

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Condominium Property Act is amended by  
5 adding Section 18.12 as follows:

6 (765 ILCS 605/18.12 new)

7 Sec. 18.12. Accessible parking.

8 (a) The board of managers shall adopt a policy to  
9 reasonably accommodate a unit owner who is a person with a  
10 disability who requires accessible parking. Such a policy  
11 shall include, without limitation, the procedure for  
12 submitting a request for an accessible parking space and the  
13 time in which the board shall review the request. The time for  
14 review shall not be more than 45 days from the date the request  
15 is submitted. The board must review and make a decision on the  
16 request within a reasonable period of time. A copy of such  
17 policy shall be given to any unit owner upon request. The board  
18 of managers shall adopt such policy no later than 90 days after  
19 the effective date of this amendatory Act of the 103rd General  
20 Assembly for condominiums existing on said effective date or  
21 90 days after the date of the election of the initial board of  
22 managers pursuant to Section 18.2 of this Act.

23 (b) The board of managers shall make reasonable efforts to

1 facilitate a resolution between unit owners to provide for  
2 accessible parking when the association does not own or  
3 otherwise control parking that meets the accessible parking  
4 needs of a unit owner who is a person with a disability who  
5 requires accessible parking.

6 (c) For all new construction condominiums and conversion  
7 condominiums submitted to the provisions of this Act after the  
8 effective date of this amendatory Act of the 103rd General  
9 Assembly, all accessible parking spaces constructed or created  
10 in accordance with applicable federal, State, and local  
11 building and accessibility statutes, codes, and ordinances  
12 must remain part of the common elements. No developer or  
13 declarant shall construct, create, or otherwise make parking  
14 units (a unit as defined in Section 2 of this Act that is a  
15 parking space) or limited common elements of such accessible  
16 parking spaces. The board of managers has the authority to  
17 establish rules and regulations for the use of such common  
18 element accessible parking spaces, including, but not limited  
19 to, renting or licensing such common element accessible  
20 parking spaces to non-disabled unit owners, provided that the  
21 rules and regulations must provide that a unit owner who is a  
22 person with a disability who requires accessible parking has  
23 priority over non-disabled unit owners, and that non-disabled  
24 unit owners must immediately stop using such common element  
25 accessible parking space when a request by a unit owner who is  
26 a person with a disability for accessible parking is approved

1 by the board.

2 Nothing in this subsection (c) shall preclude a disabled  
3 person from purchasing a parking unit or a residential unit to  
4 which a limited common element parking space is assigned, and  
5 no developer or declarant shall refuse to sell a parking unit  
6 to a disabled person or assign a limited common element  
7 parking space to a residential unit purchased by a disabled  
8 person. If a disabled person purchases a parking unit or a  
9 residential unit to which a limited common element parking  
10 space is assigned, that unit owner who is a person with a  
11 disability who requires accessible parking may request use of  
12 a common element accessible parking space in exchange for  
13 permitting the association use of that disabled unit owner's  
14 parking unit or limited common element parking space.

15 (d) Subsections (a) and (b) apply to all condominiums that  
16 have parking, regardless of whether the parking comprises  
17 parking units, limited common elements, common elements, or  
18 parking rights.