

AN ACT concerning transportation.

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

Section 5. The Toll Highway Act is amended by changing
Section 8 as follows:

(605 ILCS 10/8) (from Ch. 121, par. 100-8)

Sec. 8. The Authority shall have the power:

(a) To acquire, own, use, hire, lease, operate and dispose of personal property, real property (except with respect to the headquarters building and surrounding land of the Authority located at 2700 Ogden Avenue, Downers Grove, Illinois, which may be sold or mortgaged only as provided in Section 7.5 of the State Property Control Act to the extent that such property is subject to the State Property Control Act at the time of the proposed sale), any interest therein, including rights-of-way, franchises and easements.

(b) To enter into all contracts and agreements necessary or incidental to the performance of its powers under this Act. All employment contracts let under this Act shall be in conformity with the applicable provisions of "An Act regulating wages of laborers, mechanics and other workers employed under contracts for public works," approved June 26, 1941, as amended.

(c) To employ and discharge, without regard to the requirements of any civil service or personnel act, such administrative, engineering, traffic, architectural, construction, and financial experts, and inspectors, and such other employees, as are necessary in the Authority's judgment to carry out the purposes of this Act; and to establish and administer standards of classification of all of such persons with respect to their compensation, duties, performance, and tenure; and to enter into contracts of employment with such persons for such periods and on such terms as the Authority deems desirable.

(d) To appoint ~~by and with the consent of the Attorney General, assistant~~ attorneys for such Authority, which said ~~assistant~~ attorneys shall be under the control, direction and supervision of the Authority ~~Attorney General~~ and shall serve at the Authority's ~~his~~ pleasure.

(e) To retain special counsel, ~~subject to the approval of the Attorney General,~~ as needed from time to time, and fix their compensation, and ~~provided however,~~ such special counsel shall be subject to the control, direction and supervision of the Authority ~~Attorney General~~ and shall serve at the Authority's ~~his~~ pleasure.

(f) To acquire, construct, relocate, operate, regulate and maintain a system of toll highways through and within the State of Illinois. However, the Authority does not have the power to acquire, operate, regulate or maintain any system of

toll highways or toll bridges or portions of them (including but not limited to any system organized pursuant to Division 108 of Article 11 of the Illinois Municipal Code) in the event either of the following conditions exists at the time the proposed acquisition, operation, regulation or maintenance of such system is to become effective:

(1) the principal or interest on bonds or other instruments evidencing indebtedness of the system are in default; or

(2) the principal or interest on bonds or other instruments evidencing indebtedness of the system have been in default at any time during the 5 year period prior to the proposed acquisition.

To facilitate such construction, operation and maintenance and subject to the approval of the Division of Highways of the Department of Transportation, the Authority shall have the full use and advantage of the engineering staff and facilities of the Department.

(Source: P.A. 93-19, eff. 6-20-03.)

Section 99. Effective date. This Act takes effect January 1, 2027.