1 AN ACT concerning civil law.

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

Section 5. The Condominium Property Act is amended by changing Section 18.9 as follows:

(765 ILCS 605/18.9)

Sec. 18.9 18.8. Common elements; rights of board. (a) Any provision in a condominium instrument which limits or restricts the rights of the board to act under subsection (b) of Section 9.1 of this Act is void as against public policy and ineffective. A provision shall be deemed to limit or restrict the rights of the Board under subsection (b) of Section 9.1 if it limits or restricts the rights of the board of managers by:

- (1) it requires requiring the prior consent of the unit owners in order for the board of managers to take any action authorized or permitted under subsection (b) of Section 9.1, including the institution of any action in court or a demand for a trial by jury; or
- (2) notwithstanding Section 32 of this Act, <u>it requires</u> requiring the board of managers to arbitrate or mediate a dispute with any one or more of all of the declarants under the condominium instruments or the developer or any person not then a unit owner prior to the institution of any

1	action by the board of managers under subsection (b) of
2	Section 9.1 or a demand for a trial by jury.
3	(b) A provision in a declaration which would otherwise be
4	void and ineffective under this Section may be enforced if it
5	is approved by a vote of not less than 75% of the unit owners at
6	any time after the election of the first unit owner board of
7	managers.

8 (Source: P.A. 98-1068, eff. 1-1-15; revised 10-20-14.)