



Rep. Martin McLaughlin

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10400HB2648ham001

LRB104 09657 JRC 35326 a

1 AMENDMENT TO HOUSE BILL 2648

2 AMENDMENT NO. _____. Amend House Bill 2648 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Common Interest Community Association Act
5 is amended by changing Section 1-35 as follows:

6 (765 ILCS 160/1-35)

7 Sec. 1-35. Member powers, duties, and obligations.

8 (a) The provisions of this Act, the declaration, bylaws,
9 other community instruments, and rules and regulations that
10 relate to the use of an individual unit or the common areas
11 shall be applicable to any person leasing a unit and shall be
12 deemed to be incorporated in any lease executed or renewed on
13 or after the effective date of this Act. Unless otherwise
14 provided in the community instruments, with regard to any
15 lease entered into subsequent to the effective date of this
16 Act, the unit owner leasing the unit shall deliver a copy of

1 the signed lease to the association or if the lease is oral, a
2 memorandum of the lease, not later than the date of occupancy
3 or 10 days after the lease is signed, whichever occurs first.

4 (b) If there are multiple owners of a single unit, only one
5 of the multiple owners shall be eligible to serve as a member
6 of the board at any one time, unless the unit owner owns
7 another unit independently.

8 (c) Two-thirds of the membership may remove a board member
9 as a director at a duly called special meeting.

10 (d) In the event of any resale of a unit in a common
11 interest community association by a member or unit owner other
12 than the developer, the board shall make available for
13 inspection to the prospective purchaser, upon demand, the
14 following:

15 (1) A copy of the declaration, other instruments, and
16 any rules and regulations.

17 (2) A statement of any liens, including a statement of
18 the account of the unit setting forth the amounts of
19 unpaid assessments and other charges due and owing.

20 (3) A statement of any capital expenditures
21 anticipated by the association within the current or
22 succeeding 2 fiscal years.

23 (4) A statement of the status and amount of any
24 reserve or replacement fund and any other fund
25 specifically designated for association projects.

26 (5) A copy of the statement of financial condition of

1 the association for the last fiscal year for which such a
2 statement is available.

3 (6) A statement of the status of any pending suits or
4 judgments in which the association is a party.

5 (7) A statement setting forth what insurance coverage
6 is provided for all members or unit owners by the
7 association for common properties.

8 The principal officer of the board or such other officer
9 as is specifically designated shall furnish the above
10 information within 30 days after receiving a written request
11 for such information.

12 A reasonable fee not to exceed \$375 covering the direct
13 out-of-pocket cost of copying and providing such information
14 may be charged by the association or the board to the unit
15 seller for providing the information. The board may charge an
16 additional rush fee of not to exceed \$100 if the records are
17 needed within 72 hours of the request being made. Beginning
18 one year after the effective date of this amendatory Act of the
19 104th General Assembly, the \$375 fee shall be increased or
20 decreased, as applicable, by a percentage equal to the
21 percentage change in the consumer price index-u during the
22 preceding 12-month calendar year. "Consumer price index-u"
23 means the index published by the Bureau of Labor Statistics of
24 the United States Department of Labor that measures the
25 average change in prices of goods and services purchased by
26 all urban consumers, United States city average, all items,

1 1982-84 = 100.

2 (Source: P.A. 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12;

3 98-842, eff. 1-1-15.)".