

1 AN ACT regarding highways.

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

4 Section 5. The Toll Highway Act is amended by changing  
5 Sections 14.1, 18, 23, and 24 as follows:

6 (605 ILCS 10/14.1) (from Ch. 121, par. 100-14.1)

7 Sec. 14.1. The Authority shall, prior to the issuance of  
8 any bonds under this Act, except refunding bonds, prepare and  
9 submit to the Governor for his approval preliminary plans  
10 showing the proposed location of the route or routes of the  
11 particular toll highway for which the bonds are to be issued,  
12 which plans shall designate the approximate point of the  
13 commencement and the termination of said route or routes and  
14 shall also designate the municipalities to be afforded  
15 reasonable connections therewith, and to be served thereby.  
16 The Authority shall at the same time submit to the Governor  
17 for his approval preliminary estimates of the cost of the  
18 construction of the toll highway, shown on said preliminary  
19 plans. If the Governor shall approve the preliminary plans  
20 and the estimate of the cost thereof, the Authority may  
21 thereupon proceed with the issuance of bonds as hereinafter  
22 provided. Prior to the issuance of bonds for or the  
23 commencement of construction of any new toll highway segment,  
24 however, the issuance of bonds for or the commencement of  
25 construction of that particular segment toll-highway shall be  
26 approved by law as provided in Section 23 ~~authorized-by-joint~~  
27 ~~resolution-of-the-General-Assembly.~~

28 (Source: P.A. 86-1164.)

29 (605 ILCS 10/18) (from Ch. 121, par. 100-18)

30 Sec. 18. The sums of money appropriated by the General

1 Assembly (other than sums appropriated from the Illinois  
2 State Toll Highway Authority Fund) for the payment of  
3 ordinary and contingent expenses of the Authority or the  
4 payment of compensation of the members of the Authority  
5 expended as a part of the cost of a toll highway financed by  
6 revenue bonds issued and sold by the Authority under this Act  
7 shall be repaid to the State Treasury out of the proceeds of  
8 the sale of such bonds, for deposit in the fund from which  
9 such sums were appropriated. Any such sums remaining unpaid  
10 because expended for preliminary investigation of toll  
11 highway routes not constructed shall be repaid by the  
12 Authority out of the proceeds of the sale of any of such  
13 bonds issued to finance additional toll highways or  
14 extensions of existing toll highways. If no such new bonds  
15 are issued, and the money appropriated by the General  
16 Assembly has not otherwise been repaid in full, then the  
17 Authority shall, after payment of all existing bonds and  
18 interest thereon, continue to collect tolls for the privilege  
19 of using the toll highways constructed pursuant to the  
20 authority of "An Act in relation to the construction,  
21 operation, regulation and maintenance of a system of toll  
22 highways and to create The Illinois State Toll Highway  
23 Commission, and to define its powers and duties and to repeal  
24 an Act therein named", approved July 13, 1953, as amended,  
25 until such time as the tolls collected are sufficient to  
26 repay any such unpaid money. The tolls so collected shall be  
27 paid by the Authority to the State treasury for deposit in  
28 the fund from which such sums were appropriated.

29 (Source: Laws 1968, p. 199.)

30 (605 ILCS 10/23) (from Ch. 121, par. 100-23)

31 Sec. 23. The Authority shall file with the Governor, the  
32 Clerk of the House of Representatives, the Secretary of the  
33 Senate, and the Illinois Economic and Fiscal Commission, on

1 or prior to March 15th of each year, a written statement and  
2 report covering its activities for the preceding calendar  
3 year. The Authority shall present, to the committees of the  
4 House of Representatives designated by the Speaker of the  
5 House and to the committees of the Senate designated by the  
6 President of the Senate, an annual report outlining its  
7 planned revenues and expenditures, including any plan to  
8 institute a general increase in toll rates. Prior to  
9 instituting any general increase in toll rates, the Authority  
10 shall obtain the approval of the General Assembly by law  
11 approved by the vote of three-fifths of the members elected  
12 to each house. The Authority shall prepare an annual capital  
13 plan which identifies capital projects by location and  
14 details the project costs in correct dollar amounts. The  
15 Authority may issue bonds to implement its capital plan only  
16 in amounts and for purposes that have been approved by law.  
17 The Authority shall also prepare and file a ten-year capital  
18 plan that includes a listing of all capital improvement  
19 projects contemplated during the ensuing ten-year period.  
20 The first ten-year capital plan shall be filed in 1991 and  
21 thereafter on the anniversary of each ten-year period.

22 It shall also be the duty of the Auditor General of the  
23 State of Illinois, annually to audit or cause to be audited  
24 the books and records of the Authority and to file a  
25 certified copy of the report of such audit with the Governor  
26 and with the Legislative Audit Commission, which audit  
27 reports, when so filed, shall be open to the public for  
28 inspection.

29 (Source: P.A. 91-256, eff. 1-1-00.)

30 (605 ILCS 10/24) (from Ch. 121, par. 100-24)

31 Sec. 24. Except as otherwise provided in any bond  
32 resolution, the proceeds derived from the sale of bonds, and  
33 all receipts and income derived from tolls, licenses, gifts,

1 donations, concessions, fees, rentals, and all other revenues  
2 from whatever source derived, shall, within 3 three days  
3 after receipt thereof, be paid to the Treasurer of the State  
4 of Illinois, and held by him as a special fund known as the  
5 Illinois State Toll Highway Authority Fund, except that the  
6 Authority may retain portions of the Illinois State Toll  
7 Highway Authority Fund as a locally maintained construction  
8 fund revolving account and as a revenue fund revolving  
9 account, where authorized by a bond resolution, and as  
10 locally maintained change funds, where necessary for the  
11 operations of the Authority. The State Treasurer shall be ex  
12 officio custodian of such special fund, which fund shall be  
13 held, invested and disbursed for the purposes provided herein  
14 upon the order of the Authority and in accordance with  
15 provisions and covenants of any bond resolution authorizing  
16 the issuance of bonds which have not been paid or deemed  
17 paid. The interest accruing on said special fund shall be  
18 computed and added to the principal thereof every six months.  
19 In addition to the special audits prescribed by this Act, the  
20 said fund shall also be subject to audit in the same manner  
21 as is now, or may hereinafter be, provided for the audit of  
22 State funds and accounts. The said special fund shall be  
23 protected by a corporate surety bond, executed by the  
24 Treasurer, with a surety authorized to do business under the  
25 laws of the State of Illinois. The amount of said bond shall  
26 be fixed by resolution of the Authority, approved by the  
27 Governor, and may be increased or diminished at any time. The  
28 premiums on said bond shall be payable from the funds of the  
29 Authority. The bond shall be subject to the approval of the  
30 Governor and Attorney General of the State of Illinois, and,  
31 when so approved, shall be filed in the office of the  
32 Secretary of State. This Act shall constitute an irrevocable  
33 and continuing appropriation from the special fund for  
34 amounts to pay principal, interest, and other bond expenses

1 and obligations as provided in this Act. All other expenses  
2 of the Authority, including the ordinary and contingent  
3 expenses for the Authority's annual operations, are subject  
4 to annual appropriation by the General Assembly from the  
5 special fund (or from other funds as provided in Section 18)  
6 for each fiscal year. Said special fund shall--be--considered  
7 always--appropriated--for--the--purposes--of--disbursements,--as  
8 provided--in--this--Act,--and shall be paid out and disbursed  
9 only as provided herein, and shall not, at any time be  
10 appropriated or diverted to any other use or purpose. For  
11 all outstanding bonds issued by the Authority before the  
12 effective date of this amendatory Act of the 92nd General  
13 Assembly, the State guarantees the timely payment of any  
14 principal or interest that is not paid by the Authority when  
15 due, with recourse to the Court of Claims. The Authority  
16 shall, with respect to all revenue bonds outstanding as of  
17 the effective date of this amendatory Act of the 92nd General  
18 Assembly, maintain in a debt service fund an amount equal to  
19 140% of the amount needed to pay annual debt service pursuant  
20 to the bonds.

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