



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3239

by Rep. Christine Winger

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/5-1014.7 new  
65 ILCS 5/11-101-3 new  
75 ILCS 5/5-10 new  
75 ILCS 16/40-60 new  
75 ILCS 40/6 new  
105 ILCS 5/10-20.60 new  
620 ILCS 35/15  
620 ILCS 65/29 new

from Ch. 15 1/2, par. 765

Amends the Counties Code, the Illinois Municipal Code, the School Code, and the O'Hare Modernization Act. Requires the Chicago Department of Aviation and the O'Hare Noise Compatibility Commission to approve criteria making public libraries eligible under the O'Hare School Sound Insulation Program and for units of local government to provide reimbursement for any cost not federally reimbursed up to 20% of the cost using approved airline revenue sources. Limits home rule powers. Amends the Illinois Local Library Act, Public Library District Act of 1991, and the Village Library Act. Provides that the board of a public library may apply for and receive sound insulation funding under the O'Hare School Sound Insulation Program. Amends the Permanent Noise Monitoring Act. Provides that permanent noise monitoring reports shall indicate public libraries and the number of public libraries within each contour. Effective immediately.

LRB100 05415 AWJ 15426 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

1 AN ACT concerning libraries.

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

4 Section 5. The Counties Code is amended by adding Section  
5 5-1014.7 as follows:

6 (55 ILCS 5/5-1014.7 new)

7 Sec. 5-1014.7. O'Hare School Sound Insulation Program.  
8 Counties that are members of the O'Hare Noise Compatibility  
9 Commission and the O'Hare Noise Compatibility Commission shall  
10 approve criteria and funding for the sound insulation of  
11 libraries as required by Section 29 of the O'Hare Modernization  
12 Act.

13 Section 10. The Illinois Municipal Code is amended by  
14 adding Section 11-101-3 as follows:

15 (65 ILCS 5/11-101-3 new)

16 Sec. 11-101-3. O'Hare School Sound Insulation Program.  
17 Municipalities that are members of the O'Hare Noise  
18 Compatibility Commission, the Chicago Department of Aviation,  
19 and the O'Hare Noise Compatibility Commission shall approve  
20 criteria and funding for the sound insulation of libraries as  
21 required by Section 29 of the O'Hare Modernization Act.

1 Section 15. The Illinois Local Library Act is amended by  
2 adding Section 5-10 as follows:

3 (75 ILCS 5/5-10 new)

4 Sec. 5-10. O'Hare School Sound Insulation Program. The  
5 board of trustees of a public library may apply for and receive  
6 sound insulation funding for the public library under the  
7 O'Hare School Sound Insulation Program for public libraries  
8 operating under this Act.

9 Section 20. The Public Library District Act of 1991 is  
10 amended by adding Section 40-60 as follows:

11 (75 ILCS 16/40-60 new)

12 Sec. 40-60. O'Hare School Sound Insulation Program. The  
13 board may apply for and receive sound insulation funding for a  
14 library building under the O'Hare School Sound Insulation  
15 Program for libraries operating under this Act.

16 Section 25. The Village Library Act is amended by adding  
17 Section 6 as follows:

18 (75 ILCS 40/6 new)

19 Sec. 6. O'Hare School Sound Insulation Program. The board  
20 of trustees of a public library may apply for and receive sound

1 insulation funding for the public library under the O'Hare  
2 School Sound Insulation Program for public libraries operating  
3 under this Act.

4 Section 30. The School Code is amended by adding Section  
5 10-20.60 as follows:

6 (105 ILCS 5/10-20.60 new)

7 Sec. 10-20.60. O'Hare School Sound Insulation Program.  
8 School districts that are members of the O'Hare Noise  
9 Compatibility Commission and the O'Hare Noise Compatibility  
10 Commission shall approve criteria and funding for the sound  
11 insulation of libraries as required by Section 29 of the O'Hare  
12 Modernization Act.

13 Section 35. The Permanent Noise Monitoring Act is amended  
14 by changing Section 15 as follows:

15 (620 ILCS 35/15) (from Ch. 15 1/2, par. 765)

16 Sec. 15. Permanent noise monitoring reports. Beginning in  
17 1993 and through 2008, the Division shall, on June 30th and  
18 December 31st of each year, prepare a permanent noise  
19 monitoring report and make the report available to the public.  
20 Beginning in 2009, the airport sponsor shall, on June 30th and  
21 December 31st of each year, prepare a permanent noise  
22 monitoring report and make the report available to the public.

1 Copies of the report shall be submitted to: the Office of the  
2 Governor; the Office of the President of the Senate; the Office  
3 of the Senate Minority Leader; the Office of the Speaker of the  
4 House; the Office of the House Minority Leader; the United  
5 States Environmental Protection Agency, Region V; and the  
6 Illinois Environmental Protection Agency. Beginning in 2009, a  
7 copy of the report shall also be submitted to the division. The  
8 permanent noise monitoring report shall contain all of the  
9 following:

10 (a) Copies of the actual data collected by each permanent  
11 noise monitor in the system.

12 (b) A summary of the data collected by each permanent noise  
13 monitor in the system, showing the data organized by:

14 (1) day of the week;

15 (2) time of day;

16 (3) week of the year;

17 (4) type of aircraft; and

18 (5) the single highest noise event recorded at each  
19 monitor.

20 (c) Noise contour maps showing the 65 annual CNEL, 70  
21 annual CNEL and 75 annual CNEL zones around the airport.

22 (d) Noise contour maps showing the 65 decibel (dBA), 70  
23 dBA, and 75 dBA zones around the airport for:

24 (1) 7:00 a.m. through 6:59 p.m.;

25 (1.5) 7:00 p.m. through 9:59 p.m.;

26 (2) 10:00 p.m. through 6:59 a.m.; and

1 (3) types of aircraft.

2 (e) The noise contour maps produced under subsections (c)  
3 and (d) shall also indicate:

4 (1) residential areas (single and multi-family);

5 (2) schools;

6 (2.5) public libraries;

7 (3) hospitals and nursing homes;

8 (4) recreational areas, including but not limited to  
9 parks and forest preserves;

10 (5) commercial areas;

11 (6) industrial areas;

12 (7) the boundary of the airport;

13 (8) the number of residences (single and multi-family)  
14 within each contour;

15 (9) the number of residents within each contour;

16 (10) the number of schools within each contour; ~~and~~

17 (11) the number of school students within each contour;

18 and

19 (12) the number of public libraries within each  
20 contour.

21 (f) Through 2008, a certification by the Division that the  
22 system was in proper working order during the period or, if it  
23 was not, a specific description of any and all problems with  
24 the System during the period.

25 (g) Beginning in 2009, a certification by the airport  
26 sponsor that the system was in proper working order during the

1 period or, if it was not, a specific description of any and all  
2 problems with the system during the period.

3 (Source: P.A. 99-202, eff. 1-1-16.)

4 Section 40. The O'Hare Modernization Act is amended by  
5 adding Section 29 as follows:

6 (620 ILCS 65/29 new)

7 Sec. 29. O'Hare School Sound Insulation Program.

8 (a) The Chicago Department of Aviation and the O'Hare Noise  
9 Compatibility Commission shall approve criteria making  
10 libraries formed under the Illinois Local Library Act, the  
11 Public Library District Act of 1991, or the Village Library Act  
12 eligible under the O'Hare School Sound Insulation Program. The  
13 criteria for libraries shall not be more stringent than the  
14 criteria for schools.

15 (b) To the extent that a library meets all criteria and  
16 grant funding becomes available through the O'Hare School Sound  
17 Insulation Program for that public library, a unit of local  
18 government responsible to provide reimbursement shall provide  
19 reimbursement for any cost not federally reimbursed up to 20%  
20 of the cost using approved airline revenue sources.

21 (c) Home rule units of local government shall not approve  
22 criteria or provide funding for sound insulation in libraries  
23 in a manner inconsistent with this Section. This Section is a  
24 limitation under subsection (i) of Section 6 of Article VII of

1 the Illinois Constitution on the concurrent exercise by home  
2 rule units of powers and functions exercised by the State.

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