



Rep. Michael W. Tryon

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09700SB2937ham001

LRB097 16518 KMW 69418 a

1 AMENDMENT TO SENATE BILL 2937

2 AMENDMENT NO. _____. Amend Senate Bill 2937 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Local Mass Transit District Act is amended
5 by changing Sections 2, 3, and 5.1 as follows:

6 (70 ILCS 3610/2) (from Ch. 111 2/3, par. 352)

7 Sec. 2. Definitions. For the purposes of this Act:

8 (a) "Mass transit facility" means any local public
9 transportation facility, whether buses, trolley-buses, or
10 railway systems, utilized by a substantial number of persons
11 for their daily transportation, and includes not only the local
12 public transportation facility itself but ancillary and
13 supporting facilities such as, for example, motor vehicle
14 parking facilities, as well.

15 (b) "Participating municipality and county" means the
16 municipality or municipalities, county or counties creating

1 the local Mass Transit District pursuant to Section 3 of this
2 Act.

3 (c) "Municipality" means a city, village, township, or
4 incorporated town.

5 (d) "Corporate authorities" means (1) the city council or
6 similar body of a city, (2) the board of trustees or similar
7 body of a village or incorporated town, (3) the council of a
8 municipality under the commission form of municipal
9 government, and (4) the board of trustees in a township.

10 (e) "County board" means the governing board of a county.

11 (f) "District" means a local Mass Transit District created
12 pursuant to Section 3 of this Act.

13 (g) "Board" means the Board of Trustees of a local Mass
14 Transit District created pursuant to Section 3 of this Act.

15 (h) "Interstate transportation authority" shall mean any
16 political subdivision created by compact between this State and
17 another state, which is a body corporate and politic and a
18 political subdivision of both contracting states, and which
19 operates a public mass transportation system.

20 (i) "Metro East Mass Transit District" means one or more
21 local mass transit districts created pursuant to this Act,
22 composed only of Madison, St. Clair or Monroe Counties, or any
23 combination thereof or any territory annexed to such district.

24 (j) "Public mass transportation system" shall mean a
25 transportation system or systems owned and operated by an
26 interstate transportation authority, a municipality, District,

1 or other public or private authority, employing motor busses,
2 rails or any other means of conveyance, by whatsoever type or
3 power, operated for public use in the conveyance of persons,
4 mainly providing local transportation service within an
5 interstate transportation district, municipality, or county.

6 (k) "Southeast Commuter Rail Transit District" means one or
7 more local mass transit districts created pursuant to this Act,
8 composed only of municipalities located within Cook County or
9 Will County, or both, or any territory annexed to such
10 district.

11 (l) "Northwest Metra Commuter Rail District" means one or
12 more local mass transit districts created pursuant to this Act,
13 composed only of municipalities located within McHenry County,
14 or any territory annexed to such district.

15 (Source: P.A. 95-331, eff. 8-21-07; 96-1542, eff. 3-8-11.)

16 (70 ILCS 3610/3) (from Ch. 111 2/3, par. 353)

17 Sec. 3. Creation of a district. For the purpose of
18 acquiring, constructing, owning, operating and maintaining
19 mass transit facilities for public service or subsidizing the
20 operation thereof a local Mass Transit District may be created,
21 composed of one or more municipalities or one or more counties
22 or any combination thereof, by ordinance approved by a majority
23 vote of the corporate authorities or by resolution approved by
24 a majority vote of the county board of each participating
25 municipality and county. A Metro East Mass Transit District

1 created by one or more counties shall include: (1) those
2 townships which were served by regularly scheduled mass transit
3 routes operated by an interstate transportation authority on
4 June 1, 1980; (2) in the case of a county without townships,
5 any municipality or unincorporated portion of a road district
6 which was served by regularly scheduled mass transit routes
7 operated by an interstate transportation authority on June 1,
8 1980; (3) any other townships or municipalities whose
9 participation is approved by ordinance adopted by a majority
10 vote of their Board of Trustees or corporate authorities; plus
11 (4) in the case of a county without townships, the
12 unincorporated portion of any road district, the participation
13 of which is approved by an ordinance adopted by a majority vote
14 of the Board of Commissioners of the county in which it is
15 located. Such District shall be known as the "... Mass Transit
16 District", inserting all or any significant part of the name or
17 names of the municipality or the county, or both, creating the
18 District, or a name descriptive of the area to be served if the
19 District is created by more than one municipality, more than
20 one county, or any combination thereof. A Southeast Commuter
21 Rail Transit District shall include: the Village of Crete, the
22 Village of Steger, the Village of South Chicago Heights, the
23 City of Chicago Heights, the Village of Glenwood, the Village
24 of Thornton, the Village of South Holland, the Village of
25 Dolton, the City of Calumet City, the Village of Lansing, and
26 the Village of Lynwood. A Northwest Metra Commuter Rail

1 District shall include all municipalities located within
2 McHenry County.

3 The District created pursuant to this Act shall be a
4 municipal corporation and shall have the right of eminent
5 domain to acquire private property which is necessary for the
6 purposes of the District, and shall have the power to contract
7 for public mass transportation with an Interstate
8 Transportation Authority.

9 Upon the creation of any District, the clerk of the
10 municipality or of the county, or the clerks of the several
11 municipalities or counties, as the case may be, shall certify a
12 copy of the ordinance or resolution creating the District, and
13 the names of the persons first appointed Trustees thereof, and
14 shall file the same with the county clerk for recording as
15 certificates of incorporation and the county clerk shall cause
16 duplicate certified copies thereof to be filed with the
17 Secretary of State.

18 (Source: P.A. 96-1542, eff. 3-8-11.)

19 (70 ILCS 3610/5.1) (from Ch. 111 2/3, par. 355.1)

20 Sec. 5.1. (a) The Board of Trustees of any district created
21 after July 1, 1967 (except districts created under Section 3.1)
22 has no authority to levy the tax provided for in subparagraph
23 (10) of paragraph (f) of Section 5 unless the question of
24 authorizing such tax is submitted to the voters of the district
25 and approved by a majority of the voters of the district voting

1 on the question.

2 The board of trustees of any such district may by
3 resolution cause such question to be submitted to the voters of
4 the district at a regular election as specified in such
5 resolution. The question shall be certified, submitted and
6 notice of the election shall be given in accordance with the
7 general election law. The proposition shall be in substantially
8 the following form:

9 -----

10 Shall the board of trustees of.....
11 Mass Transit District be authorized to levy a YES
12 tax on property within the district at a rate -----
13 of not to exceed .25% on the assessed value NO
14 of such property?

15 -----

16 (b) The Board of Trustees of any district which has the
17 authority to levy the tax at a rate not to exceed .05% provided
18 for in subparagraph (10) of paragraph (f) of Section 5 of this
19 Act before the effective date of this amendatory Act of 1974
20 does not have the authority to increase the tax levy to a rate
21 not to exceed .25% unless the question of increasing the taxing
22 authority is submitted to the voters of the district and
23 approved by a majority of the voters of the district voting on
24 the question.

25 The Board of Trustees of any such district may by
26 resolution cause such question to be submitted to the voters of

1 the district at a regular election as specified in such
 2 resolution. The question shall be certified, submitted and
 3 notice of the election shall be given in accordance with the
 4 general election law. The proposition shall be in substantially
 5 the following form:

6 -----

7 Shall the board of trustees of.....
 8 Mass Transit District be given the authority to YES
 9 increase their power to levy a tax on property
 10 within the district from a rate not to exceed -----
 11 .05% on the assessed value of such property
 12 to a rate not to exceed .25% on the assessed NO
 13 value of such property?

14 -----

15 The provisions of this subsection (b) shall not apply to
 16 the Northwest Metra Commuter Rail District.

17 (Source: P.A. 81-1489.)".