



Rep. Kelly M. Cassidy

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LRB098 12652 HEP 58774 a

1 AMENDMENT TO SENATE BILL 2892

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2892 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Condominium Property Act is amended by  
5 adding Section 18.8 as follows:

6 (765 ILCS 605/18.8 new)

7 Sec. 18.8. Common elements; rights of board.

8 (a) Any provision in a condominium instrument is void as  
9 against public policy and ineffective if it limits or restricts  
10 the rights of the board of managers by:

11 (1) requiring the prior consent of the unit owners in  
12 order for the board of managers to take any action,  
13 including the institution of any action in court or a  
14 demand for a trial by jury; or

15 (2) notwithstanding Section 32 of this Act, requiring  
16 the board of managers to arbitrate or mediate a dispute

1       with any one or more of all of the declarants under the  
2       condominium instruments or the developer or any person not  
3       then a unit owner prior to the institution of any action by  
4       the board of managers or a demand for a trial by jury.

5       (b) A provision in a declaration which would otherwise be  
6       void and ineffective under this Section may be enforced if it  
7       is approved by a vote of not less than 75% of the unit owners at  
8       any time after the election of the first unit owner board of  
9       managers."