

HB2642



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB2642

by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

765 ILCS 160/1-15

Amends the Common Interest Community Association Act. Deletes language providing that all provisions of the declaration, bylaws, and other community instruments severed by the Act shall be revised by the board of directors independent of the membership to comply with the Act.

LRB099 07619 HEP 27750 b

A BILL FOR

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 Common Interest Community Association Act is
5 amended by changing Section 1-15 as follows:

6 (765 ILCS 160/1-15)

7 Sec. 1-15. Construction, interpretation, and validity of
8 community instruments.

9 (a) Except to the extent otherwise provided by the
10 declaration or other community instruments, the terms defined
11 in Section 1-5 of this Act shall be deemed to have the meaning
12 specified therein unless the context otherwise requires.

13 (b) (Blank) ~~All provisions of the declaration, bylaws, and~~
14 ~~other community instruments severed by this Act shall be~~
15 ~~revised by the board of directors independent of the membership~~
16 ~~to comply with this Act.~~

17 (c) A provision in the declaration limiting ownership,
18 rental, or occupancy of a unit to a person 55 years of age or
19 older shall be valid and deemed not to be in violation of
20 Article 3 of the Illinois Human Rights Act provided that the
21 person or the immediate family of a person owning, renting, or
22 lawfully occupying such unit prior to the recording of the
23 initial declaration shall not be deemed to be in violation of

1 such age restriction so long as they continue to own or reside
2 in such unit.

3 (d) Every common interest community association shall
4 define a member and its relationship to the units or unit
5 owners in its community instruments.

6 (Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11;
7 97-1090, eff. 8-24-12.)