



Sen. Meg Loughran Cappel

Filed: 2/15/2022

10200SB3193sam002

LRB102 24026 LNS 36382 a

1 AMENDMENT TO SENATE BILL 3193

2 AMENDMENT NO. _____. Amend Senate Bill 3193, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 1, on page 3, immediately below line 25, by inserting the
5 following:

6 "Section 10. The Common Interest Community Association Act
7 is amended by changing Section 1-35 as follows:

8 (765 ILCS 160/1-35)

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

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

1 lease entered into subsequent to the effective date of this
2 Act, the unit owner leasing the unit shall deliver a copy of
3 the signed lease to the association or if the lease is oral, a
4 memorandum of the lease, not later than the date of occupancy
5 or 10 days after the lease is signed, whichever occurs first.

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

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

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

17 (1) A copy of the declaration, other instruments, and
18 any rules and regulations.

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

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

25 (4) A statement of the status and amount of any
26 reserve or replacement fund and any other fund

1 specifically designated for association projects.

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

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

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

10 The principal officer of the board or such other officer
11 as is specifically designated shall furnish the above
12 information within 30 days after receiving a written request
13 for such information.

14 A reasonable fee, not to exceed \$250, covering the direct
15 out-of-pocket cost of copying and providing such information
16 may be charged by the association or the board to the unit
17 seller for providing the information. The association or its
18 board may charge an additional rush fee of not more than \$100
19 if the information requested under this Section is needed
20 within 72 hours after the request for the information is made.

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