



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4213

Introduced 11/7/2023, by Rep. Kam Buckner

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.

LRB103 34314 AWJ 64142 b

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 2 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.