



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1348

Introduced 2/6/2023, by Sen. Ann Gillespie

#### SYNOPSIS AS INTRODUCED:

310 ILCS 65/18.1 new

Amends the Illinois Affordable Housing Act. Provides that the Illinois Housing Development Authority may develop on behalf of the State or with an eligible developer, or may assist under a government assistance program in the development of, housing projects that shall be exempt from all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivisions, the development and improvement of land, and the construction of dwelling units, regardless of whether or not the project receives funding under this Act, if: (1) the Illinois Housing Development Authority finds the housing project is consistent with the purpose and intent of the Act and meets minimum requirements of health and safety; (2) the development of the proposed housing project does not contravene any safety standards, tariffs, rates, or fees approved by the Illinois Commerce Commission for public utilities or of the various community water supply advisory boards; and (3) the legislative body of the county in which the housing project is to be situated approves the project with or without modifications. Provides that the Affordable Housing Advisory Commission shall approve, approve with modification, or disapprove a boundary change within 45 days after the Illinois Housing Development Authority has submitted a petition to the Commission. Provides that if, on the 46th day, the petition is not disapproved, it shall be deemed approved by the Commission.

LRB103 27366 KTG 53738 b

1 AN ACT concerning housing.

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

4 Section 5. The Illinois Affordable Housing Act is amended  
5 by adding Section 18.1 as follows:

6 (310 ILCS 65/18.1 new)

7 Sec. 18.1. Exemption from statutes, ordinances, charter  
8 provisions, and rules.

9 (a) As used in this Section, "government assistance  
10 program" means a housing program qualified by the Illinois  
11 Housing Development Authority and administered or operated by  
12 the Illinois Housing Development Authority or the U.S.  
13 Department of Housing and Urban Development or any of their  
14 political subdivisions, agencies, or instrumentalities,  
15 corporate or otherwise.

16 (b) The Illinois Housing Development Authority may develop  
17 on behalf of the State or with an eligible developer, or may  
18 assist under a government assistance program in the  
19 development of, housing projects that shall be exempt from all  
20 statutes, ordinances, charter provisions, and rules of any  
21 governmental agency relating to planning, zoning, construction  
22 standards for subdivisions, the development and improvement of  
23 land, and the construction of dwelling units thereon,

1 regardless of whether or not the project receives funding  
2 under this Act, if all of the following is satisfied:

3 (1) The Illinois Housing Development Authority finds  
4 the housing project is consistent with the purpose and  
5 intent of this Act and meets minimum requirements of  
6 health and safety.

7 (2) The development of the proposed housing project  
8 does not contravene any safety standards, tariffs, rates,  
9 or fees approved by the Illinois Commerce Commission for  
10 public utilities or of the various community water supply  
11 advisory boards.

12 (3) The legislative body of the county in which the  
13 housing project is to be situated approves the project  
14 with or without modifications.

15 (A) The legislative body shall approve, approve  
16 with modification, or disapprove the project by  
17 resolution within 45 days after the Illinois Housing  
18 Development Authority has submitted the preliminary  
19 plans and specifications for the project to the  
20 legislative body. If on the 46th day a project is not  
21 disapproved, it shall be deemed approved by the  
22 legislative body.

23 (B) No action shall be prosecuted or maintained  
24 against any county, its officials, or employees on  
25 account of actions taken by them in reviewing,  
26 approving, modifying, or disapproving the plans and

1           specifications.

2           (C) The final plans and specifications for the  
3           project shall be deemed approved by the legislative  
4           body if the final plans and specifications do not  
5           substantially deviate from the preliminary plans and  
6           specifications. The final plans and specifications for  
7           the project shall constitute the zoning, building,  
8           construction, and subdivision standards for that  
9           project. The Executive Director of the Illinois  
10           Housing Development Authority or the responsible  
11           county official may certify maps and plans of lands  
12           connected with the project as having complied with  
13           applicable laws and ordinances relating to  
14           consolidation and subdivision of lands, and the maps  
15           and plans shall be accepted for registration or  
16           recordation by the county's Office of Recorder of  
17           Deeds.

18           (c) The Affordable Housing Advisory Commission shall  
19           approve, approve with modification, or disapprove a boundary  
20           change within 45 days after the Illinois Housing Development  
21           Authority has submitted a petition to the Commission. If, on  
22           the 46th day, the petition is not disapproved, it shall be  
23           deemed approved by the Commission.