



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1813

Introduced 1/28/2025, by Rep. Robert "Bob" Rita

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-13-30 new

Amends the Control Over Building and Construction Article of the Illinois Municipal Code. Provides that a municipality may not prohibit the building or usage of accessory dwelling units in the municipality. Provides that a municipality 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. Defines terms.

LRB104 09142 RTM 19198 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 referred to as the
5 Accessory Dwelling Unit Permissibility Act.

6 Section 5. The Illinois Municipal Code is amended by
7 adding Section 11-13-30 as follows:

8 (65 ILCS 5/11-13-30 new)

9 Sec. 11-13-30. Accessory dwelling units.

10 (a) As used in this Section:

11 "Accessory dwelling unit" means an attached or a detached
12 residential dwelling unit that provides complete independent
13 living facilities for one or more persons and is located on a
14 lot with a proposed or existing primary residence and includes
15 permanent provisions for living, sleeping, eating, cooking,
16 and sanitation on the same parcel as the single-family or
17 multifamily dwelling upon which it is or will be situated.

18 "Accessory dwelling unit" includes, but is not limited to:

19 (1) an efficiency unit;

20 (2) a manufactured home, as that term is defined in
21 paragraph (53) of subsection (a) of Section 9-102 of the
22 Uniform Commercial Code;

1 "Efficiency unit" means a unit for occupancy by no more
2 than 2 persons that has a minimum floor area of 150 square feet
3 and may also have a partial kitchen or bathroom facilities.

4 (b) A municipality may not prohibit the building or usage
5 of accessory dwelling units in the municipality.

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

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