



2024 Illinois End of Legislative Session Report

Community Associations Institute (CAI) Illinois Legislative Action Committee (ILAC) spent the past legislative session advocating on behalf of the [approximately 3,900,000 Illinoisans living in 1,524,900 homes in more than 19,550 community associations](#) across the Prairie State. Illinois' 103rd General Assembly was in session from January 16 through May 29, 2024.

2024 CAI IL LAC Annual Advocacy Summit Recap

On February 21, CAI Illinois Legislative Action Committee (ILAC) members and advocates convened in Springfield for the annual ILAC Lobby Day. Over the course of the visit, ILAC participated in meetings with 11 state legislators to advocate for better public policy on behalf of the community association housing model. Discussions largely focused on the governance model and best practices of community association boards. Eleven of these legislators also attended an event hosted by ILAC after the lobby day, and 7 stayed for dinner. Following the lobby day, ILAC scheduled several follow-up meetings to continue positive conversations with lawmakers.

CAI ILAC Legislative Advocacy Overview

A total of 2,969 bills were filed during Illinois' legislative session, 22 of which directly affected community associations and community association managers. ILAC advocated in opposition to 15 pieces of legislation that were deemed detrimental to the industry and helped pass four (4) measures that the ILAC supported with amended legislation authored by ILAC. Below is a brief overview:

HB 0220 – RESERVE STUDY LEGISLATION

ILAC **initiated and supported** this legislation, which amended the Common Interest Community Association Act and set forth requirements for reserve studies. This legislation ensured that community associations in Illinois protect residents to make sure all community associations are safe and secure for their residents and visitors. The purpose of the bill is to assess the condition of and planning for maintenance, repair, and replacement



of the common elements. Provided that any association with major shared components or significant infrastructure that has had a reserve study conducted on or after January 1, 2020, shall have an updated reserve study conducted within 5 years after the date the reserve study was conducted and at least every 5 years thereafter. This legislation will be re-introduced in 2025.

Status: Passed House. Held in Senate Committee

SB 2740 – ACCESSIBLE PARKING FOR HOMEOWNERS WITH DISABILITIES

ILAC **supported** this bill with the amendments it **successfully** drafted (Senate amendment 1 and House Amendment 2) that passed both Houses, with concurrence in the Senate. This bill amends the Condominium Property Act to support accessible parking for homeowners with disabilities. The legislation provides that the board of managers of a condominium shall adopt a policy to reasonably accommodate a unit owner who is a person with a disability who requires an accessible parking space to ensure that person has access to the building. It also provides stipulations for the sale and purchase of accessible parking spaces and outlines the actions that can be taken when a homeowner with qualifying disabilities is denied accessible parking.

Status: Enacted effective August 9, 2024 - Now Public Act 103-0916

HB 5296 – NATIVE AND POLLINATOR-FRIENDLY PLANTS

ILAC **supported** this legislation after **successfully** authoring amended language for the sponsors. The bill creates the Mobilizing Our Neighborhoods to Adopt Resilient Conservation Habitats (MONARCH) Act, providing that HOAs and CICAs cannot prohibit pollinator habitats. Amendment 1 provides that homeowners associations and common interest communities can adopt reasonable rules and regulations governing native landscapes, with certain requirements.

Status: Enacted effective July 19, 2024 - Now Public Act 103-0704



HB 4125 – PROPERTY TAX CERTIFICATE OF ERROR

ILAC **supported** this bill, which provides that the statute of limitations for the execution of a certificate of error does not apply to a certificate of error correcting an assessment when the property is used as a common area by a subdivision, association, or planned development.

Status: Enacted effective July 19, 2024 - Now Public Act 103-0662

HB 5502 – ANTIDISCRIMINATION IN CONDO SALES

ILAC **supported** this bill as amended by the Illinois Realtors with ILAC support and the amendment **successfully** drafted by ILAC clarified language in the Condo Act regarding discrimination. The bill provides that in the sale of a condominium unit, no condominium association may exercise any right of refusal, option to purchase, or right to disapprove the sale on the basis that the purchaser's financing guaranteed by the Federal Housing Administration; or (ii) for a discriminatory or otherwise unlawful purpose.

Status: Enacted effective July 19, 2024 - Now Public Act 103-0719

HB 5388 – ESTABLISHING HOA BILL OF RIGHTS AND STATE HOA DEPARTMENT

ILAC **opposed** this legislation, which would have created the Homeowners' Association Bill of Rights Act and State HOA Department. The language was overly broad and burdensome, interfering with established property and contract rights. The bill was inconsistent with the fundamentals of the community association housing model and duplicates existing state mechanisms for checks and balances and to manage dispute resolution. It altered or removed existing protections of membership and would have created more disputes and litigation with little benefit to the association and will increase the cost of operation (i.e., increase assessments). ILAC met with the bill's sponsor to express concern over this legislation, who was receptive to the industry and later worked with ILAC to address concerns and discuss revisions.

Status: Held in Committee



HB 5176 – SOLAR READY BUILDINGS ACT

ILAC **opposed** this legislation, which would have created the Solar Ready Buildings Act to accommodate the installation of solar energy systems on rooftops. ILAC met with the bill's sponsor to express concerns about the bill and successfully reached an agreement not to prioritize the bill this session, after which it was held in the Rules Committee.

Status: Held in Committee

HB 5315 – SOLAR VIDEO DOORBELLS

ILAC **opposed** this legislation, which would have amended the Homeowner's Energy Policy Statement Act to clarify the definition of "video doorbell" and prohibit the adoption of a bylaw or exercise of any power by the governing entity of a homeowners' association, common interest community association, or condominium unit owners' association that prohibits or has the effect of prohibiting the installation of a solar energy system installed for the primary purpose of providing solar energy to a video doorbell. This legislation lacks the ability for Associations to have the authority to establish reasonable regulations for making alterations to property and determining the location for installing solar panels.

Status: Died

SB 3715 – BOARD VOTING PROCEDURES

ILAC **opposed** this legislation, which sought to amend the Condominium Property Act to prohibit directors from voting by proxy or by secret ballot at board meetings with the exception that secret ballots may be used in the election of officers.

Status: Died

SB 3323 – ACCESSIBLE ELECTRIC VEHICLE CHARGING STATIONS

ILAC **supported** this legislation, which sought to create the Accessible Electric Vehicle Charging Station Act, with the inclusion of Amendment 3. This legislation would have required the Department of Transportation to ensure that EV charging stations in the State are sufficiently accessible to allow independent use by drivers with disabilities, including



people who have limited or no hand dexterity, limb differences, or upper extremity amputations and use adaptive driving controls. The amendment provides that the Act does not apply to a charger owned by a resident of any of the following if the charger is not used for a commercial purpose: (1) a single-family home; (2) a condominium association; (3) a common interest community association; (4) a master association; or (5) a residential housing cooperative. This legislation also helps ensure that EV charging stations in Illinois comply with the federal Americans with Disabilities Act of 1990 (ADA) and the federal Architectural Barriers Act of 1968 (ABA).

Status: Died in Committee

SB 40 - ELECTRIC VEHICLE CHARGING ACT

ILAC [monitored](#) this legislation, which would have created the Electric Vehicle Charging Act that would apply to new single-family homes and newly constructed or renovated multi-unit residential buildings that have parking spaces and are constructed or renovated after the effective date of the Act. This legislation includes electric vehicle charging station policies for unit owners and for renters in addition to requirements for a new, large multifamily residential building or large multifamily residential building being renovated by a developer converting the property to an association. Also included are electric vehicle parking space requirements for affordable housing and for an existing multi-unit residential building subject to an association that undertakes renovation. It also stipulates that all building permits issued 90 days after the effective date of the Act shall require a new, large multifamily residential building or a large multifamily residential building being renovated by a developer converting the property to an association to have 100% of its total parking spaces EV-capable (rather than a specified percentage of EV-capable spaces based on the total amount of parking spaces available).

Status: Enacted effective June 9, 2023 – Now Public Act 103-0053

HB 4177 – VOTING IN COMMON INTEREST COMMUNITIES

ILAC [monitored](#) this legislation, which would have amended the Common Interest Community Association Act to provide that in cases in which each unit holder is entitled to



only one vote, upon the written request of one or more unit owners, any vote to be taken must be by secret ballot.

Status: Died

HB 4213 – ACCESSORY DWELLING UNITS

ILAC **monitored** this legislation, which aimed to create the Local Accessory Dwelling Unit Act, providing that a unit of local government may not prohibit the building or usage of accessory dwelling units in the unit of local government. It also states that a unit of local government may provide reasonable regulations relating to the size and location of accessory dwelling units similar to other accessory structures unless a regulation would have the effect of prohibiting accessory dwelling units.

Status: Died in Committee

HB 4620 - CICAA-ASSESSMENT INCREASES

ILAC **monitored** this legislation, which would have amended the Common Interest Community Association Act, deleting language governing procedures for the ratification of a budget if the adopted budget or any separate assessment adopted by the board would result in the sum of all regular and separate assessments payable in the current fiscal year exceeding 115% of the sum of all regular and separate assessments payable during the preceding fiscal year. Instead, it provides that no adopted budget or any separate assessment adopted by the board shall result in the sum of all regular and separate assessments payable in the current fiscal year exceeding 105% of the sum of all regular and separate assessments payable during the preceding fiscal year.

Status: Died in Committee

HB 4619 - LAND USE – RAIN AND COMPOST SYSTEMS

ILAC **monitored** this legislation, which sought to amend the Homeowners' Energy Policy Statement Act to prohibit homeowners' associations, common interest community associations, or condominium unit owners' associations in Illinois from adopting a bylaw or



exercising any power that prohibits the installation of a rain water collection system or composting system. In the aforementioned community types, no deed restrictions, covenants, or similar binding agreements running with the land shall prohibit a rain water collection system or composting system from being installed on a building erected on a lot or parcel covered by the deed restrictions, covenants, or binding agreements. It allows for the establishment of location or design requirements and application standards and requirements for rain water collection systems or composting systems.

Status: Died in Committee

HB 4841 - COMMON INTEREST-BOARD DUTIES

ILAC [monitored](#) this legislation, which would have amended the Common Interest Community Association Act to prohibit a person from running for or serving on an association that collects \$100,000 or more in annual dues if, within the immediately preceding 36-month period, they have been more than 3 months delinquent in the payment of any fees or assessments to the association or has written 2 or more insufficient funds checks to the association for the payment of assessments or fees. For associations that collect annual dues of \$100,000 or more, a background check of all members of the board in obtaining any fidelity bond and directors and officers liability coverage would have been required.

Status: Died in Committee

HB 5110 - CONDOS-SALE OF PROPERTY

ILAC [monitored](#) this legislation, which amends Illinois' Condominium Property Act to provide that a majority of unit owners or not less than 85% (rather than 75%) of unit owners where the property contains 4 or more units may, by affirmative vote at a meeting of unit owners, elect to sell the property.

Status: Died in Committee



ILLINOIS
LEGISLATIVE ACTION COMMITTEE
 Community Associations Institute

Illinois Statutory Resource Corner

In Illinois, there are several laws that regulate the activities of common interest ownership communities: the [Common Interest Community Association Act](#) (applies to HOAs) and the [Condominium Property Act](#) (does not apply to HOAs) are supplemented by the [Community Association Manager Licensing and Disciplinary Act](#), the [Common Interest Community Ombudsperson Act](#), the [Transfer Fee Covenant Act](#), the [General Not for Profit Act](#), the [Homeowners' Energy Policy Statement Act](#), the [Code of Civil Procedure](#), the [Homeowners' Energy Policy Statement Act](#), the [Illinois Electric Vehicle Charging Act](#), and [Community Association Manager Licensing and Disciplinary Act Regulations](#).

CAI PAC Illinois

CAI Illinois has a dedicated CAI political action committee. The PAC allows us to support candidates for office that advocate for well-reasoned legislation and oppose legislation that creates unnecessary burdens on the governance and operation of community associations. Consider [donating](#) to the CAI PAC Illinois to help advance CAI’s public policy positions in the Prairie state. [Donate to your state’s PAC today!](#)

GET INVOLVED IN CAI ILLINOIS ADVOCACY EFFORTS!

Track IL Legislation

CAI keeps track of legislation throughout the year, so you can stay informed. You can check the legislation that CAI is monitoring around the clock [here](#).

Support and Donate Today

CAI depends on professional lobbyists funded by community associations, businesses, and individuals to create the best public policy for the community association industry in Illinois. To support their efforts, visit caionline.org/lacdonate and select “Illinois.”

Help Shape Future Legislation

Join our CAI Advocacy Ambassador program and become a part of the movement to create positive change. Your voice matters, so [sign up now](#) to make your mark!

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