

1 AN ACT concerning civil law.

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

4 Section 5. The Condominium Property Act is amended by
5 changing Section 18.9 as follows:

6 (765 ILCS 605/18.9)

7 Sec. 18.9 ~~18.8~~. Common elements; rights of board. ~~(a)~~ Any
8 provision in a condominium instrument which limits or restricts
9 the rights of the board to act under subsection (b) of Section
10 9.1 of this Act is void as against public policy and
11 ineffective. A provision shall be deemed to limit or restrict
12 the rights of the Board under subsection (b) of Section 9.1 if
13 ~~it limits or restricts the rights of the board of managers by:~~

14 (1) it requires ~~requiring~~ the prior consent of the unit
15 owners in order for the board of managers to take any
16 action authorized or permitted under subsection (b) of
17 Section 9.1, including the institution of any action in
18 court ~~or a demand for a trial by jury~~; or

19 (2) notwithstanding Section 32 of this Act, it requires
20 ~~requiring~~ the board of managers to arbitrate or mediate a
21 dispute with any one or more of all of the declarants under
22 the condominium instruments or the developer or any person
23 not then a unit owner prior to the institution of any

1 action by the board of managers under subsection (b) of
2 Section 9.1 ~~or a demand for a trial by jury.~~

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

8 (Source: P.A. 98-1068, eff. 1-1-15; revised 10-20-14.)