

# SB2597



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2597

Introduced 10/18/2023, by Sen. Sally J. Turner

### SYNOPSIS AS INTRODUCED:

765 ILCS 1085/15  
765 ILCS 1085/20  
765 ILCS 1085/25

Amends the Electric Vehicle Charging Act. Exempts new single-family residences and tiny homes specifically constructed for veterans from the Act's electric vehicle charging system requirements. Limits the concurrent exercise of home rule powers. Effective immediately.

LRB103 34208 KTG 64031 b

A BILL FOR

1 AN ACT concerning property.

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

4 Section 5. The Electric Vehicle Charging Act is amended by  
5 changing Sections 15, 20, and 25 and by adding Section 40 as  
6 follows:

7 (765 ILCS 1085/15)

8 (This Section may contain text from a Public Act with a  
9 delayed effective date)

10 Sec. 15. Definitions. As used in this Act:

11 "Affordable housing development" means (i) any housing  
12 that is subsidized by the federal or State government or (ii)  
13 any housing in which at least 20% of the dwelling units are  
14 subject to covenants or restrictions that require that the  
15 dwelling units to be sold or rented at prices that preserve  
16 them as affordable housing for a period of at least 10 years.

17 "Association" has the meaning set forth in subsection (o)  
18 of Section 2 of the Condominium Property Act or Section 1-5 of  
19 the Common Interest Community Association Act, as applicable.

20 "Electric vehicle" means a vehicle that is exclusively  
21 powered by and refueled by electricity, plugs in to charge,  
22 and is licensed to drive on public roadways. "Electric  
23 vehicle" does not include electric mopeds, electric

1 off-highway vehicles, hybrid electric vehicles, or  
2 extended-range electric vehicles that are equipped, fully or  
3 partially, with conventional fueled propulsion or auxiliary  
4 engines.

5 "Electric vehicle charging system" means a device that is:

6 (1) used to provide electricity to an electric  
7 vehicle;

8 (2) designed to ensure that a safe connection has been  
9 made between the electric grid and the electric vehicle;  
10 and

11 (3) able to communicate with the vehicle's control  
12 system so that electricity flows at an appropriate voltage  
13 and current level. An electric vehicle charging system may  
14 be wall mounted or pedestal style, may provide multiple  
15 cords to connect with electric vehicles, and shall:

16 (i) be certified by Underwriters Laboratories or  
17 have been granted an equivalent certification; and

18 (ii) comply with the current version of Article  
19 625 of the National Electrical Code.

20 "Electric vehicle supply equipment" or "EVSE" means a  
21 conductor, including an ungrounded, grounded, and equipment  
22 grounding conductor, and electric vehicle connectors,  
23 attachment plugs, and all other fittings, devices, power  
24 outlets, and apparatuses installed specifically for the  
25 purpose of transferring energy between the premises wiring and  
26 the electric vehicle.

1 "EV-capable" means parking spaces that have the electrical  
2 panel capacity and conduit installed during construction to  
3 support future implementation of electric vehicle charging  
4 with 208-volt or 240-volt or greater, 40-ampere or greater  
5 circuits. Each EV-capable space shall feature a continuous  
6 raceway or cable assembly installed between an enclosure or  
7 outlet located within 3 feet of the EV-capable space and a  
8 suitable panelboard or other onsite electrical distribution  
9 equipment. The electrical distribution equipment to which the  
10 raceway or cable assembly connects shall have sufficient  
11 dedicated space and spare electrical capacity for a 2-pole  
12 circuit breaker or set of fuses. Reserved capacity shall be no  
13 less than 40A 208/240V for each EV-capable space unless  
14 EV-capable spaces will be controlled by an energy management  
15 system providing load management in accordance with NFPA 70,  
16 shall have a minimum capacity of 4.1 kilovolt-ampere per  
17 space, or have a minimum capacity of 2.7 kilovolt-ampere per  
18 space when all of the parking spaces are designed to be  
19 EV-capable spaces, EV-ready spaces, or EVSE-installed spaces.  
20 The electrical enclosure or outlet and the electrical  
21 distribution equipment directory shall be marked "For future  
22 electric vehicle supply equipment (EVSE)." This strategy  
23 ensures the reduction of up-front costs for electric vehicle  
24 charging station installation by providing the electrical  
25 elements that are difficult to install during a retrofit.  
26 Anticipating the use of dual-head EVSE, the same circuit may

1 be used to support charging in adjacent EV-capable spaces. For  
2 purposes of this Act, "EV-capable" ~~"EV-capable"~~ shall not be  
3 construed to require a developer or builder to install or run  
4 wire or cable from the electrical panel through the conduit or  
5 raceway to the terminus of the conduit.

6 "EV-ready" means parking spaces that are provided with a  
7 branch circuit and either an outlet, junction box, or  
8 receptacle that will support an installed EVSE. Each branch  
9 circuit serving EV-ready spaces shall terminate at an outlet  
10 or enclosure, located within 3 feet of each EV-ready space it  
11 serves. The panelboard or other electrical distribution  
12 equipment directory shall designate the branch circuit as "For  
13 electric vehicle supply equipment (EVSE)" and the outlet or  
14 enclosure shall be marked "For electric vehicle supply  
15 equipment (EVSE)." The capacity of each branch circuit serving  
16 multiple EV-ready spaces designed to be controlled by an  
17 energy management system providing load management in  
18 accordance with NFPA 70, shall have a minimum capacity of 4.1  
19 kilovolt-ampere per space, or have a minimum capacity of 2.7  
20 kilovolt-ampere per space when all of the parking spaces are  
21 designed to be EV-capable spaces, EV-ready spaces, or EVSE  
22 spaces.

23 "EVSE-installed" means electric vehicle supply equipment  
24 that is fully installed from the electrical panel to the  
25 parking space.

26 "Large multifamily residence" means a single residential

1 building that accommodates 5 families or more.

2 "Level 1" means a 120-volt 20-ampere minimum branch  
3 circuit.

4 "Level 2" means a 208-volt to 240-volt 40-ampere branch  
5 circuit.

6 "New" means newly constructed.

7 "Reasonable restriction" means a restriction that does not  
8 significantly increase the cost of the electric vehicle  
9 charging station or electric vehicle charging system or  
10 significantly decrease its efficiency or specified  
11 performance.

12 "Single-family residence" means a detached single-family  
13 residence on a single lot.

14 "Small multifamily residence" means a single residential  
15 building that accommodates 2 to 4 families.

16 "Tiny home" means an individual housing unit of no more  
17 than 800 square feet.

18 (Source: P.A. 103-53, eff. 1-1-24.)

19 (765 ILCS 1085/20)

20 (This Section may contain text from a Public Act with a  
21 delayed effective date)

22 Sec. 20. EV-capable parking space requirement.

23 (a) Except as otherwise provided in subsection (b), a ~~A~~  
24 new single-family residence or a small multifamily residence  
25 shall have at least one EV-capable parking space for each

1 residential unit that has dedicated parking, unless any  
2 subsequently adopted building code requires additional  
3 EV-capable parking spaces, EV-ready parking spaces, or  
4 installed EVSE. A new single-family residence or small  
5 multifamily residence that qualifies as an affordable housing  
6 development shall have one EV-capable parking space for each  
7 code-required parking space if the owner is issued a building  
8 permit 24 months after the effective date of this Act. Where  
9 code-required parking exceeds one parking space per dwelling  
10 unit, only one parking space per dwelling unit is required to  
11 be EV-capable.

12 (b) The requirements under subsection (a) shall not apply  
13 to a new single-family residence or tiny home that is  
14 specifically constructed for a veteran. No county or  
15 municipality, including a home rule unit, shall adopt any  
16 building code or ordinance that requires a new single-family  
17 residence or tiny home that is specifically constructed for  
18 veterans to have an EV-capable parking space for each  
19 residential unit. This subsection is a limitation under  
20 subsection (i) of Section 6 of Article VII of the Illinois  
21 Constitution on the concurrent exercise by home rule units of  
22 powers and functions exercised by the State.

23 (Source: P.A. 103-53, eff. 1-1-24.)

24 (765 ILCS 1085/25)

25 (This Section may contain text from a Public Act with a

1 delayed effective date)

2 Sec. 25. Residential requirements.

3 (a) All building permits issued 90 days after the  
4 effective date of this Act shall require a new, large  
5 multifamily residential building or a large multifamily  
6 residential building being renovated by a developer converting  
7 the property to an association to have 100% of its total  
8 parking spaces EV-capable. However, nothing in this Act shall  
9 be construed to require that in the case of a developer  
10 converting the property to an association, no EV-capable or  
11 EV-ready mandate shall apply if it would necessitate the  
12 developer having to excavate an existing surface lot or other  
13 parking facility in order to retrofit ~~retro-fit~~ the parking  
14 lot or facility with the necessary conduit and wiring.

15 (b) Except as otherwise provided in subsection (c), the  
16 ~~The~~ following requirements and timelines shall apply for  
17 affordable housing. A new construction single-family residence  
18 or small multifamily residence that qualifies as an affordable  
19 housing development under the same project ownership and is  
20 located on a campus with centralized parking areas is subject  
21 to the requirements and timelines below.

22 All building permits issued 24 months after the effective  
23 date of this Act shall require a new construction large  
24 multifamily residence that qualifies as an affordable housing  
25 development to have the following, unless additional  
26 requirements are required under a subsequently adopted



1 building code:

2 (1) For permits issued 24 months after the effective  
3 date of this Act, a minimum of 40% EV-capable parking  
4 spaces.

5 (2) For permits issued 5 years after the effective  
6 date of this Act, a minimum of 50% EV-capable parking  
7 spaces.

8 (3) For permits issued 10 years after the effective  
9 date of this Act, a minimum of 70% EV-capable parking  
10 spaces.

11 (c) The requirements under subsection (b) shall not apply  
12 to a new construction single-family residence or tiny home  
13 that is specifically constructed for a veteran and qualifies  
14 as an affordable housing development. No county or  
15 municipality, including a home rule unit, shall adopt any  
16 building code or ordinance that requires a new construction  
17 single-family residence or tiny home that is specifically  
18 constructed for a veteran and qualifies as an affordable  
19 housing development to have an EV-capable parking space for  
20 each residential unit. This subsection is a limitation under  
21 subsection (i) of Section 6 of Article VII of the Illinois  
22 Constitution on the concurrent exercise by home rule units of  
23 powers and functions exercised by the State.

24 (d) An accessible parking space is not required by this  
25 Section if no accessible parking spaces are required by the  
26 local zoning code.

1 (Source: P.A. 103-53, eff. 1-1-24.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.