.03 of
16 this Act, from the County and Mass Transit District Fund as
17 provided in Section 6z-20 of the State Finance Act and 25% of
18 the amounts deposited into the Regional Transportation
19 Authority Occupation and Use Tax Replacement Fund from the
20 State and Local Sales Tax Reform Fund as provided in Section
21 6z-17 of the State Finance Act. On the first day of the month
22 following the date that the Department receives revenues from
23 increased taxes under Section 4.03(m) as authorized by Public
24 Act 95-708, in lieu of the transfers authorized in the
25 preceding sentence, upon certification of the Department of
26 Revenue, the Comptroller shall order transferred and the

1 Treasurer shall transfer from the General Revenue Fund to the
2 Public Transportation Fund an amount equal to 25% of the net
3 revenue, before the deduction of the serviceman and retailer
4 discounts pursuant to Section 9 of the Service Occupation Tax
5 Act and Section 3 of the Retailers' Occupation Tax Act,
6 realized from (i) 80% of the proceeds of any tax imposed by the
7 Authority at a rate of 1.25% in Cook County, (ii) 75% of the
8 proceeds of any tax imposed by the Authority at the rate of 1%
9 in Cook County, and (iii) one-third of the proceeds of any tax
10 imposed by the Authority at the rate of 0.75% in the Counties
11 of DuPage, Kane, Lake, McHenry, and Will, all pursuant to
12 Section 4.03, and 25% of the net revenue realized from any tax
13 imposed by the Authority pursuant to Section 4.03.1, and 25%
14 of the amounts deposited into the Regional Transportation
15 Authority tax fund created by Section 4.03 of this Act from the
16 County and Mass Transit District Fund as provided in Section
17 6z-20 of the State Finance Act, and 25% of the amounts
18 deposited into the Regional Transportation Authority
19 Occupation and Use Tax Replacement Fund from the State and
20 Local Sales Tax Reform Fund as provided in Section 6z-17 of the
21 State Finance Act. As used in this Section, net revenue
22 realized for a month shall be the revenue collected by the
23 State pursuant to Sections 4.03 and 4.03.1 during the previous
24 month from within the metropolitan region, less the amount
25 paid out during that same month as refunds to taxpayers for
26 overpayment of liability in the metropolitan region under

1 Sections 4.03 and 4.03.1.

2 Notwithstanding any provision of law to the contrary,
3 beginning on July 6, 2017 (the effective date of Public Act
4 100-23), those amounts required under this paragraph (1) of
5 subsection (a) to be transferred by the Treasurer into the
6 Public Transportation Fund from the General Revenue Fund shall
7 be directly deposited into the Public Transportation Fund as
8 the revenues are realized from the taxes indicated.

9 (2) Except as otherwise provided in paragraph (4), on
10 February 1, 2009 (the first day of the month following the
11 effective date of Public Act 95-708) and each month
12 thereafter, upon certification by the Department of Revenue,
13 the Comptroller shall order transferred and the Treasurer
14 shall transfer from the General Revenue Fund to the Public
15 Transportation Fund an amount equal to 5% of the net revenue,
16 before the deduction of the serviceman and retailer discounts
17 pursuant to Section 9 of the Service Occupation Tax Act and
18 Section 3 of the Retailers' Occupation Tax Act, realized from
19 any tax imposed by the Authority pursuant to Sections 4.03 and
20 4.03.1 and certified by the Department of Revenue under
21 Section 4.03(n) of this Act to be paid to the Authority and 5%
22 of the amounts deposited into the Regional Transportation
23 Authority tax fund created by Section 4.03 of this Act from the
24 County and Mass Transit District Fund as provided in Section
25 6z-20 of the State Finance Act, and 5% of the amounts deposited
26 into the Regional Transportation Authority Occupation and Use

1 Tax Replacement Fund from the State and Local Sales Tax Reform
2 Fund as provided in Section 6z-17 of the State Finance Act, and
3 5% of the revenue realized by the Chicago Transit Authority as
4 financial assistance from the City of Chicago from the
5 proceeds of any tax imposed by the City of Chicago under
6 Section 8-3-19 of the Illinois Municipal Code.

7 Notwithstanding any provision of law to the contrary,
8 beginning on July 6, 2017 (the effective date of Public Act
9 100-23), those amounts required under this paragraph (2) of
10 subsection (a) to be transferred by the Treasurer into the
11 Public Transportation Fund from the General Revenue Fund shall
12 be directly deposited into the Public Transportation Fund as
13 the revenues are realized from the taxes indicated.

14 (3) Except as otherwise provided in paragraph (4), as soon
15 as possible after the first day of January, 2009 and each month
16 thereafter, upon certification of the Department of Revenue
17 with respect to the taxes collected under Section 4.03, the
18 Comptroller shall order transferred and the Treasurer shall
19 transfer from the General Revenue Fund to the Public
20 Transportation Fund an amount equal to 25% of the net revenue,
21 before the deduction of the serviceman and retailer discounts
22 pursuant to Section 9 of the Service Occupation Tax Act and
23 Section 3 of the Retailers' Occupation Tax Act, realized from
24 (i) 20% of the proceeds of any tax imposed by the Authority at
25 a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any
26 tax imposed by the Authority at the rate of 1% in Cook County,

1 and (iii) one-third of the proceeds of any tax imposed by the
2 Authority at the rate of 0.75% in the Counties of DuPage, Kane,
3 Lake, McHenry, and Will, all pursuant to Section 4.03, and the
4 Comptroller shall order transferred and the Treasurer shall
5 transfer from the General Revenue Fund to the Public
6 Transportation Fund (iv) an amount equal to 25% of the revenue
7 realized by the Chicago Transit Authority as financial
8 assistance from the City of Chicago from the proceeds of any
9 tax imposed by the City of Chicago under Section 8-3-19 of the
10 Illinois Municipal Code.

11 Notwithstanding any provision of law to the contrary,
12 beginning on July 6, 2017 (the effective date of Public Act
13 100-23), those amounts required under this paragraph (3) of
14 subsection (a) to be transferred by the Treasurer into the
15 Public Transportation Fund from the General Revenue Fund shall
16 be directly deposited into the Public Transportation Fund as
17 the revenues are realized from the taxes indicated.

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

25 (5) (Blank).

26 (6) (Blank).

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

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

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

1 provided in Section 4.03.3. The Comptroller, as soon as
2 possible after each deposit into the Regional Transportation
3 Authority Occupation and Use Tax Replacement Fund provided in
4 this Section and Section 6z-17 of the State Finance Act, shall
5 order the Treasurer to pay to the Authority out of the Regional
6 Transportation Authority Occupation and Use Tax Replacement
7 Fund the amount so deposited. Such amounts paid to the
8 Authority may be expended by it for its purposes as provided in
9 this Act. The provisions directing the distributions from the
10 Public Transportation Fund and the Regional Transportation
11 Authority Occupation and Use Tax Replacement Fund provided for
12 in this Section shall constitute an irrevocable and continuing
13 appropriation of all amounts as provided herein. The State
14 Treasurer and State Comptroller are hereby authorized and
15 directed to make distributions as provided in this Section.

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

23 (c) In recognition of the efforts of the Authority to
24 enhance the mass transportation facilities under its control,
25 the State shall provide financial assistance ("Additional
26 State Assistance") in excess of the amounts transferred to the

1 Authority from the General Revenue Fund under subsection (a)
2 of this Section. Additional State Assistance shall be
3 calculated as provided in subsection (d), but shall in no
4 event exceed the following specified amounts with respect to
5 the following State fiscal years:

6	1990	\$5,000,000;
7	1991	\$5,000,000;
8	1992	\$10,000,000;
9	1993	\$10,000,000;
10	1994	\$20,000,000;
11	1995	\$30,000,000;
12	1996	\$40,000,000;
13	1997	\$50,000,000;
14	1998	\$55,000,000; and
15	each year thereafter	\$55,000,000.

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

25	2000	\$0;
26	2001	\$16,000,000;

1 2002 \$35,000,000;
2 2003 \$54,000,000;
3 2004 \$73,000,000;
4 2005 \$93,000,000; and
5 each year thereafter \$100,000,000.

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

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

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

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

26 (4) The amount of interest, if any, earned by the

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

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

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

18 On the first day of each month of the State fiscal year in
19 which there are bonds outstanding with respect to which the
20 certification is made, the State Comptroller shall order
21 transferred and the State Treasurer shall transfer from the
22 Road Fund to the Public Transportation Fund the Additional
23 State Assistance and Additional Financial Assistance in an
24 amount equal to the aggregate of (i) one-twelfth of the sum of
25 the amounts certified under items (1) and (3) above less the
26 amount certified under item (4) above, plus (ii) the amount

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

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

21 (B) In no event shall the total transfers in any State
22 fiscal year relating to outstanding bonds and notes issued
23 by the Authority under subdivision (g)(3) of Section 4.04
24 exceed the lesser of the annual maximum amount specified
25 in subsection (c-5) or the sum of the amounts certified
26 under items (1) and (3) above, plus the actual debt

1 service certified under item (2) above, less the amount
2 certified under item (4) above, with respect to those
3 bonds and notes.

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

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

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

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

24 (i) whether the aggregate of all system generated
25 revenues for public transportation in the metropolitan
26 region which is provided by, or under grant or purchase of

1 service contracts with, the Service Boards equals 50% of
2 the aggregate of all costs of providing such public
3 transportation, excluding, beginning with the
4 determination next following the effective date of this
5 amendatory Act of the 103rd General Assembly, fares and
6 charges for mass transportation to be collected by the
7 Suburban Bus Board within any area within its jurisdiction
8 in which more than 45% of households are low-income
9 households or very low-income households, as those terms
10 are defined in Section 3 of the Illinois Affordable
11 Housing Act, and any area in its jurisdiction in which
12 more than 45% of residents are minority persons, as that
13 term is defined in Section 2 of the Business Enterprise
14 for Minorities, Women, and Persons with Disabilities Act.

15 "System generated revenues" include all the proceeds of
16 fares and charges for services provided, contributions
17 received in connection with public transportation from
18 units of local government other than the Authority, except
19 for contributions received by the Chicago Transit
20 Authority from a real estate transfer tax imposed under
21 subsection (i) of Section 8-3-19 of the Illinois Municipal
22 Code, and from the State pursuant to subsection (i) of
23 Section 2705-305 of the Department of Transportation Law,
24 and all other revenues properly included consistent with
25 generally accepted accounting principles but may not
26 include: the proceeds from any borrowing, and, beginning

1 with the 2007 fiscal year, all revenues and receipts,
2 including but not limited to fares and grants received
3 from the federal, State or any unit of local government or
4 other entity, derived from providing ADA paratransit
5 service pursuant to Section 2.30 of the Regional
6 Transportation Authority Act. "Costs" include all items
7 properly included as operating costs consistent with
8 generally accepted accounting principles, including
9 administrative costs, but do not include: depreciation;
10 payment of principal and interest on bonds, notes or other
11 evidences of obligations for borrowed money of the
12 Authority; payments with respect to public transportation
13 facilities made pursuant to subsection (b) of Section
14 2.20; any payments with respect to rate protection
15 contracts, credit enhancements or liquidity agreements
16 made under Section 4.14; any other cost as to which it is
17 reasonably expected that a cash expenditure will not be
18 made; costs for passenger security including grants,
19 contracts, personnel, equipment and administrative
20 expenses, except in the case of the Chicago Transit
21 Authority, in which case the term does not include costs
22 spent annually by that entity for protection against crime
23 as required by Section 27a of the Metropolitan Transit
24 Authority Act; the costs of Debt Service paid by the
25 Chicago Transit Authority, as defined in Section 12c of
26 the Metropolitan Transit Authority Act, or bonds or notes

1 issued pursuant to that Section; the payment by the
2 Commuter Rail Division of debt service on bonds issued
3 pursuant to Section 3B.09; expenses incurred by the
4 Suburban Bus Division for the cost of new public
5 transportation services funded from grants pursuant to
6 Section 2.01e of this Act for a period of 2 years from the
7 date of initiation of each such service; costs as exempted
8 by the Board for projects pursuant to Section 2.09 of this
9 Act; or, beginning with the 2007 fiscal year, expenses
10 related to providing ADA paratransit service pursuant to
11 Section 2.30 of the Regional Transportation Authority Act;
12 or in fiscal years 2008 through 2012 inclusive, costs in
13 the amount of \$200,000,000 in fiscal year 2008, reducing
14 by \$40,000,000 in each fiscal year thereafter until this
15 exemption is eliminated. If said system generated revenues
16 are less than 50% of said costs, the Board shall remit an
17 amount equal to the amount of the deficit to the State;
18 however, due to the fiscal impacts from the COVID-19
19 pandemic, for fiscal years 2021, 2022, 2023, 2024, and
20 2025, no such payment shall be required. The Treasurer
21 shall deposit any such payment in the Road Fund; and

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

1 paratransit services, excluding, beginning with the
2 determination next following the effective date of this
3 amendatory Act of the 103rd General Assembly, fares and
4 charges for mass transportation to be collected by the
5 Suburban Bus Board within any area within its jurisdiction
6 in which more than 45% of households are low-income
7 households or very low-income households, as those terms
8 are defined in Section 3 of the Illinois Affordable
9 Housing Act, and any area in its jurisdiction in which
10 more than 45% of residents are minority persons, as that
11 term is defined in Section 2 of the Business Enterprise
12 for Minorities, Women, and Persons with Disabilities Act.

13 (h) If the Authority makes any payment to the State under
14 paragraph (g), the Authority shall reduce the amount provided
15 to a Service Board from funds transferred under paragraph (a)
16 in proportion to the amount by which that Service Board failed
17 to meet its required system generated revenues recovery ratio.
18 A Service Board which is affected by a reduction in funds under
19 this paragraph shall submit to the Authority concurrently with
20 its next due quarterly report a revised budget incorporating
21 the reduction in funds. The revised budget must meet the
22 criteria specified in clauses (i) through (vi) of Section
23 4.11(b)(2). The Board shall review and act on the revised
24 budget as provided in Section 4.11(b)(3).

25 (Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

1 (70 ILCS 3615/4.11) (from Ch. 111 2/3, par. 704.11)

2 Sec. 4.11. Budget Review Powers.

3 (a) Based upon estimates which shall be given to the
4 Authority by the Director of the Governor's Office of
5 Management and Budget (formerly Bureau of the Budget) of the
6 receipts to be received by the Authority from the taxes
7 imposed by the Authority and the authorized estimates of
8 amounts to be available from State and other sources to the
9 Service Boards, and the times at which such receipts and
10 amounts will be available, the Board shall, not later than the
11 next preceding September 15th prior to the beginning of the
12 Authority's next fiscal year, advise each Service Board of the
13 amounts estimated by the Board to be available for such
14 Service Board during such fiscal year and the two following
15 fiscal years and the times at which such amounts will be
16 available. The Board shall, at the same time, also advise each
17 Service Board of its required system generated revenues
18 recovery ratio for the next fiscal year which shall be the
19 percentage of the aggregate costs of providing public
20 transportation by or under jurisdiction of that Service Board
21 which must be recovered from system generated revenues. The
22 Board shall, at the same time, consider the written
23 determination of the Executive Director, made pursuant to
24 Section 2.01d, of the costs of ADA paratransit services that
25 are required to be provided under the federal Americans with
26 Disabilities Act of 1990 and its implementing regulations, and

1 shall amend the current year budgets of the Authority and the
2 Service Boards to provide for additional funding for the
3 provision of ADA paratransit services, if needed. The Board
4 shall, at the same time, ~~beginning with the 2007 fiscal year,~~
5 also advise each Service Board that provides ADA paratransit
6 services of its required system generated ADA paratransit
7 services revenue recovery ratio for the next fiscal year which
8 shall be the percentage of the aggregate costs of providing
9 ADA paratransit services by or under jurisdiction of that
10 Service Board which must be recovered from fares charged for
11 such services, except that such required system generated ADA
12 paratransit services revenue recovery ratio shall not exceed
13 the minimum percentage established pursuant to Section
14 4.01(b)(ii) of this Act and except that, beginning in the
15 fiscal year next following the effective date of this
16 amendatory Act of the 103rd General Assembly, the Suburban Bus
17 Board's revenue recovery ratio does not include fares for any
18 area within the jurisdiction of the Suburban Bus Division
19 where more than 45% of households are low-income households or
20 very low-income households, as those terms are defined in
21 Section 3 of the Illinois Affordable Housing Act, or any area
22 within the jurisdiction of the Suburban Bus Division in which
23 more than 45% of residents are minority persons, as that term
24 is defined in Section 2 of the Business Enterprise for
25 Minorities, Women, and Persons with Disabilities Act. In
26 determining a Service Board's system generated revenue

1 recovery ratio, the Board shall consider the historical system
2 generated revenues recovery ratio for the services subject to
3 the jurisdiction of that Service Board. The Board shall not
4 increase a Service Board's system generated revenues recovery
5 ratio for the next fiscal year over such ratio for the current
6 fiscal year disproportionately or prejudicially to increases
7 in such ratios for other Service Boards. The Board may, by
8 ordinance, provide that (i) the cost of research and
9 development projects in the fiscal year beginning January 1,
10 1986 and ending December 31, 1986 conducted pursuant to
11 Section 2.09 of this Act, (ii) the costs for passenger
12 security, and (iii) expenditures of amounts granted to a
13 Service Board from the Innovation, Coordination, and
14 Enhancement Fund for operating purposes may be exempted from
15 the farebox recovery ratio or the system generated revenues
16 recovery ratio of the Chicago Transit Authority, the Suburban
17 Bus Board, and the Commuter Rail Board, or any of them. During
18 fiscal years 2008 through 2012, the Board may also allocate
19 the exemption of \$200,000,000 and the reducing amounts of
20 costs provided by this amendatory Act of the 95th General
21 Assembly from the farebox recovery ratio or system generated
22 revenues recovery ratio of each Service Board.

23 (b) (1) Not later than the next preceding November 15 prior
24 to the commencement of such fiscal year, each Service Board
25 shall submit to the Authority its proposed budget for such
26 fiscal year and its proposed financial plan for the two

1 following fiscal years. Such budget and financial plan shall
2 (i) be prepared in the format, follow the financial and
3 budgetary practices, and be based on any assumptions and
4 projections required by the Authority and (ii) not project or
5 assume a receipt of revenues from the Authority in amounts
6 greater than those set forth in the estimates provided by the
7 Authority pursuant to subsection (a) of this Section.

8 (2) The Board shall review the proposed budget and
9 two-year financial plan submitted by each Service Board. The
10 Board shall approve the budget and two-year financial plan of
11 a Service Board if:

12 (i) such budget and plan show a balance between (A)
13 anticipated revenues from all sources including operating
14 subsidies and (B) the costs of providing the services
15 specified and of funding any operating deficits or
16 encumbrances incurred in prior periods, including
17 provision for payment when due of principal and interest
18 on outstanding indebtedness;

19 (ii) such budget and plan show cash balances including
20 the proceeds of any anticipated cash flow borrowing
21 sufficient to pay with reasonable promptness all costs and
22 expenses as incurred;

23 (iii) such budget and plan provide for a level of
24 fares or charges and operating or administrative costs for
25 the public transportation provided by or subject to the
26 jurisdiction of such Service Board sufficient to allow the

1 Service Board to meet its required system generated
2 revenue recovery ratio and, beginning with the 2007 fiscal
3 year, system generated ADA paratransit services revenue
4 recovery ratio;

5 (iv) such budget and plan are based upon and employ
6 assumptions and projections which are reasonable and
7 prudent;

8 (v) such budget and plan have been prepared in
9 accordance with sound financial practices as determined by
10 the Board;

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

14 (vii) such budget and plan are consistent with the
15 goals and objectives adopted by the Authority in the
16 Strategic Plan.

17 (3) (Blank).

18 (4) Unless the Board by an affirmative vote of 12 of the
19 then Directors determines that the budget and financial plan
20 of a Service Board meets the criteria specified in clauses (i)
21 through (vii) of subparagraph (2) of this paragraph (b), the
22 Board shall withhold from that Service Board 25% of the cash
23 proceeds of taxes imposed by the Authority under Section 4.03
24 and Section 4.03.1 and received after February 1 and 25% of the
25 amounts transferred to the Authority from the Public
26 Transportation Fund under Section 4.09(a) (but not including

1 Section 4.09(a)(3)(iv)) after February 1 that the Board has
2 estimated to be available to that Service Board under Section
3 4.11(a). Such funding shall be released to the Service Board
4 only upon approval of a budget and financial plan under this
5 Section or adoption of a budget and financial plan on behalf of
6 the Service Board by the Authority.

7 (5) If the Board has not found that the budget and
8 financial plan of a Service Board meets the criteria specified
9 in clauses (i) through (vii) of subparagraph (2) of this
10 paragraph (b), the Board, by the affirmative vote of at least
11 12 of its then Directors, shall adopt a budget and financial
12 plan meeting such criteria for that Service Board.

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

1 shall within 30 days after receipt of such advice submit a
2 revised budget incorporating such revised estimates or ratio.

3 (2) Each Service Board shall, within such period after the
4 end of each fiscal quarter as shall be specified by the Board,
5 report to the Authority its financial condition and results of
6 operations and the financial condition and results of
7 operations of the public transportation services subject to
8 its jurisdiction, as at the end of and for such quarter. If in
9 the judgment of the Board such condition and results are not
10 substantially in accordance with such Service Board's budget
11 for such period, the Board shall so advise such Service Board
12 and such Service Board shall within the period specified by
13 the Board submit a revised budget incorporating such results.

14 (3) If the Board shall determine that a revised budget
15 submitted by a Service Board pursuant to subparagraph (1) or
16 (2) of this paragraph (c) does not meet the criteria specified
17 in clauses (i) through (vii) of subparagraph (2) of paragraph
18 (b) of this Section, the Board shall withhold from that
19 Service Board 25% of the cash proceeds of taxes imposed by the
20 Authority under Section 4.03 or 4.03.1 and received by the
21 Authority after February 1 and 25% of the amounts transferred
22 to the Authority from the Public Transportation Fund under
23 Section 4.09(a) (but not including Section 4.09(a)(3)(iv))
24 after February 1 that the Board has estimated to be available
25 to that Service Board under Section 4.11(a). If the Service
26 Board submits a revised financial plan and budget which plan

1 and budget shows that the criteria will be met within a four
2 quarter period, the Board shall release any such withheld
3 funds to the Service Board. The Board by the affirmative vote
4 of at least 12 of its then Directors may require a Service
5 Board to submit a revised financial plan and budget which
6 shows that the criteria will be met in a time period less than
7 four quarters.

8 (d) All budgets and financial plans, financial statements,
9 audits and other information presented to the Authority
10 pursuant to this Section or which may be required by the Board
11 to permit it to monitor compliance with the provisions of this
12 Section shall be prepared and presented in such manner and
13 frequency and in such detail as shall have been prescribed by
14 the Board, shall be prepared on both an accrual and cash flow
15 basis as specified by the Board, shall present such
16 information as the Authority shall prescribe that fairly
17 presents the condition of any pension plan or trust for health
18 care benefits with respect to retirees established by the
19 Service Board and describes the plans of the Service Board to
20 meet the requirements of Sections 4.02a and 4.02b, and shall
21 identify and describe the assumptions and projections employed
22 in the preparation thereof to the extent required by the
23 Board. If the Executive Director certifies that a Service
24 Board has not presented its budget and two-year financial plan
25 in conformity with the rules adopted by the Authority under
26 the provisions of Section 4.01(f) and this subsection (d), and

1 such certification is accepted by the affirmative vote of at
2 least 12 of the then Directors of the Authority, the Authority
3 shall not distribute to that Service Board any funds for
4 operating purposes in excess of the amounts distributed for
5 such purposes to the Service Board in the previous fiscal
6 year. Except when the Board adopts a budget and a financial
7 plan for a Service Board under paragraph (b)(5), a Service
8 Board shall provide for such levels of transportation services
9 and fares or charges therefor as it deems appropriate and
10 necessary in the preparation of a budget and financial plan
11 meeting the criteria set forth in clauses (i) through (vii) of
12 subparagraph (2) of paragraph (b) of this Section. The
13 Authority shall have access to and the right to examine and
14 copy all books, documents, papers, records, or other source
15 data of a Service Board relevant to any information submitted
16 pursuant to this Section.

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

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

2 (70 ILCS 3615/4.17 new)

3 Sec. 4.17. Funding for certain areas. The Authority must
4 provide the Suburban Bus Division with any funding assistance
5 the Suburban Bus Board determines is needed to maintain routes
6 in any area within the jurisdiction of the Suburban Bus Board
7 in which more than 45% of households are low-income households
8 or very low-income households, as those terms are defined in
9 Section 3 of the Illinois Affordable Housing Act, and any area
10 within the jurisdiction of the Suburban Bus Board in which
11 more than 45% of residents are minority persons, as that term
12 is defined in Section 2 of the Business Enterprise for
13 Minorities, Women, and Persons with Disabilities Act. The
14 Suburban Bus Board must annually, before the close of the
15 Suburban Bus Board's fiscal year, provide to the Authority (i)
16 the boundaries of each area within the jurisdiction of the
17 Suburban Bus Board in which more than 45% of households are
18 low-income households or very low-income households and each
19 area within the jurisdiction of the Suburban Bus Board in
20 which more than 45% of residents are minority persons and (ii)
21 the amount of funding assistance needed to maintain those
22 routes.

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

1 (30 ILCS 805/8.47 new)

2 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and
3 8 of this Act, no reimbursement by the State is required for
4 the implementation of any mandate created by this amendatory
5 Act of the 103rd General Assembly.

1

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2

Statutes amended in order of appearance

3

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

4

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

5

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

6

70 ILCS 3615/4.17 new

7

30 ILCS 805/8.47 new