

**State of Illinois**  
**Public Acts**  
**92<sup>nd</sup> General Assembly**

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**Public Act 92-0679**

HB4956 Enrolled

LRB9215931REpk

AN ACT in relation to transportation.

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

Section 5. The State Finance Act is amended by adding  
Section 5.570 as follows:

(30 ILCS 105/5.570 new)

Sec. 5.570. The McKinley Bridge Fund.

Section 10. The Illinois Highway Code is amended by  
changing Section 10-102 and adding Section 10-102.1  
as follows:

(605 ILCS 5/10-102) (from Ch. 121, par. 10-102)

Sec. 10-102. Before acquiring any bridge or part of a  
bridge and its approaches as provided in this Division of  
this Article, the Department shall ascertain, except as  
otherwise provided in Section 10-102.1, that the bridge and  
its approaches are structurally sound and in a good state of  
repair, that all bonds or other obligations issued to finance  
the cost of constructing or acquiring the bridge and its  
approaches have been fully retired and that all interest  
charges in connection therewith have been fully paid and that  
there are no mortgages, liens or encumbrances of any nature  
outstanding against the bridge and its approaches or the real  
property acquired in connection therewith, and, in case the  
bridge is across a navigable stream, that authority to  
construct, maintain and operate the bridge and approaches was  
granted by Act of Congress and that the Act, or a subsequent  
Act or Acts of Congress in connection therewith, granted full  
authority to sell, assign or transfer all rights, powers and  
privileges conferred by the Act of Congress. The conveyance  
shall be by warranty deed and run to the State of Illinois.  
The conveyance shall include any interest in real property  
acquired in connection with the bridge, and shall assign and  
transfer to the State all rights, powers and privileges  
conferred by any Act or Acts of Congress in connection with  
the bridge and approaches.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/10-102.1 new)

Sec. 10-102.1. Transfer of McKinley Bridge.

(a) Findings. The General Assembly makes the following  
findings:

(1) The McKinley Bridge, which spans the  
Mississippi River between Venice, Illinois and St. Louis,  
Missouri, has historically played an important role in  
the regional highway transportation system by carrying as  
many as 15,000 vehicles per day over the Mississippi

River, with the majority of that traffic during rush hour.

(2) The City of Venice, Illinois has owned and operated the McKinley Bridge as a toll bridge since 1958.

(3) The City of Venice has not been able to collect sufficient toll revenue from the McKinley Bridge to meet the cost of operating it.

(4) The McKinley Bridge has deteriorated to the point that the Illinois Department of Transportation closed it to vehicular traffic due to safety concerns on October 30, 2001.

(5) The City of Venice wants to transfer the McKinley Bridge to the State of Illinois and the State of Missouri.

(6) The City of Venice does not have the financial resources to defease outstanding toll revenue bonds and repair the McKinley Bridge to a structurally sound condition.

(b) Transfer of funds. The Department shall determine the sum of the amounts owing on all outstanding bonds relating to the McKinley Bridge and certify that sum to the Comptroller. The Comptroller shall transfer 50% of that sum or \$2,100,000, whichever is less, from the Road Fund to the McKinley Bridge Fund, which is hereby created as a special fund in the State Treasury. All amounts not expended by the Department as provided in this Section shall be retransferred to the Road Fund.

(c) Payment by Department. Subject to appropriation, moneys in the McKinley Bridge Fund may be used by the Department for the purpose of paying or reimbursing up to 50% of the sum of the amounts necessary to defease all outstanding bonds relating to the McKinley Bridge.

(d) Transfer of bridge. Upon the payment of all outstanding bonds, the release of all liens, and the payment or release of all debts and other encumbrances relating to the McKinley Bridge, the City of Venice, or the current owner or owners, shall convey the McKinley Bridge and all associated improvements, including approaches and roadways, to the Department and the Missouri Department of Transportation, jointly. The Department may not acquire the McKinley Bridge until all of the outstanding bonds have been paid in full, all of the liens have been released, and all other debts and encumbrances relating to the McKinley Bridge have been paid in full or otherwise extinguished. Notwithstanding any provision in Section 10-102 or any other provision of this Code to the contrary, the Department may acquire the McKinley Bridge pursuant to this Section regardless of whether it or its approaches are structurally sound and in a good state of repair.

(e) Intergovernmental agreements. The Department is authorized to enter into agreements with units of local government within this State, with the State of Missouri, and with units of local government in Missouri, and to enter into any other agreements necessary or appropriate to carry out the provisions of this Section.

Section 99. Effective date. This Act takes effect upon becoming law.

Passed in the General Assembly May 07, 2002.

Approved July 16, 2002.

Effective July 16, 2002.

**AR-084**