

SB3537



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3537

Introduced 2/14/2014, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

765 ILCS 160/1-75

Amends the Common Interest Community Association Act. Provides that a common interest community association meeting specified criteria is exempt from the Act if the association affirmatively elects to be exempt from the Act by a majority vote of all of its members (instead of "unless the association affirmatively elects to be covered by this Act by a majority of its directors or members").

LRB098 15771 HEP 50803 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 1-75 as follows:

6 (765 ILCS 160/1-75)

7 Sec. 1-75. Exemptions for small common interest
8 communities.

9 (a) A common interest community association organized
10 under the General Not for Profit Corporation Act of 1986 and
11 having either (i) 10 units or less or (ii) annual budgeted
12 assessments of \$100,000 or less shall be exempt from this Act
13 if ~~unless~~ the association affirmatively elects to be exempt
14 from ~~covered by~~ this Act by a majority vote of all of its
15 ~~directors or~~ members.

16 (b) Common interest community associations which in their
17 declaration, bylaws, or other governing documents provide that
18 the association may not use the courts or an arbitration
19 process to collect or enforce assessments, fines, or similar
20 levies and common interest community associations (i) of 10
21 units or less or (ii) having annual budgeted assessments of
22 \$50,000 or less shall be exempt from subsection (a) of Section
23 1-30, subsections (a) and (b) of Section 1-40, and Section 1-55

1 but shall be required to provide notice of meetings to members
2 in a manner and at a time that will allow members to
3 participate in those meetings.

4 (Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11;
5 97-1090, eff. 8-24-12.)