

SB2785



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2785

Introduced 1/13/2026, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-46025

Amends the Counties Code if and only if Senate Bill 25 of the 104th General Assembly becomes law. Provides that "shared roof" does not include a roof that serves townhouses. Provides that "townhouse" means a privately owned single-family dwelling unit that is attached to but separated from other privately owned single-family dwelling units by a common party wall that has no doors, windows, or other means of human passage or visibility.

LRB104 16790 AAS 30199 b

A BILL FOR

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 5. If and only if Senate Bill 25 of the 104th
5 General Assembly becomes law, then the Counties Code is
6 amended by changing Section 5-46025 as follows:

7 (55 ILCS 5/5-46025)

8 Sec. 5-46025. Applicability.

9 (a) As used in this Section: **7**

10 "Shared ~~shared~~ roof" means any roof that (i) serves more
11 than one unit, including, but not limited to, a contiguous
12 roof serving adjacent units, or (ii) is part of the common
13 elements or common area of a unit. "Shared roof" does not
14 include a roof that serves townhouses.

15 "Townhouse" means a privately owned single-family dwelling
16 unit that is attached to but separated from other privately
17 owned single-family dwelling units by a common party wall that
18 has no doors, windows, or other means of human passage or
19 visibility.

20 (b) This Division shall not apply to any building that:

- 21 (1) is greater than 60 feet in height; or
22 (2) has a shared roof.

23 (c) Notwithstanding subsection (b) of this Section, this

1 Division shall apply to any building with a shared roof:

2 (1) where the solar energy system is located entirely
3 within that portion of the shared roof that is owned and
4 maintained by the property owner;

5 (2) where all property owners sharing the shared roof
6 are in agreement to install a solar energy system; or

7 (3) to the extent this Division applies to low-voltage
8 solar-powered devices.

9 (Source: 10400SB0025enr.)