

1 AMENDMENT TO SENATE BILL 1848

2 AMENDMENT NO. _____. Amend Senate Bill 1848 by replacing
3 the title with the following:

4 "AN ACT in relation to the Illinois State Toll Highway
5 Authority."; and

6 by replacing everything after the enacting clause with the
7 following:

8 "Section 5. The Toll Highway Act is amended by changing
9 Sections 10, 11, 17, and 27.1 and by adding Sections 8.1,
10 9.65, 16.2, and 20.2 as follows:

11 (605 ILCS 10/8.1 new)

12 Sec. 8.1. Inspector General.

13 (a) The Governor must, with the advice and consent of
14 the Senate, appoint an Inspector General for the purpose of
15 detection, deterrence, and prevention of fraud, corruption,
16 and mismanagement in the Authority. The Inspector General
17 shall serve a 2-year term. If no successor is appointed and
18 qualified upon the expiration of the Inspector General's
19 term, the Office of Inspector General is deemed vacant and
20 the powers and duties under this Section may be exercised
21 only by an appointed and qualified interim Inspector General

1 until a successor Inspector General is appointed and
2 qualified. If the General Assembly is not in session when a
3 vacancy in the Office of Inspector General occurs, the
4 Governor may appoint an interim Inspector General whose term
5 shall expire 2 weeks after the next regularly scheduled
6 session day of the Senate.

7 (b) The Inspector General shall have the following
8 qualifications:

9 (1) has not been convicted of any felony under the
10 laws of this State, another State, or the United States;

11 (2) has earned a baccalaureate degree from an
12 institution of higher education; and

13 (3) has either (A) 5 or more years of service with
14 a federal, State, or local law enforcement agency, at
15 least 2 years of which have been in a progressive
16 investigatory capacity; (B) 5 or more years of service as
17 a federal, State, or local prosecutor; or (C) 5 or more
18 years of service as a senior manager or executive of a
19 federal, State, or local agency.

20 (c) The Inspector General may review, coordinate, and
21 recommend methods and procedures to increase the integrity of
22 the Authority. The Inspector General must report directly to
23 the Governor.

24 (d) In addition to the authority otherwise provided by
25 this Section, but only when investigating the Authority, its
26 employees, or their actions for fraud, corruption, or
27 mismanagement, the Inspector General is authorized:

28 (1) To have access to all records, reports, audits,
29 reviews, documents, papers, recommendations, or other
30 materials available that relate to programs and
31 operations with respect to which the Inspector General
32 has responsibilities under this Section.

33 (2) To make any investigations and reports relating
34 to the administration of the programs and operations of

1 the Authority that are, in the judgment of the Inspector
2 General, necessary or desirable.

3 (3) To request any information or assistance that
4 may be necessary for carrying out the duties and
5 responsibilities provided by this Section from any local,
6 State, or federal governmental agency or unit thereof.

7 (4) To issue subpoenas subject to the advance
8 approval of the Attorney General, and to compel the
9 attendance of witnesses for purposes of testimony and the
10 production of documents and other items for inspection
11 and copying. If a person has petitioned a court of
12 competent jurisdiction in Cook County, Sangamon County,
13 or any county where the subpoena is sought to be enforced
14 for a protective order or to quash or modify the
15 subpoena, then this Section does not apply during the
16 pendency of the court proceedings concerning the
17 petition. A person duly subpoenaed for testimony,
18 documents, or other items who neglects or refuses to
19 testify or produce documents or other items under the
20 requirements of the subpoena shall be subject to
21 punishment as may be determined by a court of competent
22 jurisdiction, unless (i) the testimony, documents, or
23 other items are covered by the attorney-client privilege
24 or any other privilege recognized by law or (ii) the
25 testimony, documents, or other items concern the
26 representation of employees and the negotiation of
27 collective bargaining agreements by a labor organization
28 authorized and recognized under the Illinois Public Labor
29 Relations Act to be the exclusive bargaining
30 representatives of employees of the State agency. Nothing
31 in this Section limits a person's right to protection
32 against self-incrimination under the Fifth Amendment of
33 the United States Constitution or Article I, Section 10,
34 of the Constitution of the State of Illinois.

1 (5) To have direct and prompt access to the Board
2 of Directors of the Authority for any purpose pertaining
3 to the performance of functions and responsibilities
4 under this Section.

5 (f) The Inspector General may receive and investigate
6 complaints or information from an employee of the Authority
7 concerning the possible existence of an activity constituting
8 a violation of law, rules, or regulations; mismanagement;
9 abuse of authority; or substantial and specific danger to the
10 public health and safety. The Inspector General shall have
11 the discretion to determine the appropriate means of
12 investigation as permitted by law and as approved in advance
13 by the Attorney General. Any employee who knowingly files a
14 false complaint or files a complaint with reckless disregard
15 for the truth or the falsity of the facts underlying the
16 complaint may be subject to discipline.

17 The Inspector General may not, after receipt of a
18 complaint or information from an employee, disclose the
19 identity of the employee without the consent of the employee.

20 Any employee who has the authority to recommend or
21 approve any personnel action or to direct others to recommend
22 or approve any personnel action may not, with respect to that
23 authority, take or threaten to take any action against any
24 employee as a reprisal for making a complaint or disclosing
25 information to the Inspector General, unless the complaint
26 was made or the information disclosed with the knowledge that
27 it was false or with willful disregard for its truth or
28 falsity.

29 (g) The Inspector General must adopt rules, in
30 accordance with the provisions of the Illinois Administrative
31 Procedure Act, establishing minimum requirements for
32 initiating, conducting, and completing investigations. The
33 rules must establish criteria for determining, based upon the
34 nature of the allegation, the appropriate method of

1 investigation, which may include, but is not limited to, site
2 visits, telephone contacts, personal interviews, or requests
3 for written responses. The rules must also clarify how the
4 Office of the Inspector General shall interact with other
5 local, State, and federal law enforcement investigations.

6 Any employee of the Authority subject to investigation or
7 inquiry by the Inspector General or any agent or
8 representative of the Inspector General shall have the right
9 to be notified of the right to remain silent during the
10 investigation or inquiry and the right to be represented in
11 the investigation or inquiry by a representative of a labor
12 organization that is the exclusive collective bargaining
13 representative of employees of the Authority. Any such
14 investigation or inquiry must be conducted in compliance with
15 the provisions of a collective bargaining agreement that
16 applies to the employees of the Authority. Any recommendation
17 for discipline or any action taken against any employee by
18 the Inspector General or any representative or agent of the
19 Inspector General must comply with the provisions of the
20 collective bargaining agreement that applies to the employee.

21 (h) The Inspector General shall provide to the Authority
22 and the General Assembly a summary of reports and
23 investigations made under this Section for the previous
24 fiscal year no later than January 1 of each year. The
25 summaries shall detail the final disposition of the Inspector
26 General's recommendations. The summaries shall not contain
27 any confidential or identifying information concerning the
28 subjects of the reports and investigations. The summaries
29 shall also include detailed, recommended administrative
30 actions and matters for consideration by the General
31 Assembly.

32 (i) The Office of the Inspector General shall be
33 represented in all legal matters by the Attorney General.

1 (605 ILCS 10/9.65 new)

2 Sec. 9.65. Construction of sound barriers. The
3 Authority shall use concrete masonry blocks to construct all
4 sound barriers along any portion of the toll highway system
5 that is constructed on or after the effective date of this
6 amendatory Act of the 93rd General Assembly.

7 (605 ILCS 10/10) (from Ch. 121, par. 100-10)

8 Sec. 10. The Authority shall have power:

9 (a) To pass resolutions, make by-laws, rules and
10 regulations for the management, regulation and control of its
11 affairs, and to fix tolls, and to make, enact and enforce all
12 needful rules and regulations in connection with the
13 construction, operation, management, care, regulation or
14 protection of its property or any toll highways, constructed
15 or reconstructed hereunder.

16 (a-5) To fix, assess, and collect civil fines for a
17 vehicle's operation on a toll highway without the required
18 toll having been paid. The Authority may establish by rule a
19 system of civil administrative adjudication to adjudicate
20 only alleged instances of a vehicle's operation on a toll
21 highway without the required toll having been paid, as
22 detected by the Authority's video or photo surveillance
23 system. In those cases in which the operator of the vehicle
24 is not the registered vehicle owner, the establishment of
25 ownership of the vehicle creates a rebuttable presumption
26 that the vehicle was being operated by an agent of the
27 registered vehicle owner. If the registered vehicle owner
28 liable for a violation under this Section was not the
29 operator of the vehicle at the time of the violation, the
30 owner may maintain an action for indemnification against the
31 operator in the circuit court. Rules establishing a system of
32 civil administrative adjudication must provide for written
33 notice, by first class mail or other means provided by law,

1 to the address of the registered owner of the cited vehicle
2 as recorded with the Secretary of State or to the lessee of
3 the cited vehicle at the last address known to the lessor of
4 the cited vehicle at the time of the lease, of the alleged
5 violation and an opportunity to be heard on the question of
6 the violation and must provide for the establishment of a
7 toll-free telephone number to receive inquiries concerning
8 alleged violations. The notice shall also inform the
9 registered vehicle owner that failure to contest in the
10 manner and time provided shall be deemed an admission of
11 liability and that a final order of liability may be entered.
12 A duly authorized agent of the Authority may perform or
13 execute the preparation, certification, affirmation, or
14 mailing of the notice. A notice of violation, sworn or
15 affirmed to or certified by a duly authorized agent of the
16 Authority, or a facsimile of the notice, based upon an
17 inspection of photographs, microphotographs, videotape, or
18 other recorded images produced by a video or photo
19 surveillance system, shall be admitted as prima facie
20 evidence of the correctness of the facts contained in the
21 notice or facsimile. Only civil fines, along with the
22 corresponding outstanding toll and costs, may be imposed by
23 administrative adjudication. A fine may be imposed under
24 this paragraph only if a violation is established by a
25 preponderance of the evidence. Judicial review of all final
26 orders of the Authority under this paragraph shall be
27 conducted in accordance with the Administrative Review Law.

28 Any outstanding toll, fine, additional late payment fine,
29 other sanction, or costs imposed, or part of any fine, other
30 sanction, or costs imposed, remaining unpaid after the
31 exhaustion of, or the failure to exhaust, judicial review
32 procedures under the Illinois Administrative Review Law are a
33 debt due and owing the Authority and may be collected in
34 accordance with applicable law. After expiration of the

1 period in which judicial review under the Illinois
2 Administrative Review Law may be sought, a final order of the
3 Authority under this subsection (a-5), unless stayed by a
4 court of competent jurisdiction, may be enforced in the same
5 manner as a judgment entered by a court of competent
6 jurisdiction. Upon being recorded in the manner required by
7 Article XII of the Code of Civil Procedure or by the Uniform
8 Commercial Code, a lien shall be imposed on the real estate
9 or personal estate or both of the party adjudicated liable in
10 the amount of any debt due and owing the Authority under this
11 Section. The lien may be enforced in the same manner as a
12 judgment lien pursuant to a judgment of a court of competent
13 jurisdiction.

14 A system of civil administrative adjudication may also
15 provide for a program of vehicle immobilization, towing, or
16 impoundment for the purpose of facilitating enforcement of
17 any final orders of the Authority under this subsection (a-5)
18 after expiration of the period in which judicial review under
19 the Illinois Administrative Review Law may be sought. The
20 registered vehicle owner of a vehicle immobilized, towed, or
21 impounded for nonpayment of a final order of the Authority
22 under this subsection (a-5) shall have the right to request a
23 hearing before the Authority's civil administrative
24 adjudicatory system to challenge the validity of the
25 immobilization, towing, or impoundment. This hearing,
26 however, shall not constitute a readjudication of the merits
27 of previously adjudicated notices. Judicial review of all
28 final orders of the Authority under this subsection (a-5)
29 shall be conducted in accordance with the Administrative
30 Review Law.

31 (b) To prescribe rules and regulations applicable to
32 traffic on highways under the jurisdiction of the Authority,
33 concerning:

34 (1) Types of vehicles permitted to use such

1 highways or parts thereof, and classification of such
2 vehicles;

3 (2) Designation of the lanes of traffic to be used
4 by the different types of vehicles permitted upon said
5 highways;

6 (3) Stopping, standing, and parking of vehicles;

7 (4) Control of traffic by means of police officers
8 or traffic control signals;

9 (5) Control or prohibition of processions, convoys,
10 and assemblages of vehicles and persons;

11 (6) Movement of traffic in one direction only on
12 designated portions of said highways;

13 (7) Control of the access, entrance, and exit of
14 vehicles and persons to and from said highways; and

15 (8) Preparation, location and installation of all
16 traffic signs; and to prescribe further rules and
17 regulations applicable to such traffic, concerning
18 matters not provided for either in the foregoing
19 enumeration or in the Illinois Vehicle Code. Notice of
20 such rules and regulations shall be posted conspicuously
21 and displayed at appropriate points and at reasonable
22 intervals along said highways, by clearly legible markers
23 or signs, to provide notice of the existence of such
24 rules and regulations to persons traveling on said
25 highways. At each toll station, the Authority shall make
26 available, free of charge, pamphlets containing all of
27 such rules and regulations.

28 (c) The Authority, in fixing the rate for tolls for the
29 privilege of using the said toll highways, is authorized and
30 directed, in fixing such rates, to base the same upon annual
31 estimates to be made, recorded and filed with the Authority.
32 Said estimates shall include the following: The estimated
33 total amount of the use of the toll highways; the estimated
34 amount of the revenue to be derived therefrom, which said

1 revenue, when added to all other receipts and income, will be
2 sufficient to pay the expense of maintaining and operating
3 said toll highways, including the administrative expenses of
4 the Authority, and to discharge all obligations of the
5 Authority as they become due and payable.

6 (d) To accept from any municipality or political
7 subdivision any lands, easements or rights in land needed for
8 the operation, construction, relocation or maintenance of any
9 toll highways, with or without payment therefor, and in its
10 discretion to reimburse any such municipality or political
11 subdivision out of its funds for any cost or expense incurred
12 in the acquisition of land, easements or rights in land, in
13 connection with the construction and relocation of the said
14 toll highways, widening, extending roads, streets or avenues
15 in connection therewith, or for the construction of any roads
16 or streets forming extension to and connections with or
17 between any toll highways, or for the cost or expense of
18 widening, grading, surfacing or improving any existing
19 streets or roads or the construction of any streets and roads
20 forming extensions of or connections with any toll highways
21 constructed, relocated, operated, maintained or regulated
22 hereunder by the Authority. Where property owned by a
23 municipality or political subdivision is necessary to the
24 construction of an approved toll highway, if the Authority
25 cannot reach an agreement with such municipality or political
26 subdivision and if the use to which the property is being put
27 in the hands of the municipality or political subdivision is
28 not essential to the existence or the administration of such
29 municipality or political subdivision, the Authority may
30 acquire the property by condemnation.

31 (Source: P.A. 89-120, eff. 7-7-95.)

32 (605 ILCS 10/11) (from Ch. 121, par. 100-11)

33 Sec. 11. The Authority shall have power:

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

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

14 (c) To provide for the collection of tolls and charges
15 for the privilege of using the said toll highways. Before it
16 adopts an increase in the rates for toll, the Authority shall
17 hold a public hearing at which any person may appear, express
18 opinions, suggestions, or objections, or direct inquiries
19 relating to the proposed increase. Any person may submit a
20 written statement to the Authority at the hearing, whether
21 appearing in person or not. The hearing shall be held in the
22 county in which the proposed increase of the rates is to take
23 place. The Authority shall give notice of the hearing by
24 advertisement on 3 successive days at least 15 days prior to
25 the date of the hearing in a daily newspaper of general
26 circulation within the county within which the hearing is
27 held. The notice shall state the date, time, and place of
28 the hearing, shall contain a description of the proposed
29 increase, and shall specify how interested persons may obtain
30 copies of any reports, resolutions, or certificates
31 describing the basis on which the proposed change,
32 alteration, or modification was calculated. After
33 consideration of any statements filed or oral opinions,
34 suggestions, objections, or inquiries made at the hearing,

1 the Authority may proceed to adopt the proposed increase of
2 the rates for toll. No change or alteration in or
3 modification of the rates for toll shall be effective unless
4 at least 30 days prior to the effective date of such rates
5 notice thereof shall be given to the public by publication in
6 a newspaper of general circulation, and such notice, or
7 notices, thereof shall be posted and publicly displayed at
8 each and every toll station upon or along said toll highways.

9 (d) To construct, at the Authority's discretion, grade
10 separations at intersections with any railroads, waterways,
11 street railways, streets, thoroughfares, public roads or
12 highways intersected by the said toll highways, and to change
13 and adjust the lines and grades thereof so as to accommodate
14 the same to the design of such grade separation and to
15 construct interchange improvements. The Authority is
16 authorized to provide such grade separations or interchange
17 improvements at its own cost or to enter into contracts or
18 agreements with reference to division of cost therefor with
19 any municipality or political subdivision of the State of
20 Illinois, or with the Federal Government, or any agency
21 thereof, or with any corporation, individual, firm, person or
22 association. Where such structures have been built by the
23 Authority and a local highway agency did not enter into an
24 agreement to the contrary, the Authority shall maintain the
25 entire structure, including the road surface, at the
26 Authority's expense.

27 (e) To contract with and grant concessions to or lease
28 or license to any person, partnership, firm, association or
29 corporation so desiring the use of any part of any toll
30 highways, excluding the paved portion thereof, but including
31 the right of way adjoining, under, or over said paved portion
32 for the placing of telephone, telegraph, electric, power
33 lines and other utilities, and for the placing of pipe lines,
34 and to enter into operating agreements with or to contract

1 with and grant concessions to or to lease to any person,
2 partnership, firm, association or corporation so desiring the
3 use of any part of the toll highways, excluding the paved
4 portion thereof, but including the right of way adjoining, or
5 over said paved portion for motor fuel service stations and
6 facilities, garages, stores and restaurants, or for any other
7 lawful purpose, and to fix the terms, conditions, rents,
8 rates and charges for such use.

9 The Authority shall also have power to establish
10 reasonable regulations for the installation, construction,
11 maintenance, repair, renewal, relocation and removal of
12 pipes, mains, conduits, cables, wires, towers, poles and
13 other equipment and appliances (herein called public
14 utilities) of any public utility as defined in the Public
15 Utilities Act along, over or under any toll road project.
16 Whenever the Authority shall determine that it is necessary
17 that any such public utility facilities which now are located
18 in, on, along, over or under any project or projects be
19 relocated or removed entirely from any such project or
20 projects, the public utility owning or operating such
21 facilities shall relocate or remove the same in accordance
22 with the order of the Authority. All costs and expenses of
23 such relocation or removal, including the cost of installing
24 such facilities in a new location or locations, and the cost
25 of any land or lands, or interest in land, or any other
26 rights required to accomplish such relocation or removal
27 shall be ascertained and paid by the Authority as a part of
28 the cost of any such project or projects, and further, there
29 shall be no rent, fee or other charge of any kind imposed
30 upon the public utility owning or operating any facilities
31 ordered relocated on the properties of the said Authority and
32 the said Authority shall grant to the said public utility
33 owning or operating said facilities and its successors and
34 assigns the right to operate the same in the new location or

1 locations for as long a period and upon the same terms and
2 conditions as it had the right to maintain and operate such
3 facilities in their former location or locations.

4 (f) To enter into a contract with a unit of local
5 government or other public or private entity under which the
6 Authority agrees to collect by electronic means tolls, fees,
7 or revenues on behalf of that entity.

8 (Source: P.A. 90-681, eff. 7-31-98.)

9 (605 ILCS 10/16.2 new)

10 Sec. 16.2. Financial benefit prohibited.

11 (a) A director, employee, or agent of the Authority may
12 not receive a financial benefit from a contract let by the
13 Authority during his or her term of service with the
14 Authority and for a period of one year following the
15 termination of his or her term of service as a director of
16 the Authority or as an employee or agent of the Authority.

17 (b) A member of the immediate family or household of a
18 director, employee, or agent of the Authority may not receive
19 a financial benefit from a contract let by the Authority
20 during the immediate family or household member's term of
21 service with the Authority and for a period of one year
22 following the termination of the immediate family or
23 household member's term of service as a director of the
24 Authority or as an employee or agent of the Authority.

25 (c) A director, employee, or agent of the Authority may
26 not use material non-public information for personal
27 financial gain nor may he or she disclose that information to
28 any other person for that person's personal financial gain
29 when that information was obtained as a result of his or her
30 directorship, employment, or agency with the Authority.

31 (d) A member of the immediate family or household of a
32 director, employee, or agent of the Authority may not use
33 material non-public information for personal financial gain

1 nor may he or she disclose that information to any other
2 person for that person's personal financial gain when that
3 information was obtained as a result of his or her immediate
4 family or household member's directorship, employment, or
5 agency with the Authority.

6 (e) For purposes of this Section, "immediate family or
7 household member" means the spouse, child, parent, brother,
8 sister, grandparent, or grandchild, whether of the whole
9 blood or half blood or by adoption, or a person who shares a
10 common dwelling with a director of the Authority or with an
11 employee or agent of the Authority.

12 (605 ILCS 10/17) (from Ch. 121, par. 100-17)

13 Sec. 17. (a) The Authority may from time to time issue
14 bonds for any lawful purpose including, without limitation,
15 the costs of issuance thereof and all such bonds or other
16 obligations of the Authority issued pursuant to this Act
17 shall be and are hereby declared to be negotiable for all
18 purposes notwithstanding their payment from a limited source
19 and without regard to any other law or laws.

20 (b) The bonds of every issue shall be payable solely out
21 of revenues of the Authority, accumulated reserves or sinking
22 funds, bond proceeds, proceeds of refunding bonds, or
23 investment earnings as the Authority shall specify in a bond
24 resolution.

25 (c) The bonds may be issued as serial bonds or as term
26 bonds, or the Authority, in its discretion, may issue bonds
27 of both types. The bonds shall be authorized by a bond
28 resolution of the Authority, may be issued in one or more
29 series and shall bear such date or dates, mature at such time
30 or times not exceeding 25 years from their respective date or
31 dates of issue, bear interest at such rate or rates, fixed or
32 variable, without regard to any limit contained in any other
33 statute or law of the State of Illinois, be payable as to

1 principal and interest at such time or times, be in such
2 denominations, be in such form, either coupon or fully
3 registered, carry such registration and conversion
4 privileges, be payable in lawful money of the United States
5 of America at such places, be subject to such terms of
6 redemption and may contain such other terms and provisions,
7 as such bond resolution or resolutions may provide. The
8 bonds shall be executed by the manual or facsimile signatures
9 of the Chairman and the Secretary. In case any of the
10 officers whose signature appears on the bonds or coupons, if
11 any, shall cease to be an officer before the delivery of such
12 bonds, such signature shall nevertheless be valid and
13 sufficient for all purposes, as if he had remained in office
14 until such delivery. The bonds shall be sold in such manner
15 as the Authority shall determine. The proceeds from the sale
16 of such bonds shall be paid to the Treasurer of the State of
17 Illinois as ex officio custodian. Pending preparation of the
18 definitive bonds, the Authority may issue interim receipts or
19 certificates which shall be exchanged for such definitive
20 bonds.

21 (d) Any bond resolution, or trust indenture entered into
22 pursuant to a bond resolution, may contain provisions, which
23 shall be a part of the contract with the holders of the bonds
24 to be authorized, as to: (i) pledging or creating a lien upon
25 all or part of the revenues of the Authority or any reserves,
26 sinking funds, bond proceeds or investment earnings; (ii) the
27 setting aside of reserves or sinking funds, and the
28 regulation, investment and disposition thereof; (iii) the use
29 and maintenance requirements for the toll highways; (iv) the
30 purposes to which or the investments in which the proceeds of
31 sale of any series or issue of bonds then or thereafter to be
32 issued may be applied; (v) the issuance of additional bonds,
33 the terms upon which additional bonds may be issued and
34 secured, the purposes for such additional bonds, and the

1 terms upon which additional bonds may rank on a parity with,
2 or be subordinate or superior to other bonds; (vi) the
3 refunding of outstanding bonds; (vii) the procedure, if any,
4 by which the terms of any contract with bondholders may be
5 amended or abrogated, the amount of bonds the holders of
6 which must consent thereto, and the manner in which such
7 consent may be given; (viii) defining the acts or omissions
8 to act which shall constitute a default in the duties of the
9 Authority to holders of its obligations and providing the
10 rights and remedies of such holders in the event of a
11 default; (ix) any other matters relating to the bonds which
12 the Authority deems desirable.

13 (e) Neither the directors of the Authority nor any
14 person executing the bonds shall be liable personally on the
15 bonds or be subject to any personal liability or
16 accountability by reason of the issuance thereof.

17 (f) The Authority shall have power out of any funds
18 available therefor to purchase its bonds. The Authority may
19 hold, pledge, cancel or resell such bonds subject to and in
20 accordance with agreements with bondholders.

21 (g) In the discretion of the Authority any bonds issued
22 under the provisions of this Act may be secured by a trust
23 indenture by and between the Authority and a trustee or
24 trustees, which may be any trust company or bank in the State
25 of Illinois having the powers of a trust company and
26 possessing capital and surplus of not less than \$50,000,000.
27 The bond resolution or trust indenture providing for the
28 issuance of bonds so secured shall pledge such revenues of
29 the Authority, sinking funds, bond proceeds, or investment
30 earnings as may be specified therein, may contain such
31 provisions for protecting and enforcing the rights and
32 remedies of the bondholders as may be reasonable and proper
33 and not in violation of law, including particularly such
34 provisions as have hereinabove been specifically authorized

1 to be included in any bond resolution or trust indenture of
2 the Authority, and may restrict the individual right of
3 action by bondholders. In addition to the foregoing, any
4 bond resolution or trust indenture may contain such other
5 provisions as the Authority may deem reasonable and proper
6 for the security of the bondholders, including, but not
7 limited to, the purchase of bond insurance and the
8 arrangement of letters of credit, lines of credit or other
9 credit or liquidity enhancement facilities; provided there
10 shall be no pledge of the toll highway or any part thereof.
11 All expenses incurred in carrying out the provisions of any
12 bond resolution or trust indenture may be treated as a part
13 of the cost of the operation of the toll highways.

14 (h) Bonds issued under the authority of this Act do not,
15 and shall state upon the face of each bond that they do not,
16 represent or constitute a debt of the Authority or of the
17 State of Illinois within the meaning of any constitutional or
18 statutory limitation or a pledge of the faith and credit of
19 the Authority or the State of Illinois, or grant to the
20 owners or holders thereof any right to have the Authority or
21 the General Assembly levy any taxes or appropriate any funds
22 for the payment of the principal thereof or interest thereon.
23 Such bonds shall be payable and shall state that they are
24 payable solely from the revenues and the sources authorized
25 under this Act and pledged for their payment in accordance
26 with the bond resolution or trust indenture.

27 Nothing in this Act shall be construed to authorize the
28 Authority or any department, board, commission or other
29 agency to create an obligation of the State of Illinois
30 within the meaning of the Constitution or Statutes of
31 Illinois.

32 (i) Any resolution or trust indenture authorizing the
33 issuance of the bonds may include provision for the issuance
34 of additional bonds. All resolutions of the Authority to

1 carry such adopted bond resolutions into effect, to provide
2 for the sale and delivery of the bonds, for letting of
3 contracts for the construction of toll highways and the
4 acquisition of real and personal property deemed by the
5 Authority necessary or convenient for the construction
6 thereof, shall not require the approval of the Governor or of
7 any other department, division, commission, bureau, board or
8 other agency of the State.

9 (j) Prior to expending or obligating any amounts on
10 deposit in any fund or account established in any bond
11 resolution or trust indenture entered into pursuant to a bond
12 resolution, in excess of the amount required to be held by
13 the Authority in order to satisfy covenants established in
14 any such bond resolution or trust indenture entered into
15 pursuant to a bond resolution, the Authority shall submit to
16 the General Assembly the proposed expenditure or obligation.
17 If the General Assembly fails to adopt a joint resolution
18 disapproving of such expenditure or obligation within the
19 current legislative session, or, if the General Assembly is
20 not in session at the time of submission, during the next
21 legislative session thereafter, the Authority may proceed to
22 expend or obligate such funds substantially in accordance
23 with such proposal.

24 (Source: P.A. 83-1258.)

25 (605 ILCS 10/20.2 new)

26 Sec. 20.2. Comprehensive Strategic Financial Plan.

27 (a) The Authority must submit to the General Assembly,
28 not later than May 15, 2004, a 20-year comprehensive
29 strategic financial plan. The plan must include detailed
30 information regarding the Authority's income, expenditures,
31 debt, capital needs, and the cost of any planned toll highway
32 extensions. The Authority must provide detailed and specific
33 information regarding how it will fund its debt, unfunded

1 capital needs, and the planned toll highway extensions. This
2 information must include the possibility of obtaining federal
3 funds, both loans and grants, under the Transportation
4 Infrastructure Innovation Act or other federal programs.

5 (b) Before submitting the plan under subsection (a), the
6 Authority must hold at least 2 public hearings at which any
7 person may appear, express opinions, suggestions, or
8 objections, or direct inquiries relating to the proposed
9 plan. The Authority may not hold more than one hearing on the
10 same day in connection with the proposed plan. The Authority
11 must schedule a minimum of 4 hours for each hearing. At least
12 3 directors of the Authority must be present at each hearing,
13 and each director must be present for the entire duration of
14 the hearing.

15 (605 ILCS 10/27.1) (from Ch. 121, par. 100-27.1)

16 Sec. 27.1. Any person who shall use any spurious or
17 counterfeit tickets, coupons or tokens in payment of any toll
18 required to be paid by the Authority under the provisions of
19 this Act, or who shall attempt to use the highway without
20 payment of the tolls prescribed by the Authority, shall be
21 deemed guilty of a petty offense and shall be fined not less
22 than \$5 nor more than \$100 for each such offense. The fine
23 range set forth in this Section for prosecution of toll
24 evasion as a petty offense does not apply to toll evasion
25 offenses that are adjudicated in the Authority's
26 administration system Each--day-any-toll-highway-is-used-by
27 any-person-in--violation--of--this--Act--shall--constitute--a
28 separate-offense.

29 (Source: P.A. 77-2239.)

30 Section 99. Effective date. This Act takes effect upon
31 becoming law."