



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2352

Introduced 2/7/2025, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

New Act

Creates the People Over Parking Act. Provides that, except as otherwise provided in the Act, a unit of local government may not impose or enforce any minimum automobile parking requirements on a development project if the project is located within one-half mile of a public transportation hub. Limits the concurrent exercise of home rule powers. Defines terms. Effective June 1, 2025.

LRB104 11403 RTM 21491 b

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the People
5 Over Parking Act.

6 Section 5. Definitions. As used in this Act:

7 "Car share vehicles" means motor vehicles that are
8 operated as part of a regional fleet by a public or private car
9 sharing company or organization and provides hourly or daily
10 service.

11 "Commercial development project" means a development
12 project that is undertaken for the development of land for
13 commercial use, including residential housing, multi-family
14 housing, mixed use housing, and non-residential commercial
15 developments.

16 "Development project" means a project undertaken for the
17 purpose of development of land. "Development project" includes
18 (i) a project involving the issuance of a permit for
19 construction or reconstruction, (ii) a housing development
20 project, or (iii) a commercial development project.
21 "Development project" does not include a project where any
22 portion is designated for use as a hotel, motel, bed and
23 breakfast inn, or other transient lodging, except where a

1 portion of a housing development project is designated for use
2 as a residential hotel.

3 "Efficiency living unit" has the meaning ascribed to that
4 term in the 2018 International Building Code, Sixth Version
5 (November 2021).

6 "Elderly housing", "low-income household",
7 "moderate-income household", "multifamily housing", and "very
8 low-income household" have the meanings ascribed to those
9 terms in the Illinois Affordable Housing Act.

10 "Housing development project" means a development project
11 consisting of (i) residential units only, (ii) mixed-use
12 developments consisting of residential and nonresidential uses
13 with at least two-thirds of the square footage designated for
14 residential use, or (iii) transitional housing or supportive
15 housing.

16 "Maximum automobile parking requirements" means any law,
17 code, or policy which limits a maximum number of off-street,
18 private parking spaces for new residential and commercial
19 developments.

20 "Minimum automobile parking requirements" means any law,
21 code, or policy which requires a minimum number of off-street,
22 private parking spaces for new residential and commercial
23 developments.

24 "On-street parking" means parking of vehicles on public
25 streets or thoroughfares located within the physical
26 boundaries of a municipality.

1 "Public transportation hub" means a rail transit station,
2 a boat or ferry terminal served by either a bus connection stop
3 or rail transit station, or a bus connection stop of 2 or more
4 major bus routes with a frequency of bus service interval of 15
5 minutes or less during the morning and afternoon peak commute
6 periods.

7 "Residential hotel" means any building containing 6 or
8 more guest rooms or efficiency living units that is used or
9 intended or designed to be used, rented, hired out, or
10 occupied for sleeping purposes by guests and that is also the
11 primary residence of those guests. "Residential hotel" does
12 not include any building containing 6 or more guest rooms or
13 efficiency living units primarily used by transient guests who
14 do not occupy the building as their primary residence.

15 Section 10. Minimum automobile parking requirements
16 prohibited. Except as otherwise provided in Section 15, a unit
17 of local government may not impose or enforce any minimum
18 automobile parking requirements on a development project if
19 the project is located within one-half mile of a public
20 transportation hub.

21 Section 15. Exceptions and limitations to prohibited
22 minimum automobile parking requirements.

23 (a) If a development project provides automobile parking
24 voluntarily, then a unit of local government may impose on the

1 development project requirements for parking spaces to be made
2 available for car share vehicles, for parking spaces to be
3 shared with the public, or for parking spaces to be made
4 available only for a fee. A unit of local government may not
5 require voluntarily provided parking to be provided free of
6 charge.

7 (b) Section 10 does not apply to minimum automobile
8 parking requirements if it conflicts with a contractual
9 agreement or approved site plan with the unit of local
10 government that was executed or approved on or before the
11 effective date of this Act. However, Section 10 applies to an
12 amendment or extension to the contractual agreement or
13 approved site plan if the amendment or extension increases
14 automobile parking requirements.

15 (c) A development project may voluntarily build additional
16 parking that is not shared with the public.

17 (d) Nothing in this Act shall be interpreted to prevent a
18 unit of local government from regulating access to on-street
19 parking.

20 (e) Nothing in this Act prevents a unit of local
21 government from enacting or enforcing local laws that
22 establish a maximum parking requirement.

23 (f) Nothing in this Act prevents a unit of local
24 government from enacting or enforcing local laws that
25 establish a minimum parking requirement for bicycles,
26 including electric-assisted bicycles.

1 Section 90. Home rule. A home rule unit may not regulate
2 minimum automobile parking requirements in a manner
3 inconsistent with this Act. This Act is a limitation under
4 subsection (i) of Section 6 of Article VII of the Illinois
5 Constitution on the concurrent exercise by home rule units of
6 powers and functions exercised by the State.

7 Section 95. Conflict with other laws. To the extent that
8 this Act conflicts with any other provision of law, this Act
9 controls.

10 Section 99. Effective date. This Act takes effect June 1,
11 2025.