



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB1709

Introduced 1/28/2025, by Rep. Kam Buckner

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Accessory Dwelling Unit Act. Defines terms. Provides that a unit of local government may not prohibit the building or usage of accessory dwelling units in the unit of local government. Provides that a unit of local government may provide reasonable regulations relating to the size and location of accessory dwelling units similar to other accessory structures unless a regulation would have the effect of prohibiting accessory dwelling units. Limits home rule powers. Effective immediately.

LRB104 08748 RTM 18802 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 1. Short title. This Act may be cited as the Local  
5 Accessory Dwelling Unit Act.

6 Section 5. Definitions. As used in this Act:

7 "Accessory dwelling unit" means an attached or detached  
8 residential dwelling unit that provides complete independent  
9 living facilities for one or more persons, is located on a lot  
10 with a proposed or existing primary residence, and includes  
11 permanent provisions for living, sleeping, eating, cooking,  
12 and sanitation on the same parcel as the single-family or  
13 multifamily dwelling it is or will be situated. "Accessory  
14 dwelling unit" includes, but is not limited to:

15 (1) An efficiency unit.

16 (2) A manufactured home, as that term is defined in  
17 paragraph (53) of subsection (a) of Section 9-102 of the  
18 Uniform Commercial Code.

19 "Efficiency unit" means a unit for occupancy by no more  
20 than 2 persons which has a minimum floor area of 150 square  
21 feet and may also have a partial kitchen or bathroom  
22 facilities.

1           Section 10. Regulation of accessory dwelling units.

2           (a) A unit of local government may not prohibit the  
3 building or usage of accessory dwelling units in the unit of  
4 local government.

5           (b) A unit of local government may provide reasonable  
6 regulations relating to the size and location of accessory  
7 dwelling units similar to other accessory structures unless a  
8 regulation would have the effect of prohibiting accessory  
9 dwelling units.

10          Section 15. Home rule. A home rule unit may not regulate  
11 accessory dwelling units in a manner inconsistent with this  
12 Act. This Act is a limitation under subsection (i) of Section 6  
13 of Article VII of the Illinois Constitution on the concurrent  
14 exercise by home rule units of powers and functions exercised  
15 by the State.

16          Section 99. Effective date. This Act takes effect upon  
17 becoming law.