

SB2754



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2754

Introduced 1/13/2026, by Sen. Mike Porfirio

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-101-3

Amends the Illinois Municipal Code. Provides that a municipality that has implemented a Residential Sound Insulation Program to mitigate aircraft noise shall replace all windows and doors in homes where defective products were found to have caused offensive odors prior the initiation of the Residential Sound Insulation Program. Provides that airport revenue funds shall not be used to replace any windows or doors in homes where later testing done as part of the Residential Sound Insulation Program found no offensive odor.

LRB104 16560 RTM 29958 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. The Illinois Municipal Code is amended by
5 changing Section 11-101-3 as follows:

6 (65 ILCS 5/11-101-3)

7 Sec. 11-101-3. Noise mitigation; air quality.

8 (a) A municipality that has implemented a Residential
9 Sound Insulation Program to mitigate aircraft noise shall
10 perform indoor air quality monitoring and laboratory analysis
11 of windows and doors installed pursuant to the Residential
12 Sound Insulation Program to determine whether there are any
13 adverse health impacts associated with off-gassing from such
14 windows and doors. Such monitoring and analysis shall be
15 consistent with applicable professional and industry
16 standards. The municipality shall make any final reports
17 resulting from such monitoring and analysis available to the
18 public on the municipality's website. The municipality shall
19 develop a science-based mitigation plan to address significant
20 health-related impacts, if any, associated with such windows
21 and doors as determined by the results of the monitoring and
22 analysis. In a municipality that has implemented a Residential
23 Sound Insulation Program to mitigate aircraft noise, if

1 requested by the homeowner pursuant to a process established
2 by the municipality, which process shall include, at a
3 minimum, notification in a newspaper of general circulation
4 and a mailer sent to every address identified as a recipient of
5 windows and doors installed under the Residential Sound
6 Insulation Program, the municipality shall replace all windows
7 and doors installed under the Residential Sound Insulation
8 Program in such homes where one or more windows or doors have
9 been found to have caused offensive odors, including in homes
10 where defective products were found to have caused offensive
11 odors prior to the initiation of the Residential Sound
12 Insulation Program. However, airport revenue funds shall not
13 be used to replace any windows or doors in homes where later
14 testing done as part of the Residential Sound Insulation
15 Program found no offensive odor. Subject to appropriation, the
16 municipality shall replace windows and doors in at least 750
17 residences a year. Residents who altered or modified a
18 replacement window or accepted a replacement screen for the
19 window shall not be disqualified from compensation or future
20 services. Only those homeowners who request that the
21 municipality perform an odor inspection as prescribed by the
22 process established by the municipality within 6 months of
23 notification being published and mailers being sent shall be
24 eligible for odorous window and odorous door replacement.
25 Residents who are eligible to receive replacement windows
26 shall be allowed to choose the color and type of replacement

1 window. For purposes of aiding in the selection of such
2 replacement windows, a showcase and display of available
3 replacement window types shall be established and located at
4 Chicago Midway International Airport. Homes that have been
5 identified by the municipality as having odorous windows or
6 doors are not required to make said request to the
7 municipality. The right to make a claim for replacement and
8 have it considered pursuant to this Section shall not be
9 affected by the fact of odor-related claims made or
10 odor-related products received pursuant to the Residential
11 Sound Insulation Program prior to June 5, 2019 (the effective
12 date of this Section). The municipality shall also perform
13 in-home air quality testing in residences in which windows and
14 doors are replaced under this Section. In order to receive
15 in-home air quality testing, a homeowner must request such
16 testing from the municipality, and the total number of homes
17 tested in any given year shall not exceed 25% of the total
18 number of homes in which windows and doors were replaced under
19 this Section in the prior calendar year.

20 (b) An advisory committee shall be formed, composed of the
21 following: (i) 2 members of the municipality who reside in
22 homes that have received windows or doors pursuant to the
23 Residential Sound Insulation Program and have been identified
24 by the municipality as having odorous windows or doors,
25 appointed by the Secretary of Transportation; (ii) one
26 employee of the Aeronautics Division of the Department of

1 Transportation who shall only cast votes when breaking a tie;
2 (iii) 2 employees of the municipality that implemented the
3 Residential Sound Insulation Program in question; and (iv) 2
4 members appointed by the Speaker of the House of
5 Representatives, 2 members appointed by the President of the
6 Senate, one member appointed by the Minority Leader of the
7 House of Representatives, and one member appointed by the
8 Minority Leader of the Senate. The advisory committee shall
9 determine by majority vote which homes contain windows or
10 doors that cause offensive odors and thus are eligible for
11 replacement, shall promulgate a list of such homes, and shall
12 develop recommendations as to the order in which homes are to
13 receive window replacement. The recommendations shall include
14 reasonable and objective criteria for determining which
15 windows or doors are odorous, consideration of the date of
16 odor confirmation for prioritization, severity of odor,
17 geography and individual hardship, and shall provide such
18 recommendations to the municipality. The advisory committee
19 shall develop a process in which homeowners can demonstrate
20 extreme hardship. As used in this subsection, "extreme
21 hardship" means: liquid infiltration of the window or door;
22 health and medical condition of the resident; and residents
23 with sensitivities related to smell. At least 10% of the homes
24 receiving a replacement in a year shall be homes that have
25 demonstrated extreme hardship. The advisory committee shall
26 compile a report demonstrating: (i) the number of homes in

1 line to receive a replacement; (ii) the number of homes that
2 received replacement windows or doors, or both; (iii) the
3 number of homes that received financial compensation instead
4 of a replacement; and (iv) the number of homes with confirmed
5 mechanical issues. Until December 31, 2022, the report shall
6 be compiled monthly, after December 31, 2022, the report shall
7 be compiled quarterly. The advisory committee shall accept all
8 public questions and furnish a written response within 2
9 business days. The advisory committee shall comply with the
10 requirements of the Open Meetings Act. The Chicago Department
11 of Aviation shall provide administrative support to the
12 committee. The municipality shall consider the recommendations
13 of the committee but shall retain final decision-making
14 authority over replacement of windows and doors installed
15 under the Residential Sound Insulation Program, and shall
16 comply with all federal, State, and local laws involving
17 procurement. A municipality administering claims pursuant to
18 this Section shall provide to every address identified as
19 having submitted a valid claim under this Section a quarterly
20 report setting forth the municipality's activities undertaken
21 pursuant to this Section for that quarter. However, the
22 municipality shall replace windows and doors pursuant to this
23 Section only if, and to the extent, grants are distributed to,
24 and received by, the municipality from the Sound-Reducing
25 Windows and Doors Replacement Fund for the costs associated
26 with the replacement of sound-reducing windows and doors

1 installed under the Residential Sound Insulation Program
2 pursuant to Section 6z-20.1 of the State Finance Act. In
3 addition, the municipality shall revise its specifications for
4 procurement of windows for the Residential Sound Insulation
5 Program to address potential off-gassing from such windows in
6 future phases of the program. A municipality subject to the
7 Section shall not legislate or otherwise regulate with regard
8 to indoor air quality monitoring, laboratory analysis or
9 replacement requirements, except as provided in this Section,
10 but the foregoing restriction shall not limit said
11 municipality's taxing power.

12 (c) A home rule unit may not regulate indoor air quality
13 monitoring and laboratory analysis, and related mitigation and
14 mitigation plans, in a manner inconsistent with this Section.
15 This Section is a limitation of home rule powers and functions
16 under subsection (i) of Section 6 of Article VII of the
17 Illinois Constitution on the concurrent exercise by home rule
18 units of powers and functions exercised by the State.

19 (d) This Section shall not be construed to create a
20 private right of action.

21 (Source: P.A. 103-200, eff. 6-30-23; 104-404, eff. 8-15-25.)