



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0812

Introduced 2/10/2021, 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.

LRB102 05148 AWJ 15169 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  
13 single-family or multifamily dwelling it is or will be  
14 situated. "Accessory dwelling unit" includes, but is not  
15 limited to:

16 (1) An efficiency unit.

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

20 "Efficiency unit" means a unit for occupancy by no more  
21 than two persons which has a minimum floor area of 150 square  
22 feet and may also have a partial kitchen or bathroom  
23 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.