



Sen. Jennifer Bertino-Tarrant

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10000SB0928sam001

LRB100 05359 HEP 23785 a

1 AMENDMENT TO SENATE BILL 928

2 AMENDMENT NO. _____. Amend Senate Bill 928 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Common Interest Community Association Act
5 is amended by changing Section 1-35 as follows:

6 (765 ILCS 160/1-35)

7 Sec. 1-35. Member powers, duties, and obligations.

8 (a) The provisions of this Act, the declaration, bylaws,
9 other community instruments, and rules and regulations that
10 relate to the use of an individual unit or the common areas
11 shall be applicable to any person leasing a unit and shall be
12 deemed to be incorporated in any lease executed or renewed on
13 or after the effective date of this Act. Unless otherwise
14 provided in the community instruments, with regard to any lease
15 entered into subsequent to the effective date of this Act, the
16 unit owner leasing the unit shall deliver a copy of the signed

1 lease to the association or if the lease is oral, a memorandum
2 of the lease, not later than the date of occupancy or 10 days
3 after the lease is signed, whichever occurs first.

4 (b) If there are multiple owners of a single unit, only one
5 of the multiple owners shall be eligible to serve as a member
6 of the board at any one time, unless the unit owner owns
7 another unit independently.

8 (c) Two-thirds of the membership may remove a board member
9 as a director at a duly called special meeting.

10 (d) In the event of any resale of a unit in a common
11 interest community association by a member or unit owner other
12 than the developer, the board shall make available for
13 inspection to the prospective purchaser, upon demand, the
14 following:

15 (1) A copy of the declaration, other instruments, ~~and~~
16 any rules and regulations, and any adopted common expense
17 collection policies.

18 (2) A statement of any liens, including a statement of
19 the account of the unit setting forth the amounts of unpaid
20 assessments and other charges due and owing.

21 (3) A statement of any capital expenditures
22 anticipated by the association within the current or
23 succeeding 2 fiscal years.

24 (4) A statement of the status and amount of any reserve
25 or replacement fund and any other fund specifically
26 designated for association projects.

1 (5) A copy of the statement of financial condition of
2 the association for the last fiscal year for which such a
3 statement is available.

4 (6) A statement of the status of any pending suits or
5 judgments in which the association is a party.

6 (7) A statement setting forth what insurance coverage
7 is provided for all members or unit owners by the
8 association for common properties.

9 (8) A statement setting forth the current assessment
10 obligations, including any special assessments or other
11 common expenses.

12 (9) A statement setting forth the current late fees or
13 interest that may be charged on an unpaid balance, if any.

14 The principal officer of the board, ~~or~~ such other officer
15 as is specifically designated, or agent for the association
16 shall disclose ~~furnish~~ the above information within 30 days
17 after receiving a written request for such information.

18 A reasonable fee covering the direct out-of-pocket cost of
19 copying and providing such information may be charged by the
20 association or the board to the unit seller for providing the
21 information.

22 (Source: P.A. 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12;
23 98-842, eff. 1-1-15.)".