



Sen. Dan McConchie

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10300SB2740sam001

LRB103 35883 JRC 70745 a

1 AMENDMENT TO SENATE BILL 2740

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2740 by replacing  
3 everything after the enacting clause with the following:

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

1 policy shall be given to any unit owner upon request. The board  
2 of managers shall adopt such policy no later than 90 days after  
3 the effective date of this amendatory Act of the 103rd General  
4 Assembly for condominiums existing on said effective date or  
5 90 days after the date of the election of the initial board of  
6 managers pursuant to Section 18.2 of this Act.

7 (b) The board of managers shall make reasonable efforts to  
8 facilitate a resolution between unit owners to provide for  
9 accessible parking when the association does not own or  
10 otherwise control parking that meets the accessible parking  
11 needs of a unit owner who is a person with a disability who  
12 requires accessible parking.

13 (c) For all new construction condominiums and conversion  
14 condominiums submitted to the provisions of this Act after the  
15 effective date of this amendatory Act of the 103rd General  
16 Assembly, all accessible parking spaces constructed or created  
17 in accordance with applicable federal, State, and local  
18 building and accessibility statutes, codes, and ordinances  
19 must remain part of the common elements. No developer or  
20 declarant shall construct, create, or otherwise make parking  
21 units (a unit as defined in Section 2 of this Act that is a  
22 parking space) or limited common elements of such accessible  
23 parking spaces. The board of managers has the authority to  
24 establish rules and regulations for the use of such common  
25 element accessible parking spaces, including, but not limited  
26 to, renting or licensing such common element accessible

1 parking spaces to non-disabled unit owners, provided that the  
2 rules and regulations must provide that a unit owner who is a  
3 person with a disability who requires accessible parking has  
4 priority over non-disabled unit owners, and that non-disabled  
5 unit owners must immediately stop using such common element  
6 accessible parking space when a request by a unit owner who is  
7 a person with a disability for accessible parking is approved  
8 by the board.

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

22 (d) Subsections (a) and (b) apply to all condominiums that  
23 have parking, regardless of whether the parking comprises  
24 parking units, limited common elements, common elements, or  
25 parking rights."