

HB4887



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4887

by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

20 ILCS 3125/15.1 new
765 ILCS 77/42 new

Amends the Energy Efficient Building Act. Provides that each builder who completes construction on a newly constructed residential building in the State shall cause an energy audit to be completed on the building resulting in a Home Energy Rating System (HERS) Index Score. Amends the Residential Real Property Disclosure Act. Provides that, subject to certain exceptions, prior to the transfer of title of a dwelling, the seller shall obtain an energy audit resulting in a Home Energy Rating System (HERS) Index Score of the dwelling. Effective immediately.

LRB104 18115 HLH 31554 b

A BILL FOR

1 AN ACT concerning property.

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

4 Section 5. The Energy Efficient Building Act is amended by
5 adding Section 15.1 as follows:

6 (20 ILCS 3125/15.1 new)

7 Sec. 15.1. Required energy audits.

8 (a) This Section applies to all newly constructed
9 residential buildings in the State, including single-family
10 dwelling, duplexes, townhomes, and multifamily residential
11 buildings with up to 4 dwelling units, for which a building
12 permit is issued on or after January 1, 2027.

13 (b) Each builder who completes construction on a building
14 that is subject to this Section shall cause an energy audit to
15 be completed on the building resulting in a Home Energy Rating
16 System (HERS) Index Score.

17 (c) The energy audit shall:

18 (1) be conducted by a RESNET-certified Home Energy
19 Rater;

20 (2) include on-site diagnostic testing, including
21 blower door testing and duct leakage testing, consistent
22 with ANSI/RESNET/ICC standards; and

23 (3) produce a final HERS Index Score and compliance

1 report.

2 (d) The final HERS compliance report shall be submitted to
3 the local building official as a condition of issuance of a
4 Certificate of Occupancy. The HERS score, date, and full
5 energy audit details shall be disclosed in the building sale
6 summary report, printed in at least 12-point font, and shall
7 be available to the building owner in an electronic version.
8 The HERS score and date must be posted in the building on the
9 electrical panel.

10 (e) A builder who fails to comply with this Section may be
11 subject to a civil penalty not to exceed \$5,000 per violation.
12 Failure to comply with the provisions of this Section shall
13 invalidate an otherwise lawful transfer of property.

14 (f) The Capital Development Board shall adopt rules
15 necessary to implement this Section, including provisions for
16 exemptions for historic buildings and emergency construction.

17 (g) Nothing in this Section shall preempt a unit of local
18 government from adopting more stringent energy audit or
19 disclosure requirements, provided those requirements are
20 consistent with this Section.

21 Section 10. The Residential Real Property Disclosure Act
22 is amended by adding Section 42 as follows:

23 (765 ILCS 77/42 new)

24 Sec. 42. Energy audit required.

1 (a) Except as otherwise provided in this Section, prior to
2 the transfer of title of a dwelling, the seller shall obtain an
3 energy audit resulting in a Home Energy Rating System (HERS)
4 Index Score of the dwelling.

5 (b) The energy audit shall:

6 (1) be conducted by a RESNET-certified Home Energy
7 Rater;

8 (2) include on-site diagnostic testing, including
9 blower door testing and duct leakage testing, consistent
10 with ANSI/RESNET/ICC standards; and

11 (3) produce a final HERS Index Score and compliance
12 report.

13 (c) The seller shall provide to the prospective buyer:

14 (1) the dwelling's HERS Index score; and

15 (2) a copy of the full energy audit report, which
16 shall be provided to the buyer no later than 10 business
17 days prior to closing or prior to execution of a purchase
18 agreement, whichever occurs first.

19 In addition, the HERS score and date shall be posted in the
20 dwelling on the electrical panel.

21 (d) The Department of Financial and Professional
22 Regulation shall develop a standardized disclosure form to
23 accompany the audit report.

24 (e) This Section does not apply to:

25 (1) newly constructed dwellings that have complied
26 with Section 15.1 of the Energy Efficient Building Act

1 within the 24 months immediately preceding the date of the
2 transfer;

3 (2) transfers pursuant to foreclosure, deeds in lieu
4 of foreclosure, or court order;

5 (3) transfers between family members without
6 consideration;

7 (4) transfers in the administration of a probate
8 estate; and

9 (5) quitclaim deeds executed pursuant to a marital
10 settlement agreement incorporated into a judgment of
11 dissolution of marriage.

12 (f) A seller who fails to comply with this Section may be
13 subject to a civil penalty not to exceed \$5,000 per violation.
14 Failure to comply shall invalidate an otherwise lawful
15 transfer of property.

16 (g) Nothing in this Section shall preempt a unit of local
17 government from adopting more stringent energy audit or
18 disclosure requirements, provided those requirements are
19 consistent with this Section.

20 (h) As used in this Section:

21 " Dwelling " means a residential building containing one to
22 4 dwelling units.

23 " Energy audit " means a residential energy performance
24 evaluation conducted by a RESNET-certified Home Energy Rater,
25 resulting in a HERS Index Score.

26 " Seller " means the owner of record of a dwelling offered

1 for sale.

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