



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4869**

Introduced 2/18/2020, by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Accessory Dwelling Unit Act. Defines terms. Provides that a unit of local government may not prohibit the building or usage of accessory dwelling units in the unit of local government. Provides 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. Limits home rule powers.

LRB101 19564 AWJ 69038 b

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the Local  
5 Accessory Dwelling Unit Act.

6 Section 5. Definitions. As used in this Act:

7 "Accessory dwelling unit" means an attached or a detached  
8 residential dwelling unit that provides complete independent  
9 living facilities for one or more persons and is located on a  
10 lot with a proposed or existing primary residence and must  
11 include permanent provisions for living, sleeping, eating,  
12 cooking, and sanitation on the same parcel as the single-family  
13 or multifamily dwelling it is or will be situated. "Accessory  
14 dwelling unit" includes, but is not limited to:

15 (1) An efficiency unit.

16 (2) A manufactured home, as that term is defined in  
17 paragraph (53) of subsection (a) of Section 9-102 of the  
18 Uniform Commercial Code.

19 "Efficiency unit" means a unit for occupancy by no more  
20 than two persons which has a minimum floor area of 150 square  
21 feet and may also have a partial kitchen or bathroom  
22 facilities.

1           Section 10. Regulation of accessory dwelling units.

2           (a) A unit of local government may not prohibit the  
3 building or usage of accessory dwelling units in the unit of  
4 local government.

5           (b) A unit of local government may provide reasonable  
6 regulations relating to the size and location of accessory  
7 dwelling units similar to other accessory structures unless a  
8 regulation would have the effect of prohibiting accessory  
9 dwelling units.

10           Section 15. Home rule. A home rule unit may not regulate  
11 accessory dwelling units in a manner inconsistent with this  
12 Act. This Act is a limitation under subsection (i) of Section 6  
13 of Article VII of the Illinois Constitution on the concurrent  
14 exercise by home rule units of powers and functions exercised  
15 by the State.