



Chicago Metropolitan
Agency for Planning

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MEMORANDUM

To: CMAP MPO Policy Committee

From: CMAP Intergovernmental Affairs staff

Date: March 6, 2024

Subject: Update on legislation related to CMAP funding and operations and an update recent legislative activity of interest to the MPO Policy Committee.

Action Requested: Information

Legislation impacting CMAP directly:

Regional Planning Act (70 ILCS 1707) – Appropriation

CMAP staff have continued legislative efforts to secure a state appropriation for CMAP to carry out the regional planning objectives identified in the Regional Planning Act (70 ILCS 1707). Funding has never been appropriated to CMAP to pursue these objectives, and therefore, the agency has relied on local dues, state grants, philanthropic sources, federal earmarks, and other sources to carry out planning and programming that cannot be supported with UWP funding. A dedicated appropriation from the state would provide reliable, predictable funding to the agency to build out the programs that rely on these resources and remain responsive to regional needs.

CMAP staff is pursuing legislation ([HB5077](#)/[SB3388](#)) that would appropriate \$5M to the agency “to fulfill its obligations under the Regional Planning Act, to enhance capacity to support additional comprehensive local and regional planning, and to facilitate access to federal funding.” These bills are not expected to advance on their own, but instead the objective is to incorporate this appropriation in the FY25 budget. At the time of this writing, HB5077 is in the House Rules Committee and SB3388 has been assigned to the Senate Appropriations – Public Safety and Infrastructure Committee.

Regional Planning Act (70 ILCS 1707) – Proposed Changes

The CMAP Board has faced challenges achieving the in-person quorum necessary for the Board to take action. Part of this challenge is exacerbated by the requirements set forth in the

Regional Planning Act (70 ILCS 1707), which currently requires “fourth-fifth of the Board members in office...for the Board to take any action.” In practice, this means 12 of 15 CMAP Board members must be physically present for the CMAP Board to take action, per the requirements set forth in the Regional Planning Act and Open Meetings Act.

CMAP staff recognize the importance of the four-fifths decision-making requirement for a board that represents a large and diverse region. CMAP staff do not recommend making any changes to this requirement for Board decisions of regional significance or substantive policy decisions i.e. agency budget and workplan, regional plan, annual federally funded program, legislative agenda, and any matters regarding the executive director. However, to ensure the day-to-day operations of the agency are able to progress in a timely manner, CMAP staff are consulting the CMAP Board on legislative changes to the Regional Planning Act (70 ILCS 1707). These changes seek to allow the regular business of the agency (i.e. approval of contracts, grant and purchase agreements, and meeting minutes) to move forward with a simple majority of Board members in office present while retaining the requirement that 4/5 of Board members in office concur on all other actions.

Open Meeting Act (5 ILCS 120) – Legislative Activity

The Illinois Municipal League (IML) is pursuing legislation ([SB103](#)/[HB1408](#)) that permits public bodies subject to OMA to meet remotely in cases when the chief elected or appointed official of the public body deems it is unsafe or a danger to public health to meet in person. This is intended to retain some of the flexibilities that were offered to public bodies prior to the expiration of the public health emergency declaration.

Currently, the OMA statute delineates certain public bodies that can allow for remote participation of members from another public building and with the appropriate public notices. These bodies include: a public body with statewide jurisdiction or select public bodies that have jurisdiction over a specific geographic area of more than 4,500 square miles: an Illinois library system, a municipal transit district, or a local workforce investment area.

CMAP’s jurisdiction, covering 4,071 square miles, is not much smaller than these above noted public bodies. This flexibility supports participation from members who reside farther from the public body’s central offices and can help sustain regional representation in large and diverse regions. CMAP staff is evaluating the possibility of working with IML to provide amendatory language that would add federally designated metropolitan planning organizations with jurisdiction over a specific geographic area of more than 4,000 square miles to the legislation.

General Legislative Activity:

CMAP staff continues to track legislation before the Illinois General Assembly that impacts the region and is relevant to CMAP’s work. The following has been identified by CMAP staff as key pieces of legislation being considered before the Illinois General Assembly that may be of interest to the MPO Policy Committee.

It should be noted this list is not an exhaustive list of legislation being tracked by CMAP staff. For more information on other tracked legislation by CMAP staff, please contact Ryan Gougis, IGA Specialist at rgougis@cmap.illinois.gov.

Transit and Bike/Ped

[SB2863](#) – VEH CD-BIKE TRAIL SIGNS (Sen. Simmons)

Description: Amends the Illinois Vehicle Code. Requires the authority having maintenance jurisdiction over a publicly owned paved bicycle trail in the State to erect permanent regulatory or warning signage alerting pedestrians or cyclists of highway crossings unless the intersection where the trail crosses the highway is controlled by an official traffic control device or sign (now, the signage is required regardless of whether the intersection is controlled by an official traffic control device or sign).

Status: Assigned to Senate Transportation on 2/6/24

[SB2844](#) – RTA ACT – REDUCED FARES (Sen. Simmons)

Description: Amends the Regional Transportation Authority Act. Provides that, by December 31, 2025, RTA, CTA, Metra, and Pace shall create a program to provide free rides to persons earning under 138% of the U.S. Department of Health and Human Services' poverty guidelines.

Status: Assigned to Appropriations – Public Safety and Infrastructure on 1/31/2024

Transportation Infrastructure

[HB5171/SB3798](#) – PUBLIC-PRIVATE PARTNER-NOTICES (Rep. Mah/Sen. Villivalam)

Description: Amends the Public-Private Partnerships for Transportation Act. Provides that each year, at least 30 days prior to the beginning of the responsible public entity's fiscal year, the responsible public entity shall submit to the General Assembly a description of potential projects that the responsible public entity is considering undertaking under the Act to each county, municipality, and metropolitan planning organization, with respect to each project located within its boundaries.

Status: HB5171 Referred to Rules Committee on 2/9/24; SB3798 assigned to Senate Executive on 2/28/24

[SB3620](#) – UNSOLICITED PROPOSALS (Sen. Villivalam)

Description: Amends the Public-Private Partnerships for Transportation Act. Deletes provisions that allow for proposers to submit unsolicited proposals to responsible public entities (IDOT and Tollway).

Status: Assigned to Senate Executive on 2/28/24

Climate

[HB5068](#) – CARBON FUEL STANDARDS ACT (Rep. Rita)

Description: Creates the Low Carbon Fuel Standards Program Act. Establishes the Low Carbon Standards Program to be administered by the Illinois Environmental Protection Agency. Provides that the Program shall establish declining carbon intensity standards, expressed in terms of the carbon intensity of transportation fuels, to be achieved during each compliance period. Provides that providers of transportation fuel must demonstrate that the mix of fuels they supply for use in Illinois meets the carbon intensity benchmarks of the program for each annual compliance period.

Status: Referred to Rules Committee on 2/8/24

[SB2628 \(SA1\)](#) – **TRANSPORTATION – FLOOD INSURANCE** (Sen. Koehler)

Description: Requires all State agencies to obtain a special flood hazard area development permit before undertaking development activity on State-owned property that is located in a special flood hazard area. State agencies that administer or grant loans for financing a development within a special flood hazard area and State agencies that engage in planning programs or promoting a program for development must cooperate with the IDNR to ensure that participants are informed of special flood hazard area.

Status: SA1 referred to State Government on 2/28/24

[SB 3651](#) – **REVENUE-ELECTRIC VEHICLES** (Sen. Villivalam)

Description: Creates the Electric Vehicle Charging Tax Act. Provides that a tax is imposed on the privilege of engaging in business as an electric vehicle power provider in this State. Provides that, from January 1, 2025 through January 1, 2026, the rate of tax shall be \$0.06 per kilowatt hour of electric vehicle power. Provides that the rate of tax shall be increased on January 1 of each year by the percentage increase, if any, in the Consumer Price Index. Amends the Public-Private Partnerships for Transportation Act. Creates a dynamic wireless electric vehicle charging pilot program. Amends the Illinois Administrative Procedure Act to provide for emergency rulemaking. Effective January 1, 2025.

Status: Referred to Assignments on 2/9/24

The status of the above legislation is reflective of the time of this writing.