



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2048

Introduced 2/9/2023, by Sen. Terri Bryant

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-12022 new
60 ILCS 1/110-17 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. Prohibits restricts based upon the age of a manufactured home. Provides that a person who is the owner of real property or who has a right to the use of real property may install and occupy a pre-owned manufactured home on the property if the pre-owned manufactured home is in compliance with specified provisions and is on property that is zoned for residential use. Provides that a county, township, or municipality may establish health and safety standards for pre-owned manufactured homes that are relocated from one location to another location and an inspection program for those pre-owned manufactured homes. Provides that the county, township, or municipality and the individual performing an inspection are not liable for any injuries to a person resulting from any defects or conditions in the pre-owned manufactured home. Defines "pre-owned manufactured home".

LRB103 26518 AWJ 52881 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 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.

9 (a) As used in this subsection, "pre-owned manufactured
10 home" means a manufactured home that has been previously used
11 as a residential dwelling and has been titled.

12 (b) Except as provided for in Section 5-12001, a zoning
13 ordinance or other zoning regulation may not prohibit or
14 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

1 residential structure or manufactured home that are
2 applicable to all residential structures in the respective
3 district; and

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

7 Restrictions prohibited by this subsection include
8 restrictions of a manufactured home based upon the age of the
9 manufactured home.

10 (c) A person who is the owner of real property or who has a
11 right to the use of real property may install and occupy a
12 pre-owned manufactured home on the property if the pre-owned
13 manufactured home is in compliance with restrictions allowed
14 under subsection (b) and is on property that is zoned for
15 residential use.

16 (d) A county may establish health and safety standards for
17 pre-owned manufactured homes that are relocated from one
18 location to another location and an inspection program for
19 those pre-owned manufactured homes. The county and the
20 individual performing an inspection are not liable for any
21 injuries to a person resulting from any defects or conditions
22 in the pre-owned manufactured home.

23 Section 10. The Township Code is amended by adding Section
24 110-17 as follows:

1 (60 ILCS 1/110-17 new)

2 Sec. 110-17. Industrialized residential structures and
3 manufactured homes.

4 (a) As used in this subsection, "pre-owned manufactured
5 home" means a manufactured home that has been previously used
6 as a residential dwelling and has been titled.

7 (b) Except as provided for in Section 110-10, a zoning
8 ordinance or other zoning regulation may not prohibit or
9 restrict the erection of an industrialized residential
10 structure, as defined in Section 5 of the Industrialized
11 Residential Structure Deed Restriction Act, or a manufactured
12 home, as defined in Section 10 of the Manufactured Home
13 Quality Assurance Act, on real property, provided that:

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

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

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

25 Restrictions prohibited by this subsection include
26 restrictions of a manufactured home based upon the age of the

1 manufactured home.

2 (c) A person who is the owner of real property or who has a
3 right to the use of real property may install and occupy a
4 pre-owned manufactured home on the property if the pre-owned
5 manufactured home is in compliance with restrictions allowed
6 under subsection (b) and is on property that is zoned for
7 residential use.

8 (d) A township may establish health and safety standards
9 for pre-owned manufactured homes that are relocated from one
10 location to another location and an inspection program for
11 those pre-owned manufactured homes. The township and the
12 individual performing an inspection are not liable for any
13 injuries to a person resulting from any defects or conditions
14 in the pre-owned manufactured home.

15 Section 15. The Illinois Municipal Code is amended by
16 adding Section 11-13-28 as follows:

17 (65 ILCS 5/11-13-28 new)

18 Sec. 11-13-28. Industrialized residential structures and
19 manufactured homes.

20 (a) As used in this subsection, "pre-owned manufactured
21 home" means a manufactured home that has been previously used
22 as a residential dwelling and has been titled.

23 (b) Except as provided for in Sections 11-12-5 and
24 11-13-1, a zoning ordinance or other zoning regulation may not

1 prohibit or restrict the erection of an industrialized
2 residential structure, as defined in Section 5 of the
3 Industrialized Residential Structure Deed Restriction Act, or
4 a manufactured home, as defined in Section 10 of the
5 Manufactured Home Quality Assurance Act, on real property,
6 provided that:

7 (1) an industrialized residential structure or
8 manufactured home is compatible with the character of a
9 respective district;

10 (2) regulations impose the same aesthetic
11 compatibility requirements on an industrialized
12 residential structure or manufactured home that are
13 applicable to all residential structures in the respective
14 district; and

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

18 Restrictions prohibited by this subsection include
19 restrictions of a manufactured home based upon the age of the
20 manufactured home.

21 (c) A person who is the owner of real property or who has a
22 right to the use of real property may install and occupy a
23 pre-owned manufactured home on the property if the pre-owned
24 manufactured home is in compliance with restrictions allowed
25 under subsection (b) and is on property that is zoned for
26 residential use.

1 (d) A municipality may establish health and safety
2 standards for pre-owned manufactured homes that are relocated
3 from one location to another location and an inspection
4 program for those pre-owned manufactured homes. The
5 municipality and the individual performing an inspection are
6 not liable for any injuries to a person resulting from any
7 defects or conditions in the pre-owned manufactured home.