



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1397

by Rep. André M. Thapedi - Patrick J. Verschoore - Charles E. Jefferson

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.786 new
620 ILCS 5/34c new

Amends the State Finance Act and the Illinois Aeronautics Act. Creates the Baggage Fee Sharing Program and the Baggage Fee Sharing Revolving Fund. Provides that the Department of Transportation shall collect a fee equal to 6.25% of all fees charged and collected in this State by persons operating aircraft for hire or reward for simultaneously transporting tangible personal property. Provides for the disposition of the collected fees. Provides limitations and exceptions to the Baggage Fee Sharing Program. Provides that the Department may adopt rules to implement the program. Effective immediately.

LRB097 10139 HEP 50325 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The State Finance Act is amended by adding
5 Section 5.786 as follows:

6 (30 ILCS 105/5.786 new)

7 Sec. 5.786. The Baggage Fee Sharing Revolving Fund.

8 Section 10. The Illinois Aeronautics Act is amended by
9 adding Section 34c as follows:

10 (620 ILCS 5/34c new)

11 Sec. 34c. Baggage Fee Sharing Program.

12 (a) In all air navigation facilities located in this State
13 that are not owned or controlled by the federal government, the
14 Department shall collect a fee from any person operating
15 aircraft for hire or reward in this State who charges and
16 collects a fee in this State, from any person, for that
17 traveling person to simultaneously transport tangible personal
18 property on any civil aircraft operating in the State's
19 airways, subject to the following conditions:

20 (1) The shared fee to be collected by the Department
21 pursuant to this Section shall be equal to the rate of

1 6.25% of all fees charged and collected in this State;

2 (2) All shared fees collected by the Department
3 pursuant to this Section shall be disbursed within 60 days
4 after receipt as follows: 2% to the county that the shared
5 fee was collected for deposit into the General Corporate
6 Fund; 2% to the Department of Transportation of this State
7 for administrative expenses related to the implementation
8 of this Section; 96% to the State Treasurer for deposit
9 into the Baggage Fee Sharing Resolving Fund;

10 (3) Within 30 days of the deposit of the shared fees
11 into the Baggage Fee Sharing Revolving Fund, the Treasurer
12 shall disburse the shared fees as follows: 40% to the
13 Department; 25% to the Underground Storage Tank Fund; 15%
14 to the Office of Business and Workforce Diversity of the
15 Department of Transportation of this State; 10% to the
16 Division of Highways of the Department of Transportation of
17 this State; 10% to the Division of Public and Intermodal
18 Transportation of the Department of Transportation of this
19 State. The Treasurer shall deposit all investment earnings
20 arising from balances in the Baggage Fee Sharing Revolving
21 Fund into the Fund;

22 (4) The shared fee to be collected by the Department
23 pursuant to this Section is limited to those fees actually
24 collected in air navigation facilities in this State by
25 operators of aircraft for hire or reward from any person
26 physically present in this State.

1 (b) Fees charged and collected in this State by air
2 schools, flying clubs, and sport parachutists are exempt from
3 the provisions of this Section.

4 (c) The Department may promulgate rules that it finds
5 appropriate to implement the Baggage Fee Sharing Program
6 created by this Section.

7 (d) The Baggage Fee Sharing Revolving Fund is created in
8 the State Treasury. Funds in the Baggage Fee Sharing Revolving
9 Fund shall be distributed in accordance with this Section.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.