

Condominium Legislation Effective in 2008-2nd Session

The State Legislature routinely amends the Illinois Condominium Property Act. Here is a listing and analysis of new legislation from the 2nd session of the 95th legislature that have effective dates in 2008. A copy of each Public Act discussed is appended at the end of this memo (or as a separate attachment).

1. Delay in Requirement of Suburbs to comply with new Elevator Safety Rules-PA 95-767.

In June, 2008 I told you of pending legislation concerning certain new elevator safety rules in cities under 500,000 people. The above-mentioned Act (effective 7/29/08) now delays the effective date of those rules so that rules which required compliance in either 2009 or 2011 now will not require compliance until 2013.

Information about these new laws will be updated as the situation warrants. Also, please feel free to go to the Legal News and Publications area of the Fischel & Kahn, Ltd. website (www.fischelkahn.com) for further condo related information.

Questions about this legislation or any other condominium, townhome, coop or common interest community matter should be directed to Mark R. Rosenbaum.

Public Act 095-0767

SB0886 Enrolled

LRB095 05651 RAS 25741 b

AN ACT concerning regulation.

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

Section 5. The Elevator Safety and Regulation Act is amended by changing Section 125 as follows:

(225 ILCS 312/125)

(Section scheduled to be repealed on January 1, 2013)

Sec. 125. State law, code, or regulation; rule compliance. Whenever a provision in this Act is found to be inconsistent with any provision of another applicable State law, code, or rule, the State law shall prevail. This Act, unless specifically stated otherwise, is not intended to establish more stringent or more restrictive standards than standards set forth in other applicable State laws.

Any rule adopted under this Act that requires compliance specifically beginning in 2009 and any rule adopted under this Act that requires compliance specifically beginning in 2011 shall be deemed to require compliance beginning in 2013 instead of 2009 or 2011.

(Source: P.A. 92-873, eff. 6-1-03.)

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

Effective Date: 7/29/2008