



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2201

Introduced 2/26/2021, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12022 new
60 ILCS 1/110-17 new
65 ILCS 5/11-12-6.5 new
65 ILCS 5/11-13-28 new

Amends the Counties Code, Township Code, and Illinois Municipal Code. Provides that a zoning ordinance or other zoning regulation may not prohibit or restrict the erection of an industrialized residential structure or a manufactured home on real property, provided that: (1) an industrialized residential structure or manufactured home is compatible with the character of a respective district; (2) regulations impose the same aesthetic compatibility requirements on an industrialized residential structure or manufactured home that are applicable to all residential structures in the respective district; and (3) an industrialized residential structure or manufactured home meets applicable standards for the exterior design of buildings and structures. Limits home rule powers.

LRB102 15833 AWJ 21202 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 5. The Counties Code is amended by adding Section
5 5-12022 as follows:

6 (55 ILCS 5/5-12022 new)

7 Sec. 5-12022. Industrialized residential structures and
8 manufactured homes.Except as provided for in Section 5-12001,
9 a zoning ordinance or other zoning regulation may not prohibit
10 or restrict the erection of an industrialized residential
11 structure, as defined in Section 5 of the Industrialized
12 Residential Structure Deed Restriction Act, or a manufactured
13 home, as defined in Section 10 of the Manufactured Home
14 Quality Assurance Act, on real property, provided that:

15 (1) an industrialized residential structure or
16 manufactured home is compatible with the character of a
17 respective district;

18 (2) regulations impose the same aesthetic
19 compatibility requirements on an industrialized
20 residential structure that are applicable to all
21 residential structures in the respective district; and

22 (3) an industrialized residential structure or
23 manufactured home meets applicable standards for the

1 exterior design of buildings and structures.

2 A home rule county may not regulate industrialized
3 residential structures or manufactured homes in a manner
4 inconsistent with this Section. This Section is a limitation
5 under subsection (i) of Section 6 of Article VII of the
6 Illinois Constitution on the current exercise by home rule
7 units of power and functions exercised by the State.

8 Section 10. The Township Code is amended by adding Section
9 110-17 as follows:

10 (60 ILCS 1/110-17 new)

11 Sec. 110-17. Industrialized residential structures and
12 manufactured homes. Except as provided for in Section 110-10,
13 a zoning ordinance or other zoning regulation may not prohibit
14 or restrict the erection of an industrialized residential
15 structure, as defined in Section 5 of the Industrialized
16 Residential Structure Deed Restriction Act, or a manufactured
17 home, as defined in Section 10 of the Manufactured Home
18 Quality Assurance Act, on real property, provided that:

19 (1) an industrialized residential structure or
20 manufactured home is compatible with the character of a
21 respective district;

22 (2) regulations impose the same aesthetic
23 compatibility requirements on an industrialized
24 residential structure or manufactured home that are

1 applicable to all residential structures in the respective
2 district; and

3 (3) an industrialized residential structure or
4 manufactured home meets applicable standards for the
5 exterior design of buildings and structures.

6 Section 15. The Illinois Municipal Code is amended by
7 adding Sections 11-12-6.5 and 11-13-28 as follows:

8 (65 ILCS 5/11-12-6.5 new)

9 Sec. 11-12-6.5. Industrialized residential structures and
10 manufactured homes. Except as provided for in Section 11-12-5,
11 a zoning ordinance or other zoning regulation may not prohibit
12 or restrict the erection of an industrialized residential
13 structure, as defined in Section 5 of the Industrialized
14 Residential Structure Deed Restriction Act, or a manufactured
15 home, as defined in Section 10 of the Manufactured Home
16 Quality Assurance Act, on real property, provided that:

17 (1) an industrialized residential structure or
18 manufactured home is compatible with the character of a
19 respective district;

20 (2) regulations impose the same aesthetic
21 compatibility requirements on an industrialized residential
22 structure or manufactured home that are applicable to all
23 residential structures in the respective district; and

24 (3) an industrialized residential structure or

1 manufactured home meets applicable standards for the exterior
2 design of buildings and structures.

3 A home rule municipality may not regulate industrialized
4 residential structures or manufactured homes in a manner
5 inconsistent with this Section. This Section is a limitation
6 under subsection (i) of Section 6 of Article VII of the
7 Illinois Constitution on the current exercise by home rule
8 units of power and functions exercised by the State.

9 (65 ILCS 5/11-13-28 new)

10 Sec. 11-13-28. Industrialized residential structures and
11 manufactured homes. Except as provided for in Section 11-13-1,
12 a zoning ordinance or other zoning regulation may not prohibit
13 or restrict the erection of an industrialized residential
14 structure, as defined in Section 5 of the Industrialized
15 Residential Structure Deed Restriction Act, or a manufactured
16 home, as defined in Section 10 of the Manufactured Home
17 Quality Assurance Act, on real property, provided that:

18 (1) an industrialized residential structure or
19 manufactured home is compatible with the character of a
20 respective district;

21 (2) regulations impose the same aesthetic
22 compatibility requirements on an industrialized
23 residential structure or manufactured home that are
24 applicable to all residential structures in the respective
25 district; and

1 (3) an industrialized residential structure or
2 manufactured home meets applicable standards for the
3 exterior design of buildings and structures.

4 A home rule municipality may not regulate industrialized
5 residential structures or manufactured homes in a manner
6 inconsistent with this Section. This Section is a limitation
7 under subsection (i) of Section 6 of Article VII of the
8 Illinois Constitution on the current exercise by home rule
9 units of power and functions exercised by the State.