

HB4981



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4981

Introduced 2/8/2024, by Rep. Tim Ozinga

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-28 new

Amends the Illinois Municipal Code. Provides that a zoning ordinance or other zoning regulation may not (1) prohibit a home-based business from serving clients by appointment, (2) prohibit 2 or fewer nonresident employees from working at a home-based business, (3) prohibit or require structural modifications for a home-based business, (4) restrict the amount of floor space a home-based business may use, or (5) restrict storage or the use of equipment that does not produce effects outside the home or accessory structure. Defines terms. Limits the concurrent exercise of home rule powers. Effective immediately.

LRB103 38086 AWJ 68218 b

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 5. The Illinois Municipal Code is amended by
5 adding Section 11-13-28 as follows:

6 (65 ILCS 5/11-13-28 new)

7 Sec. 11-13-28. Home-based businesses.

8 (a) As used in this Section:

9 "Home-based business" means a business in a person's home
10 or an accessory structure to the home where the business is
11 secondary to the primary use of the home as a residence.

12 "Accessory structure" means a building or structure that
13 is subordinate to the principal building or principal use in
14 terms of area, extent, and purpose and is located on the same
15 zoning lot as the principal building.

16 (b) Except as provided for in Sections 11-12-5 and
17 11-13-1, a zoning ordinance or other zoning regulation may not
18 (1) prohibit a home-based business from serving clients by
19 appointment, (2) prohibit 2 or fewer nonresident employees
20 from working at a home-based business, (3) prohibit or require
21 structural modifications for a home-based business, (4)
22 restrict the amount of floor space a home-based business may
23 use, or (5) restrict storage or the use of equipment that does

1 not produce effects outside the home or accessory structure.

2 (c) A home rule municipality may not regulate home-based
3 businesses in a manner inconsistent with this Section. This
4 Section is a limitation under subsection (i) of Section 6 of
5 Article VII of the Illinois Constitution on the concurrent
6 exercise by home rule units of power and functions exercised
7 by the State.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.