

1 AN ACT concerning regulation.

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  
5 Electric Vehicle Charging Act.

6 Section 5. Legislative intent. Electric vehicles are an  
7 important tool to fight the climate crisis, tackle air  
8 pollution, and provide safe, clean, and affordable personal  
9 transportation. The State should encourage urgent and  
10 widespread adoption of electric vehicles. Since most current  
11 electric vehicle owners are single-family homeowners who  
12 charge at home, providing access to home charging for those in  
13 multi-unit dwellings is crucial to wider electric vehicle  
14 adoption. This includes small multi-family residences and  
15 condominium unit owners and renters, regardless of parking  
16 space ownership and regardless of income. Therefore, a  
17 significant portion of parking spaces in new and renovated  
18 residential developments shall be capable of electric vehicle  
19 charging. Additionally, renters and condominium unit owners  
20 shall be able to install charging equipment for electric  
21 vehicles under reasonable conditions.

22 Section 10. Applicability. This Act applies to new

1 single-family homes and newly constructed or renovated  
2 multi-unit residential buildings that have parking spaces and  
3 are constructed or renovated after the effective date of this  
4 Act.

5 Section 15. Definitions. As used in this Act:

6 "Affordable housing development" means (i) any housing  
7 that is subsidized by the federal or State government or (ii)  
8 any housing in which at least 20% of the dwelling units are  
9 subject to covenants or restrictions that require that the  
10 dwelling units to be sold or rented at prices that preserve  
11 them as affordable housing for a period of at least 10 years.

12 "Association" has the meaning set forth in subsection (o)  
13 of Section 2 of the Condominium Property Act or Section 1-5 of  
14 the Common Interest Community Association Act, as applicable.

15 "Electric vehicle" means a vehicle that is exclusively  
16 powered by and refueled by electricity, plugs in to charge,  
17 and is licensed to drive on public roadways. "Electric  
18 vehicle" does not include electric mopeds, electric  
19 off-highway vehicles, hybrid electric vehicles, or  
20 extended-range electric vehicles that are equipped, fully or  
21 partially, with conventional fueled propulsion or auxiliary  
22 engines.

23 "Electric vehicle charging station" means a station that  
24 is designed in compliance with the relevant building code and  
25 delivers electricity from a source outside an electric vehicle

1 into one or more electric vehicles.

2 "Electric vehicle charging system" means a device that is:

3 (1) used to provide electricity to an electric  
4 vehicle;

5 (2) designed to ensure that a safe connection has been  
6 made between the electric grid and the electric vehicle;  
7 and

8 (3) able to communicate with the vehicle's control  
9 system so that electricity flows at an appropriate voltage  
10 and current level. An electric vehicle charging system may  
11 be wall mounted or pedestal style, may provide multiple  
12 cords to connect with electric vehicles, and shall:

13 (i) be certified by underwriters laboratories or  
14 have been granted an equivalent certification; and

15 (ii) comply with the current version of Article  
16 625 of the National Electrical Code.

17 "Electric vehicle supply equipment" or "EVSE" means a  
18 conductor, including an ungrounded, grounded, and equipment  
19 grounding conductor, and electric vehicle connectors,  
20 attachment plugs, and all other fittings, devices, power  
21 outlets, and apparatuses installed specifically for the  
22 purpose of transferring energy between the premises wiring and  
23 the electric vehicle.

24 "Electric vehicle system" includes several charging points  
25 simultaneously connecting several electric vehicles to the  
26 electric vehicle charging station and any related equipment

1 needed to facilitate charging an electric vehicle.

2 "EV-capable" means parking spaces that have the electrical  
3 panel capacity and conduit installed during construction to  
4 support future implementation of EV charging with 208-volt or  
5 240-volt or greater, 40-ampere or greater circuits. This  
6 strategy ensures the reduction of up-front costs for EV  
7 charging station installation by providing the electrical  
8 elements that are difficult to install during a retrofit.  
9 Anticipating the use of dual head EVSE, the same circuit may be  
10 used to support charging in adjacent EV-capable spaces.

11 "EV-ready" means parking spaces that have full circuit  
12 installations of 208-volt or 240-volt or greater, 40-ampere or  
13 greater panel capacity, raceway wiring, receptacle and circuit  
14 overprotection devices. This strategy provides all required  
15 electrical hardware for the future installation of EV supply  
16 equipment (EVSE). Anticipating the use of dual head EVSE, the  
17 same circuit may be used to support charging in adjacent  
18 EV-ready spaces.

19 "EVSE-installed" means EV supply equipment (EVSE) that is  
20 fully installed from the electrical panel to the parking  
21 space.

22 "Large multi-family residence" means a single residential  
23 building that accommodates 5 families or more.

24 "Level 1" means a charging system that provides charging  
25 through a 120-volt AC plug with a standard conductive  
26 connector that meets the SAE International J1772 or J2954

1 standard or successor standards.

2 "Level 2" means a charging system that provides charging  
3 through a 208-volt to 240-volt AC plug with a standard  
4 conductive connector that meets the SAE International J1772 or  
5 J2954 standard or successor standards.

6 "New" means newly constructed.

7 "Reasonable restriction" means a restriction that does not  
8 significantly increase the cost of the electric vehicle  
9 charging station or electric vehicle charging system or  
10 significantly decrease its efficiency or specified  
11 performance.

12 "Renovated" means altered or added where electrical  
13 service capacity is increased by one electric service panel or  
14 more.

15 "Single-family residence" means a detached single-family  
16 residence on a single lot.

17 "Small multi-family residence" means a single residential  
18 building that accommodates 2 to 4 families.

19 Section 20. Electric vehicle capable parking space  
20 requirement. A new single-family residence or a small  
21 multi-family residence shall have at least one electric  
22 vehicle capable parking space for each residential unit that  
23 has dedicated parking, unless any subsequently adopted  
24 building code requires additional electric vehicle capable  
25 parking spaces or installed EVSE. A new single-family

1 residence or small multi-family residence that qualifies as an  
2 affordable housing development shall have one EV-capable  
3 parking space for each code-required parking space if the  
4 owner is issued a building permit 24 months after the  
5 effective date of this Act. Where code-required parking  
6 exceeds one parking space per dwelling unit, only one parking  
7 space per dwelling unit is required to be EV-capable.

8 Section 25. Residential requirements.

9 (a) A new, large multi-family residential building or a  
10 large multi-family residential building being renovated by a  
11 developer converting the property to an association shall  
12 have:

13 (1) 100% of its total parking spaces electric vehicle  
14 ready, if there are one to 6 parking spaces;

15 (2) 100% of its total parking spaces electric vehicle  
16 capable, of which at least 20% shall be electric vehicle  
17 ready, if there are 7 to 23 parking spaces; or

18 (3) 100% of its total parking spaces electric vehicle  
19 capable, if there are 24 or more parking spaces, of which  
20 at least 5 spots shall be electric vehicle ready.  
21 Additionally, if there are 24 or more parking spaces, a  
22 new or renovated residential multi-unit building shall  
23 provide at least one parking space with electric vehicle  
24 supply equipment installed, and for each additional  
25 parking space with electric vehicle supply equipment

1 installed, the electric vehicle ready requirement is  
 2 decreased by 2%. Where additional parking exists or is  
 3 feasible, each parking space shall be marked and signed  
 4 for common use by residents. A resident shall use an  
 5 electric vehicle parking space only when the resident is  
 6 charging the electric vehicle.

7 (b) The following requirements and timelines shall apply  
 8 for affordable housing. A new construction single-family  
 9 residence or small multi-family residence that qualifies as an  
 10 affordable housing development under the same project  
 11 ownership and is located on a campus with centralized parking  
 12 areas is subject to the requirements and timelines below.

13 All building permits issued 24 months after the effective  
 14 date of this Act shall require a new construction large  
 15 multi-family residence that qualifies as an affordable housing  
 16 development to have the following, unless additional  
 17 requirements are required under a subsequently adopted  
 18 building code:

19	Total number	Minimum number	Minimum number	Minimum
20	of parking	of	or percentage of	percentage of
21	spaces	EVSE-installed	EV-ready spaces	EV-capable
		spaces		spaces
22	1-6	1 space	100%	--
23	7-23	1 space	20%	40%
24	24+	1 space	5 spaces	40%

1 Required EVSE-installed spaces and EV-ready spaces count  
 2 toward meeting the required percentage of EV-capable spaces;  
 3 for example, for lots with 20% EV-ready spaces, an additional  
 4 20% of spaces would need to be EV-capable.

5 The following shall apply for building permits issued 5  
 6 years after the effective date of this Act, unless additional  
 7 requirements are set forth in a subsequently adopted building  
 8 code, for a new construction large multi-family residence that  
 9 qualifies as an affordable housing development:

10	Total number	Minimum number	Minimum number	Minimum
11	of parking	of	or percentage of	percentage of
12	spaces	EVSE-installed	EV-ready spaces	EV-capable
		spaces		spaces
13	1-6	1 space	100%	--
14	7-23	1 space	20%	50%
15	24+	1 space	5 spaces	50%

16 Required EVSE-installed spaces and EV-ready spaces count  
 17 toward meeting the required percentage of EV-capable spaces;  
 18 for example, for lots with 20% EV-ready spaces, an additional  
 19 30% of spaces would need to be EV-capable.

20 The following shall apply for building permits issued 10  
 21 years after the effective date of this Act, unless additional  
 22 requirements are set forth in a subsequently adopted building  
 23 code, for a new construction large multi-family residence that  
 24 qualifies as an affordable housing development:



1	Total number	Minimum number	Minimum number	Minimum
2	of parking	of	or percentage of	percentage of
3	spaces	EVSE-installed	EV-ready spaces	EV-capable
		spaces		spaces
4	1-6	1 space	100%	--
5	7-23	1 space	20%	70%
6	24+	1 space	5 spaces	70%

7 Required EVSE-installed spaces and EV-ready spaces count  
8 toward meeting the required percentage of EV-capable spaces;  
9 for example, for lots with 20% EV-ready spaces, an additional  
10 50% of spaces would need to be EV-capable.

11 (c) An existing multi-unit residential building subject to  
12 an association that undertakes a capital maintenance, repair,  
13 replacement, or improvement project related to electrical  
14 power infrastructure, when such project constitutes renovated  
15 as defined in this Act, shall be required to upgrade or install  
16 electrical panel capacity for dedicated branch circuits  
17 sufficient to ensure that the residential building has the  
18 power capacity to become electric vehicle capable as it  
19 relates to the space requirements in subsection (a). When such  
20 capital improvements are undertaken, the required number of  
21 electric vehicle capable designated circuits may be reduced to  
22 reflect what is possible within the residential building using  
23 existing power capacities, including use of existing all  
24 electrical panels suitable for electric vehicle charging at

1 208-volt or 240-volt AC plugs and any power transformation of  
2 existing power from higher voltages to voltages suitable for  
3 electric vehicle charging and the addition of associated new  
4 electrical panels suitable for electric vehicle charging.  
5 Under these circumstances the residential building is not  
6 required to increase the existing utility power supply into  
7 the building to meet the space requirements in subsection (a).

8 (d) A renovated large multi-family residential building  
9 that qualifies as an affordable housing development is subject  
10 to requirements in subparagraph (c) if more than 25% of  
11 parking spaces are substantially modified.

12 (e) An accessible parking space is not required by this  
13 Section if no accessible parking spaces are required by the  
14 local zoning code. For the first required accessible EV-ready  
15 or EVSE-installed parking space, the electric vehicle supply  
16 equipment infrastructure may be located so that the electric  
17 vehicle supply equipment will be located on an accessible  
18 route and may be shared by an accessible parking space and a  
19 parking space not required to be accessible. Otherwise, both  
20 an accessible parking space and a parking space not required  
21 to be accessible must be EV-ready or EVSE-installed. Residents  
22 authorized to use an accessible parking space shall not be  
23 required to charge an electric vehicle to utilize the parking  
24 space.

25 Section 30. Electric vehicle charging station policy for

1 unit owners.

2 (a) Any covenant, restriction, or condition contained in  
3 any deed, contract, security interest, or other instrument  
4 affecting the transfer or sale of any interest in a  
5 condominium or common interest community, and any provision of  
6 a governing document that effectively prohibits or  
7 unreasonably restricts the installation or use of an electric  
8 vehicle charging station within a unit owner's unit or a  
9 designated parking space, including, but not limited to, a  
10 deeded parking space, a parking space in a unit owner's  
11 exclusive use common area, or a parking space that is  
12 specifically designated for use by a particular unit owner, or  
13 is in conflict with this Section, is void and unenforceable.

14 (b) This Section does not apply to provisions that impose  
15 a reasonable restriction on an electric vehicle charging  
16 station. Any electric vehicle charging station installed by a  
17 unit owner pursuant to this Section is the property of that  
18 unit owner and in no case will be deemed a part of the common  
19 elements or common area.

20 (c) An electric vehicle charging station shall meet  
21 applicable health and safety standards and requirements  
22 imposed by State and local authorities and all other  
23 applicable zoning, land use, or other ordinances or land use  
24 permits.

25 (d) If approval is required for the installation or use of  
26 an electric vehicle charging station, the association shall

1 process and approve the application in the same manner as an  
2 application for approval of an alteration, modification, or  
3 improvement to common elements or common areas or an  
4 architectural modification to the property, and the  
5 association shall not unreasonably delay the approval or  
6 denial of the application. The approval or denial of an  
7 application shall be in writing. If an application is not  
8 denied in writing within 60 days from the date of the receipt  
9 of the application, the application shall be deemed approved  
10 unless the delay is the result of a reasonable request for  
11 additional information.

12 (e) If the electric vehicle charging station is to be  
13 placed in a common area or exclusive use common area, as  
14 designated by the condominium or common interest community  
15 association, the following applies:

16 (1) The unit owner shall first obtain prior written  
17 approval from the association to install the electric  
18 vehicle charging station and the association shall approve  
19 the installation if the unit owner agrees, in writing, to:

20 (A) comply with the association's architectural  
21 standards or other reasonable conditions and  
22 restrictions for the installation of the electric  
23 vehicle charging station;

24 (B) engage a licensed and insured electrical  
25 contractor to install the electric vehicle charging  
26 station. The electrical contractor shall name the

1 association, its officers, directors, and agents as  
2 additional insured and shall provide a certificate of  
3 insurance to the association evidencing such  
4 additional insured status;

5 (C) within 14 days after approval, provide a  
6 certificate of insurance that names the association,  
7 its officers, directors, and agents as an additional  
8 insured party under the unit owner's insurance policy  
9 as required under paragraph (3);

10 (D) pay for both the costs associated with the  
11 installation of and the electricity usage associated  
12 with the electric vehicle charging station; and

13 (E) be responsible for damage to the common  
14 elements or common areas or other units resulting from  
15 the installation, use, and removal of the electric  
16 vehicle charging station.

17 (2) The unit owner, and each successive unit owner of  
18 the electric vehicle charging station, is responsible for:

19 (A) costs for damage to the electric vehicle  
20 charging station, common area, exclusive use common  
21 area, or separate interests resulting from the  
22 installation, maintenance, repair, removal, or  
23 replacement of the electric vehicle charging station;

24 (B) costs for the maintenance, repair, and  
25 replacement of the electric vehicle charging station  
26 until it has been removed, and for the restoration of

1 the common area after removal;

2 (C) costs of electricity associated with the  
3 charging station, which shall be based on:

4 (i) a submetering device; or

5 (ii) a reasonable calculation of cost, based  
6 on the average miles driven, efficiency of the  
7 electric vehicle calculated by the United States  
8 Environmental Protection Agency, and the cost of  
9 electricity for the common area; and

10 (D) disclosing to a prospective buyer the  
11 existence of any electric vehicle charging station of  
12 the unit owner and the related responsibilities of the  
13 unit owner under this Section.

14 (3) The purpose of the costs under paragraph (2) is  
15 for the reasonable reimbursement of electricity usage and  
16 shall not be set to deliberately exceed the reasonable  
17 reimbursement.

18 (4) The unit owner of the electric vehicle charging  
19 station, whether the electric vehicle charging station is  
20 located within the common area or exclusive use common  
21 area, shall, at all times, maintain a liability coverage  
22 policy. The unit owner that submitted the application to  
23 install the electric vehicle charging station shall  
24 provide the association with the corresponding certificate  
25 of insurance within 14 days after approval of the  
26 application. The unit owner, and each successive unit

1 owner, shall provide the association with the certificate  
2 of insurance annually thereafter.

3 (5) A unit owner is not required to maintain a  
4 homeowner liability coverage policy for an existing  
5 National Electrical Manufacturers Association standard  
6 alternating current power plug.

7 (f) Except as provided in subsection (g), the installation  
8 of an electric vehicle charging station for the exclusive use  
9 of a unit owner in a common area that is not an exclusive use  
10 common area may be authorized by the association, subject to  
11 applicable law, only if installation in the unit owner's  
12 designated parking space is impossible or unreasonably  
13 expensive. In such an event, the association shall enter into  
14 a license agreement with the unit owner for the use of the  
15 space in a common area, and the unit owner shall comply with  
16 all of the requirements in subsection (e).

17 (g) An association may install an electric vehicle  
18 charging station in the common area for the use of all unit  
19 owners and members of the association. The association shall  
20 develop appropriate terms of use for the electric vehicle  
21 charging station.

22 (h) An association that willfully violates this Section  
23 shall be liable to the unit owner for actual damages and shall  
24 pay a civil penalty to the unit owner not to exceed \$1,000.

25 (i) In any action by a unit owner requesting to have an  
26 electric vehicle charging station installed and seeking to

1 enforce compliance with this Section, the court shall award  
2 reasonable attorney's fees to a prevailing plaintiff.

3 Section 35. Electric vehicle charging system policy for  
4 renters.

5 (a) Notwithstanding any provision in the lease to the  
6 contrary and subject to subsection (b):

7 (1) a tenant may install, at the tenant's expense for  
8 the tenant's own use, a level 1 or level 2 electric vehicle  
9 charging system on or in the leased premises;

10 (2) a landlord shall not assess or charge a tenant any  
11 fee for the placement or use of an electric vehicle  
12 charging system, except that:

13 (A) the landlord may:

14 (i) require reimbursement for the actual cost  
15 of electricity provided by the landlord that was  
16 used by the electric vehicle charging system; or

17 (ii) charge a reasonable fee for access. If  
18 the electric vehicle charging system is part of a  
19 network for which a network fee is charged, the  
20 landlord's reimbursement may include the amount of  
21 the network fee. Nothing in this subparagraph  
22 requires a landlord to impose upon a tenant a fee  
23 or charge other than the rental payments specified  
24 in the lease;

25 (B) the landlord may require reimbursement for the



1 cost of the installation of the electric vehicle  
2 charging system, including any additions or upgrades  
3 to existing wiring directly attributable to the  
4 requirements of the electric vehicle charging system,  
5 if the landlord places or causes the electric vehicle  
6 charging system to be placed at the request of the  
7 tenant; and

8 (C) if the tenant desires to place an electric  
9 vehicle charging system in an area accessible to other  
10 tenants, the landlord may assess or charge the tenant  
11 a reasonable fee to reserve a specific parking space  
12 in which to install the electric vehicle charging  
13 system.

14 (b) A landlord may require a tenant to comply with:

15 (1) bona fide safety requirements consistent with an  
16 applicable building code or recognized safety standard for  
17 the protection of persons and property;

18 (2) a requirement that the electric vehicle charging  
19 system be registered with the landlord within 30 days  
20 after installation; or

21 (3) reasonable aesthetic provisions that govern the  
22 dimensions, placement, or external appearance of an  
23 electric vehicle charging system.

24 (c) A tenant may place an electric vehicle charging system  
25 in an area accessible to other tenants if:

26 (1) the electric vehicle charging system is in

1 compliance with all applicable requirements adopted by a  
2 landlord under subsection (b); and

3 (2) the tenant agrees, in writing, to:

4 (A) comply with the landlord's design  
5 specifications for the installation of an electric  
6 vehicle charging system;

7 (B) engage the services of a duly licensed and  
8 registered electrical contractor familiar with the  
9 installation and code requirements of an electric  
10 vehicle charging system; and

11 (C) provide, within 14 days after receiving the  
12 landlord's consent for the installation, a certificate  
13 of insurance naming the landlord as an additional  
14 insured party on the tenant's renter's insurance  
15 policy for any claim related to the installation,  
16 maintenance, or use of the electric vehicle charging  
17 system or, at the landlord's option, reimbursement to  
18 the landlord for the actual cost of any increased  
19 insurance premium amount attributable to the electric  
20 vehicle charging system, notwithstanding any provision  
21 to the contrary in the lease. The tenant shall provide  
22 reimbursement for an increased insurance premium  
23 amount within 14 days after the tenant receives the  
24 landlord's invoice for the amount attributable to the  
25 electric vehicle charging system.

26 (d) If the landlord consents to a tenant's installation of

1 an electric vehicle charging system on property accessible to  
2 other tenants, including a parking space, carport, or garage  
3 stall, then, unless otherwise specified in a written agreement  
4 with the landlord:

5 (1) The tenant, and each successive tenant with  
6 exclusive rights to the area where the electric vehicle  
7 charging system is installed, is responsible for costs for  
8 damages to the electric vehicle charging system and to any  
9 other property of the landlord or another tenant resulting  
10 from the installation, maintenance, repair, removal, or  
11 replacement of the electric vehicle charging system.

12 (A) Costs under this paragraph shall be based on:

13 (i) an inexpensive submetering device; or

14 (ii) a reasonable calculation of cost, based  
15 on the average miles driven, efficiency of the  
16 electric vehicle calculated by the United States  
17 Environmental Protection Agency, and the cost of  
18 electricity for the common area.

19 (B) The purpose of the costs under this paragraph  
20 is for reasonable reimbursement of electricity usage  
21 and shall not be set to deliberately exceed that  
22 reasonable reimbursement.

23 (2) Each successive tenant with exclusive rights to  
24 the area where the electric vehicle charging system is  
25 installed shall assume responsibility for the repair,  
26 maintenance, removal, and replacement of the electric

1 vehicle charging system until the electric vehicle  
2 charging system is removed.

3 (3) The tenant, and each successive tenant with  
4 exclusive rights to the area where the electric vehicle  
5 charging system is installed, shall, at all times, have  
6 and maintain an insurance policy covering the obligations  
7 of the tenant under this subsection and shall name the  
8 landlord as an additional insured party under the policy.

9 (4) The tenant, and each successive tenant with  
10 exclusive rights to the area where the electric vehicle  
11 charging system is installed, is responsible for removing  
12 the system if reasonably necessary or convenient for the  
13 repair, maintenance, or replacement of any property of the  
14 landlord, whether or not leased to another tenant.

15 (e) An electric vehicle charging system installed at the  
16 tenant's cost is the property of the tenant. Upon termination  
17 of the lease, if the electric vehicle charging system is  
18 removable, the tenant may either remove it or sell it to the  
19 landlord or another tenant for an agreed price. Nothing in  
20 this subsection requires the landlord or another tenant to  
21 purchase the electric vehicle charging system.

22 (f) A landlord that willfully violates this Section shall  
23 be liable to the tenant for actual damages, and shall pay a  
24 civil penalty to the tenant in an amount not to exceed \$1,000.

25 (g) In any action by a tenant requesting to have an  
26 electric vehicle charging system installed and seeking to

1 enforce compliance with this Section, the court shall award  
2 reasonable attorney's fees to a prevailing plaintiff.

3 (h) A tenant whose landlord is an owner in an association  
4 and who desires to install an electric vehicle charging  
5 station must obtain approval to do so through the tenant's  
6 landlord or owner and in accordance with those provisions of  
7 this Act applicable to associations.