

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 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  
17 the local Mass Transit District pursuant to Section 3 of this  
18 Act.

19 (c) "Municipality" means a city, village, township, or  
20 incorporated town.

21 (d) "Corporate authorities" means (1) the city council or  
22 similar body of a city, (2) the board of trustees or similar  
23 body of a village or incorporated town, (3) the council of a

1 municipality under the commission form of municipal  
2 government, and (4) the board of trustees in a township.

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

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

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

8 (h) "Interstate transportation authority" shall mean any  
9 political subdivision created by compact between this State and  
10 another state, which is a body corporate and politic and a  
11 political subdivision of both contracting states, and which  
12 operates a public mass transportation system.

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

17 (j) "Public mass transportation system" shall mean a  
18 transportation system or systems owned and operated by an  
19 interstate transportation authority, a municipality, District,  
20 or other public or private authority, employing motor busses,  
21 rails or any other means of conveyance, by whatsoever type or  
22 power, operated for public use in the conveyance of persons,  
23 mainly providing local transportation service within an  
24 interstate transportation district, municipality, or county.

25 (k) "Southeast Commuter Rail Transit District" means one or  
26 more local mass transit districts created pursuant to this Act,

1 composed only of municipalities located within Cook County or  
2 Will County, or both, or any territory annexed to such  
3 district.

4 (1) "Northwest Metra Commuter Rail District" means one or  
5 more local mass transit districts created pursuant to this Act,  
6 composed only of municipalities located within McHenry County,  
7 or any territory annexed to such district.

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

9 (70 ILCS 3610/3) (from Ch. 111 2/3, par. 353)

10 Sec. 3. Creation of a district. For the purpose of  
11 acquiring, constructing, owning, operating and maintaining  
12 mass transit facilities for public service or subsidizing the  
13 operation thereof a local Mass Transit District may be created,  
14 composed of one or more municipalities or one or more counties  
15 or any combination thereof, by ordinance approved by a majority  
16 vote of the corporate authorities or by resolution approved by  
17 a majority vote of the county board of each participating  
18 municipality and county. A Metro East Mass Transit District  
19 created by one or more counties shall include: (1) those  
20 townships which were served by regularly scheduled mass transit  
21 routes operated by an interstate transportation authority on  
22 June 1, 1980; (2) in the case of a county without townships,  
23 any municipality or unincorporated portion of a road district  
24 which was served by regularly scheduled mass transit routes  
25 operated by an interstate transportation authority on June 1,

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

22 The District created pursuant to this Act shall be a  
23 municipal corporation and shall have the right of eminent  
24 domain to acquire private property which is necessary for the  
25 purposes of the District, and shall have the power to contract  
26 for public mass transportation with an Interstate

1 Transportation Authority.

2 Upon the creation of any District, the clerk of the  
3 municipality or of the county, or the clerks of the several  
4 municipalities or counties, as the case may be, shall certify a  
5 copy of the ordinance or resolution creating the District, and  
6 the names of the persons first appointed Trustees thereof, and  
7 shall file the same with the county clerk for recording as  
8 certificates of incorporation and the county clerk shall cause  
9 duplicate certified copies thereof to be filed with the  
10 Secretary of State.

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

12 (70 ILCS 3610/5.1) (from Ch. 111 2/3, par. 355.1)

13 Sec. 5.1. (a) The Board of Trustees of any district created  
14 after July 1, 1967 (except districts created under Section 3.1)  
15 has no authority to levy the tax provided for in subparagraph  
16 (10) of paragraph (f) of Section 5 unless the question of  
17 authorizing such tax is submitted to the voters of the district  
18 and approved by a majority of the voters of the district voting  
19 on the question.

20 The board of trustees of any such district may by  
21 resolution cause such question to be submitted to the voters of  
22 the district at a regular election as specified in such  
23 resolution. The question shall be certified, submitted and  
24 notice of the election shall be given in accordance with the  
25 general election law. The proposition shall be in substantially

1 the following form:

2 -----

3 Shall the board of trustees of.....

4 Mass Transit District be authorized to levy a YES

5 tax on property within the district at a rate -----

6 of not to exceed .25% on the assessed value NO

7 of such property?

8 -----

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

18 The Board of Trustees of any such district may by  
19 resolution cause such question to be submitted to the voters of  
20 the district at a regular election as specified in such  
21 resolution. The question shall be certified, submitted and  
22 notice of the election shall be given in accordance with the  
23 general election law. The proposition shall be in substantially  
24 the following form:

25 -----

26 Shall the board of trustees of.....

1 Mass Transit District be given the authority to YES  
 2 increase their power to levy a tax on property  
 3 within the district from a rate not to exceed -----  
 4 .05% on the assessed value of such property  
 5 to a rate not to exceed .25% on the assessed NO  
 6 value of such property?

7 -----

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

10 (Source: P.A. 81-1489.)