

ENVIRONMENTAL LAW INSTITUTE
DATABASE OF
STATE INDOOR AIR QUALITY LAWS

DATABASE EXCERPT: RADON LAWS

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The Environmental Law Institute's Database of State Indoor Air Quality Laws contains a broad cross-section of laws on the subject of indoor air quality. The following chart collects those laws included in the database that address the subject of *radon*. The chart does not purport to include every state law that addresses radon. The chart highlights laws that deal directly or exclusively with radon, and does not include laws that may affect the problem of radon indirectly. For example, a law that authorizes a state agency to undertake research on indoor air quality generally may result in radon-related activities but would not be included here.

For a fuller compilation of IAQ laws, see the complete database chart at http://www.eli.org/Buildings/iaq_databases.cfm. Like the complete database, this excerpt covers laws enacted through December 2013. The abstracts for documents that were added or substantially amended in 2013 appear in **bold** type.

To read other ELI summaries and analysis of state radon policy, see <http://www.eli.org/buildings/publications-topic#radon>.

AK	<p>Alaska Statutes §§ 34.70.010--200</p> <p>Requires transferors of an interest in residential real property to provide to transferees a written disclosure statement prior to a written offer of transfer, and directs the Alaska Real Estate Commission to establish the form. Form developed by the Commission requires disclosure of knowledge of materials deemed to be environmental hazards, including radon gas, formaldehyde, asbestos, and lead-based paint, as well as knowledge of mold or mildew issues. [See http://www.dced.state.ak.us/occ/pub/rec4229.pdf.]</p>
CA	<p>California Business & Professions Code § 10084.1</p> <p>Requires the state to prepare a booklet to educate consumers about common environmental hazards affecting real property, including radon. Separate law (Cal. Health & Safety Code § 25417.1) requires the state to update the booklet.</p>
CA	<p>California Civil Code §§ 1102--1102.18</p> <p>Requires sellers of real property containing up to four residential units to complete a disclosure form indicating the presence of all environmental hazards, including radon gas, formaldehyde, and mold, that are known to the seller. Also requires disclosure of whether property contains a carbon monoxide device. Requires resale of manufactured homes and mobile homes to include disclosure of environmental hazards in the home interior or exterior, including radon, formaldehyde, and lead-based paint, as well as the existence of a carbon monoxide device.</p>
CA	<p>California Health & Safety Code § 105430</p> <p>Authorizes the state health agency to develop radon assessment and mitigation plans for new construction in at-risk areas. Provides that if the department adopts regulations to implement a radon assessment and mitigation plan, local governments may not issue building permits until applicants have demonstrated compliance with those regulatory standards.</p>
CA	<p>California Health & Safety Code §§ 106750 et seq.</p> <p>Establishes that no person may provide radon services for the general public unless that person has completed the National Radon Measurement Proficiency Program of the National Environmental Health Association or the National Radon Safety Board Certified Radon Professional Program. Requires submission of certificate of completion of either course to the state health agency, and requires the agency to make available to the public a list of individuals so certified.</p>

CO	Colorado Revised Statutes § 12-61-804
	Requires real estate brokers to disclose to prospective purchasers or tenants all adverse material facts actually known by the broker, including any environmental hazards affecting the property that are required by law to be disclosed. Seller's Property Disclosure Form created in State Real Estate Commission requires disclosure of environmental conditions of which seller has current actual knowledge, including the existence of radon, asbestos, methane, solvents, and whether the interior is smoke-free. Form also requires disclosure of presence of a carbon monoxide alarm. [Available at: http://cdn.colorado.gov/cs/Satellite/DORA-DRE/CBON/DORA/1251614735941 (under "Real Estate Contracts and Forms" --> "Disclosure Documents").]

CO	Colorado Revised Statutes § 25-1.5-101
	Authorizes the Department of Public Health to establish and enforce sanitary standards for the operation and maintenance of schools and other institutions. Regulations adopted under the law (6 Col. Code Regs. 1010-6:10-102) require schools to test for radon. Regulations also require that newly-constructed schools undergo radon testing within 19 months of occupancy and that remodeled schools be evaluated by the state to determine the need for radon testing. Regulations require that radon testing be carried out in a manner consistent with EPA guidance and that schools make the test results available.

CO	Colorado Revised Statutes § 6-1-105
	Provides that it is a deceptive trade practice to knowingly make a false representation as to the results of a radon test or the need for radon mitigation.

CT	Connecticut General Statutes § 10-220
	Requires local or regional boards of education to adopt and implement an IAQ program that provides for ongoing maintenance and facility reviews, as well as a green cleaning program that provides for the procurement and use of environmentally preferable cleaning products. Requires boards of education to report triennially to the Commissioner of Construction Services on facility conditions and on actions taken to implement their IAQ program, green cleaning program, and long-term school building program. Requires that every five years, boards of education inspect and evaluate indoor air quality in all new and renovated school buildings, and lists 14 separate items to be included in the inspection and evaluation program, including radon levels in the air and potential for exposure to mold. Results of these evaluations must be provided at a board meeting and on the website of the board or individual school.

CT	Connecticut General Statutes § 10-291
	Requires public school building projects to incorporate the guidelines set forth in the Sheet Metal and Air Conditioning Contractors National Association's publication, "Indoor Air Quality Guidelines for Occupied Buildings Under Construction," or similar publications. Prohibits the Department of Construction Services from approving school building project plans that do not include provisions for training of building maintenance staff in the operation of HVAC systems and indoor air quality. Also requires the preparation of a Phase I environmental site assessment in school building projects, and establishes requirements relating to roof construction or replacement. Prohibits the department from approving school building project plans or sites if the site is in an area of moderate or high radon potential, except where the school building project plan incorporates construction techniques to mitigate radon levels.

CT	Connecticut General Statutes § 19a-14b
	Requires the Department of Public Health to maintain a list of companies and individuals that are included in current lists of national radon proficiency programs that have been approved by the Commissioner of Public Health. Also requires the department to adopt regulations concerning radon in drinking water consistent with federal regulations.

CT	Connecticut General Statutes § 19a-37b
	Requires the Department of Public Health to adopt regulations to establish radon measurement requirements and procedures for evaluating radon in indoor air and reducing radon levels in public schools.

CT	Connecticut General Statutes § 19a-79
	Requires the Commissioner of Public Health to adopt regulations to assure that child day care centers and group day care homes meet the health, educational and social needs of children utilizing them. Regulations must include physical plant requirements for facilities that serve exclusively school-age children. Regulations promulgated under the law (Conn. Admin. Code 19a-79-3a,7a) require child day care centers and group day care homes that use a basement or first-floor level of a building to conduct at least one radon test during the months of November through April. Regulations require radon mitigation by a service provider who meets state qualifications if radon levels are 4pCi/L or greater.

CT	Connecticut General Statutes § 20-327b
	Requires sellers of residential property containing four units or fewer to provide a written residential condition report to the prospective purchaser. Requires that the report contain information concerning environmental matters including, but not limited to, radon and lead. The disclosure form adopted through regulation requires sellers to disclose any radon testing results; the presence of asbestos, lead-based paint, and basement dampness; and information about carbon monoxide and smoke detectors (Conn. Admin. Code 20-327b-1).
CT	Connecticut General Statutes §§ 20-420--427
	Requires that home improvement contractors obtain a certificate of registration from the state and provides that contractors who perform radon mitigation may not obtain the certificate of registration unless they are certified as radon mitigators by the National Radon Safety Board or the National Environmental Health Association.
DE	Delaware Code, tit. 6, §§ 2570--2578
	Requires sellers of property containing up to four residential dwelling units to disclose to the buyer, agent and/or subagent all known material defects of the property, including information about radon tests or inspections. Sellers must also provide purchasers with written information developed by the Department of Health and Social Services describing radon exposure risks, radon testing, and radon remediation. The radon disclosure form, developed by the Delaware Real Estate Commission pursuant to the law, requires disclosure of any radon tests performed on the property. Real estate licensees are required by regulation (24 Del. Admin. Code 2900-9.0) to obtain the radon disclosure from sellers and to make the disclosure available to purchasers. A separate Property Condition Report requires disclosure of environmental hazards, such as asbestos, lead paint, toxic or hazardous substances, and mold, including any past mold testing results. [See http://www.dpr.delaware.gov/boards/realestate/forms.shtml .]
DC	District of Columbia Statutes §§ 28-4201--4203
	Prohibits persons or companies from conducting radon screening, testing or mitigation unless they have been listed as proficient by the U.S. EPA and requires the Mayor to maintain a public list of such professionals. Authorizes the Mayor to issue proposed rules establishing radon screening, testing, or mitigation programs in the District that are in compliance with any recommendations or guidelines published by the U.S. EPA.

DC	District of Columbia Statutes §§ 42-1301--1311
	Requires sellers of property containing up to four dwelling units to provide to purchasers a real property disclosure statement on a form approved by the Mayor. Regulation adopting Seller's Disclosure Statement (17 D.C. Mun. Regs. 2708) requires information about sellers' knowledge of environmental problems on the property, including radon, asbestos, lead-based paint, and formaldehyde, and the presence of carbon monoxide detectors.

FL	Florida Statutes § 404.056
	Authorizes the Department of Health to establish environmental radiation standards for buildings and to conduct programs designed to reduce human exposure to harmful environmental radiation. Requires persons who perform radon measurements and mitigation to be certified by the department, and results of radon measurements to be reported to the department. Requires the department to administer a public information program. Requires radon testing of all public and private school buildings, 24-hour care facilities owned or regulated by the state, and state-licensed day care centers located in designated counties. Requires that a specified radon warning statement be provided prior to the sale or lease of a residential property. Regulations adopted under the law establish certification requirements (Fla. Admin. Code r. 64E-5.1201--1208). Regulations also establish that radiation exposure to the public from naturally occurring radioactive materials shall be maintained as low as reasonably achievable and that the annual average radon decay product concentration in a building shall not exceed 0.02 WL (4.0 pCi/L) (Fla. Admin. Code. R. 64E-5.1001).

FL	Florida Statutes § 409.175
	Requires the Department of Children and Family Services to adopt licensing rules for family foster homes that must include safety and health standards that provide for the physical well-being of the children served. Rules adopted by the agency (Fla. Admin. Code 65C-13.030) establishing standards for licensed out-of-home caregivers require family foster homes located in intermediate or elevated radon potential areas to be tested for radon. Establishes that radon must be at a level that does not affect the safety and well-being of children in the homes.

FL	Florida Statutes § 553.98
	Provides funds to the Department of Business and Professional Regulation for activities incidental to the development and implementation of building codes for radon-resistant buildings. Regulations implementing the law (Fla. Admin. Code r. 61-38.002--003) adopt a voluntary, model Standard for Passive Radon-Resistant New Residential Building Construction and Standard for Radon-Resistant New Commercial Building Construction. Requires that local jurisdictions that choose to adopt requirements for radon-resistant new construction use the model standard adopted by the state.

GA	<p>Georgia Code § 12-3-5</p> <p>Authorizes the Department of Natural Resources to make grants, as funds are available, to public entities in order to further any of the services, purposes, duties, responsibilities, or functions vested in the department. Regulations promulgated under the law (Georgia Comp. R. & Regs. 391-7-2-.01--.04) establish the Radon Awareness Grant Program to provide funds to local governments and community-based organizations to address radon issues in their communities. Provides that grants awarded under the program may not exceed \$7,500, must be met by matching funds, and may not be used for radon mitigation.</p>
ID	<p>Idaho Code § 39-1210</p> <p>Requires the Board of Health and Welfare to promulgate appropriate rules to implement and enforce standards for licensing children's residential care facilities, including standards that assure the safety and physical care of children. Regulations promulgated under the law (Idaho Admin. Code 16.06.02.726) require buildings used as children's residential care facilities to be free from hazardous materials or toxins, including radon, lead paint, and asbestos, and to provide documentation of radon testing.</p>
IL	<p>Illinois Compiled Statutes Ch. 105, § 5/10-20.48</p> <p>Recommends that occupied school buildings be tested every five years for radon. Recommends that if radon levels are 4.0 pCi/L or above, the affected areas be mitigated by a licensed radon mitigation professional. Recommends that new schools be built using radon-resistant new construction techniques consistent with EPA guidance. Requires reporting of radon test results to the state Board of Education, which must submit a report every two years to the Governor and Legislature containing the results from all schools that have performed radon tests. [See also Ill. Comp. Stat. Ch. 105 § 5/34-18.39.]</p>
IL	<p>Illinois Compiled Statutes Ch. 225 § 10/5.8</p> <p>Requires licensed day care centers, day care homes, and group day care homes to test for radon at least once every three years, in accordance with state rules. Directs Department of Children and Family Services to require proof of radon testing in connection with initial or renewal license applications. Requires providers to post in the facility a copy of the most recent radon measurement report and to provide report to parents and guardians upon request. Also requires report to include general warning statement about radon in homes. (See 89 Ill. Admin.Code 406.4, 408.10)</p>

IL	<p>Illinois Compiled Statutes Ch. 420, §§ 44/1--90</p> <p>Authorizes the state to undertake a variety of radon-related activities, including radon measurement, surveys, monitoring, education, and technical assistance. Requires the licensure of persons selling radon detection devices, performing radon detection, or performing radon reduction services. Also requires state approval of radon sampling and measurement devices. Authorizes the state to establish minimum qualifications for licensure. Requires persons testing for radon to report results of testing within 45 days. Regulations adopted under the law (Ill. Admin. Code, tit. 32, Pt. 422) establish procedures and requirements for obtaining a license as a radon mitigator or tester, and set forth protocols for radon measurement and mitigation. Regulations include licensing provisions for measurement and mitigation of multi-family buildings of three stories or less.</p>
IL	<p>Illinois Compiled Statutes Ch. 420, §§ 46/1--25</p> <p>Establishes requirements for providing information about radon during residential real property sales. Requires sellers to provide buyers with: disclosure of known elevated radon levels in the home; a state-developed pamphlet on radon testing; and a general warning statement recommending radon testing prior to all home purchases. [State approved forms available at: www.state.il.us/iema/radon/holmen.asp.] Also requires landlords of residential units below the third story to notify current and prospective tenants of any radon hazard revealed by landlord's testing of the property, unless landlord mitigates the property and eliminates the hazard. Requires landlord to disclose to prospective tenants any radon hazard revealed by current tenants' testing, unless landlord's testing demonstrates that a hazard does not exist.</p>
IL	<p>Illinois Compiled Statutes Ch. 420, §§ 52/1 et seq.</p> <p>Requires that all new residential construction include passive radon-resistant construction techniques. Provides that installation of active radon mitigation systems, including installation of a radon vent fan or upgrade of a passive system, must be carried out by radon contractors. Requires the Illinois Emergency Management Agency to promulgate rules to implement the law.</p>
IL	<p>Illinois Compiled Statutes Ch. 765, §§ 77/1--65</p> <p>Requires a seller of real property containing up to four units to complete a disclosure report form, on which the seller must report if he/she is aware of various environmental conditions, including unsafe concentrations of radon and unsafe conditions relating to asbestos or lead paint on the premises.</p>

IL	<p>Illinois Compiled Statutes Ch. 815, §§ 505/2U--2W</p> <p>Provides that it is a misdemeanor to misrepresent the capabilities of a device for detecting and measuring radon or radon progeny.</p>
IN	<p>Indiana Code §§ 16-41-38-1--10</p> <p>Requires the state to establish a certification program for persons engaged in radon testing and abatement, and provides for reciprocity. Regulations adopted under the law (410 Indiana Admin. Code 5.1-1-1 et seq.) establish certification requirements. Law also requires the state to use any relevant standards or requirements concerning radon gas established by the U.S. EPA.</p>
IN	<p>Indiana Code §§ 32-21-5-1--12</p> <p>Requires sellers of property containing up to four dwelling units to complete a Seller's Residential Real Estate Sales Disclosure form. Rules adopted under the law (876 Ind. Admin. Code 1-4-1,2) establish the disclosure form, which requires sellers to disclose knowledge of hazardous conditions on the property, including radon gas, mold, other biological contaminants, lead paint, asbestos insulation, methane gas, PCBs, and toxic materials, as well as moisture or water problems. [See http://www.in.gov/icpr/webfile/formsdiv (search for form 46234).]</p>
IA	<p>Iowa Code § 237A.12</p> <p>Requires the Department of Human Services to adopt rules setting minimum standards for the operation and maintenance of child care centers and registered child development homes. Regulations promulgated under the law (Iowa Admin. Code 441-109.11) require radon testing at centers operating at ground level, in basements, or with basements below program areas, and require that testing be performed in accordance with state law governing radon certification. Requires testing and retesting every two years if test kits are available from the local health department or state radon coalition. Requires that a mitigation plan be approved by the state prior to full licensing of the facility, if testing reveals radon levels over 4.0 pCi/L. Regulations also require installation of carbon monoxide alarms.</p>
IA	<p>Iowa Code § 257.31</p> <p>Provides for increased supplemental state aid to a school district for removal, management, or abatement of environmental hazards due to a state or federal requirement. States that environmental hazards shall include, but are not limited to, the presence of asbestos, radon, or any other hazardous material dangerous to health and safety.</p>

IA	<p>Iowa Code § 558A.1 et seq.</p> <p>Requires sellers of residential real property to deliver to buyers prior to transfer a written disclosure statement indicating the condition and characteristics of the property. Regulations adopted under the law (Iowa Admin. Code 193E-14.1(543B)) incorporate the required disclosure items in a sample form, including disclosure of the results of any radon tests and the presence of lead-based paint or asbestos. Regulation also requires the seller and buyer to acknowledge buyer's receipt of a state-issued radon fact sheet.</p>
IA	<p>Iowa Code §§ 101C.1 et seq.</p> <p>Establishes the Iowa Propane Education and Research Council and authorizes the Council to develop energy efficiency programs, including weatherization programs. Defines weatherization services to include carbon monoxide and radon inspection and detection system installation.</p>
IA	<p>Iowa Code §§ 136B.1--.5</p> <p>Requires the Department of Public Health to establish programs for certifying persons who test for radon gas and credentialing persons who perform radon abatement, and to establish standards for radon abatement systems. Requires disclosure to the state of certain information on testing and mitigation services and provides for confidentiality of test results. Authorizes the department to perform periodic inspections of the validity of measurements and the adequacy of abatement measures performed by certified and credentialed persons. Regulations adopted under the law (Iowa Admin. Code 641-43, 44) set forth certification and credentialing requirements.</p>
KS	<p>Kansas Statutes § 58-3078a</p> <p>Requires every contract for the sale of residential real property to contain a radon notice as specified in the law. Notice includes information about the health effects of radon and a recommendation for radon testing.</p>

KS	<p>Kansas Statutes §§ 48-16a01 et seq.</p> <p>Requires the Department of Health and Environment to establish a certification program for persons performing radon testing or mitigation and to develop rules to administer the program. Prohibits any person from performing radon measurement, laboratory analysis, or mitigation unless they have been certified by the Department, and establishes minimum training and examination requirements. Requires those performing radon testing, analysis or mitigation to report the results and other information to the Department within 90 days of the service, subject to certain limitations, and provides that such information is confidential. Authorizes the Department to establish fees and provides penalties for violations. Regulations (Kansas Admin. Regs. 28-35-600 et seq.) adopted by the Department set forth the certification requirements for radon service providers.</p>
KY	<p>Kentucky Revised Statutes § 324.360</p> <p>Requires that a Seller's Disclosure of Conditions form be used in residential real estate transactions if licensed real estate agents are involved and receive compensation. Requires the real estate commission to promulgate an administrative regulation authorizing the form. The regulation (201 Ken. Admin. Regs. 11:350) requires disclosure of any radon testing of the property, of the existence of mold or other fungi, and of any other environmental hazards on the property.</p>
KY	<p>Kentucky Statutes § 211.9101 et seq.</p> <p>Requires persons or businesses to obtain state certification in order to conduct radon measurement, mitigation, or laboratory analysis. Requires certified professionals to, among other things, conduct work according to standard operating procedures established by the state and maintain insurance. Directs the state to promulgate regulations to implement the law, and provides for enforcement.</p>
ME	<p>2008 Maine Public Law Chapter 699</p> <p>Establishes a state-wide building code, and requires the state to incorporate the Maine model radon standard for new residential construction. The Maine Uniform Building and Energy Code established pursuant to the law adopts ASTM E-1465-06 (Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings).</p>

ME	Maine Revised Statutes, tit. 14, § 6030-D
	Requires residential landlords to have the air in their buildings tested for radon. Requires re-testing every 10 years when requested by a tenant, unless a radon mitigation system has been installed. Except in situations specified in the law, requires testing to be conducted by a radon professional registered with the state. Requires the landlord to provide a written radon notice to tenants and prospective tenants, including information on the risks of radon; the date and results of the most recent radon test (including tests conducted by a tenant showing elevated radon levels); the tenant's right to conduct a test; and any completed mitigation. Directs the state health department to develop a standard disclosure statement for landlords to use, including an acknowledgment that the tenant has received the disclosure. Establishes a fine of \$250 per violation. Requires reporting of test results to state.

ME	Maine Revised Statutes, tit. 22, §§ 771--784
	Authorizes the state Department of Health and Human Services to act as an information clearinghouse for radon concerns and to educate the public about radon, and establishes the Radon Relief Fund to support radon-related research, testing, educational, and mitigation activities. Requires persons who test for or mitigate radon to register with the Department, but exempts builders who use radon-resistant new construction techniques as specified in the state building code. Requires that registered radon testers notify the Department of test results. Regulations (10-144 Code Maine Regs. Ch. 224) set forth the requirements of the registration program.

ME	Maine Revised Statutes, tit. 33, § 173
	Requires seller of residential real property to provide purchaser with a statement that discloses any known defects, as well as the presence or prior removal of hazardous materials on the property, including radon, asbestos, and lead-based paint.

MD	Maryland Environment Code § 8-305
	Requires radon testers to complete the U.S. EPA's National Radon Measurement Proficiency Program, use licensed facilities for analyzing test results, and provide consumers with test results.

MD	Maryland Family Law Code §§ 5-506, 508
	Authorizes the state to establish regulations for the licensing of residential child care programs. Regulations (Code of Md. Regs. 14.31.06.07) require licensees of residential child care programs to maintain evidence that the buildings have been tested for and found to be free of hazards from lead paint, asbestos, and radon.

MD	Maryland Public Safety Code §§ 12-503--504
	Directs the state Department of Housing and Community Development to adopt Maryland Building Performance Standards, which apply throughout the state and are enforced at the local level, with local jurisdictions retaining authority to adopt local amendments to modify the Standards. Directs the Department to incorporate the International Building Code into the Standards, with modifications as determined by the Department. Local jurisdictions must implement the state Standards and any local amendments within six months of the effective date. Department regulations (Md. Admin. Code 05.02.07.04) incorporate the 2009 International Residential Code, including the radon-resistant new construction standard of IRC Appendix F, applicable to Zone 1 (high radon potential) counties.

MD	Maryland Real Property Code § 10-702
	Requires that sellers of residential properties with four or fewer single-family units provide buyers with a disclaimer or disclosure form. Disclaimer includes any known latent defects that would pose a direct threat to health or safety, and that would not be apparent by a careful visual inspection. Disclosure includes actual knowledge of hazardous or regulated materials including asbestos, lead-based paint, and radon, and whether a carbon monoxide alarm is installed on the property.

MD	Maryland Real Property Code §§ 10-603--604
	Requires home builders to complete a disclaimer or a disclosure regarding environmental hazards present on the home site, including radon, asbestos, lead-based paint, and methane.

MA	Massachusetts General Laws, ch. 13, § 97
	Requires the state to publish an informational brochure for home buyers on home inspections, including information regarding radon inspections, and requires that the brochure be issued to home buyers at the signing of the first written contract to purchase. Rules promulgated under the law (266 Code Mass. Regs. 6.03) require home inspectors to notify their clients that answers to some questions, including whether or not a dwelling has been tested for radon gas, and whether there are any mold or air quality issues in the dwelling, should be ascertained from sellers and may not be readily observable through inspection.

MI	<p>Michigan Compiled Laws § 125.1504</p> <p>Directs the state to adopt a residential building code, specifically the International Residential Code, applicable statewide. The Michigan Residential Code adopts the IRC with amendments (Mich. Admin. Code 408.30401), including adoption of the radon-resistant new construction techniques incorporated in IRC Appendix F. The radon requirements are applicable to Zone 1, high radon potential counties within the state.</p>
MI	<p>Michigan Compiled Laws § 722.112</p> <p>Directs the state Department of Human Services to develop rules for the care and protection of children. Regulations adopted under the law (Mich. Admin. Code r. 400.1934) establish a radon standard of 4.0 pCi/L for all basements approved for child use in family and group child care homes and require that documentation of radon test results be kept on file in the home.</p>
MI	<p>Michigan Compiled Laws §§ 565.951--.966</p> <p>Requires sellers of residential property consisting of up to four dwelling units to complete a seller's disclosure statement, which provides for disclosure of any environmental hazards on the property, including radon gas, asbestos, formaldehyde, and lead-based paint. The disclosure statement recommends that buyers obtain a professional inspection that specifically addresses indoor air and water quality, as well as any evidence of potential allergens such as mold, mildew and bacteria.</p>
MN	<p>Minnesota Statutes § 123B.571</p> <p>Authorizes the departments of health and education to develop a plan to encourage school districts to conduct radon testing, and authorizes districts to include radon testing as part of their health and safety plan. Also establishes that if school districts use health and safety revenues to conduct radon testing, they must comply with the state's radon testing plan. School districts that have tested for the presence of radon must report results to Department of Health and local school board.</p>

MN	<p>Minnesota Statutes § 144.496</p> <p>Establishes requirements for providing information about radon during sales of single-family residential real property. Requires seller to disclose in writing to buyer known information about radon on the property, including: any radon tests or reports for the property, information about any radon mitigation system, and a radon warning statement as specified in the law. Also requires provision of Department of Health publication about radon in the real estate transaction. Establishes seller liability and buyer cause of action in the event of a violation. (See also Minn. Stat. § 573.61)</p>
MN	<p>Minnesota Statutes § 16B.325</p> <p>Requires the state Department of Administration and Department of Commerce to develop sustainable building design guidelines for all new construction and major renovation of state buildings, and provides that the guidelines must include IAQ standards to create and maintain a healthy environment. Guidelines published in 2004 and later revised include extensive provisions relating to the indoor environment, including radon control requirements. [Guidelines available at: http://www.msbg.umn.edu.]</p>
MN	<p>Minnesota Statutes § 326B.106</p> <p>Requires the state to adopt a building code, and to incorporate into the state code standards for radon-resistant new construction based on the International Residential Code Appendix F. Regulations promulgated by the Department of Labor and Industries (Minn. Rules 1322.2100) incorporate the IRC into the state building code, including an amended version of Appendix F that establishes requirements for radon-resistant construction in all new residential construction subject to the code. The code (Minn. Rules 1322.1104) also amends the IRC to require the installation of mechanical ventilation systems as specified in the code.</p>
MS	<p>Mississippi Code §§ 89-1-501--523</p> <p>Requires written disclosure of the condition of real property consisting of up to four dwelling units, when property is transferred with the aid of real estate brokers or salespersons. Property Condition Disclosure Statement adopted under the law requires the disclosure of problems which may exist on the property, including hazardous or toxic waste, asbestos, lead-based paint, formaldehyde insulation, radon gas, and mold. [Disclosure Statement available at: http://www.mrec.ms.gov/docs/mrec_forms_property_condition_disclosure_statement.pdf.]</p>

MT	<p>Montana Code §§ 75-3-601--607</p> <p>Requires radon professionals to pass a U.S. EPA proficiency examination in order to be publicly listed as proficient. Requires the Department of Environmental Quality to administer a program designed to educate and inform the public about radon, including: making presentations and providing materials; maintaining a toll-free telephone number; providing technical and training information on radon measurement and mitigation; establishing listings of qualified radon measurers and mitigators; and encouraging homeowners to test for radon. Requires provision of a general radon warning statement and disclosure of known radon test results to buyers of real property.</p>
NE	<p>Nebraska Revised Statutes § 71-3501</p> <p>Establishes a state policy to protect the public from radon by establishing requirements for persons providing radon measurement and mitigation services and radon mitigation system installation. Regulations adopted under the law (180 Neb. Rev. Admin. Code, ch. 11) provide for the licensure of radon measurement and mitigation specialists, technicians, and businesses. A separate law (Neb. Rev. Stat. 38-121) requires radon professionals to obtain a credential under the state's Uniform Credentialing Act.</p>
NE	<p>Nebraska Revised Statutes § 76-2,120</p> <p>Requires sellers of residential real property to submit a written disclosure statement to buyers during real estate transactions. Regulations establishing the disclosure form (302 Neb. Admin. Code, ch. 1, § 001) require the disclosure of sellers' knowledge of radon gas on the property and the provision of copies of any radon tests that have been conducted on the property. Disclosure form also requires sellers to report the presence of asbestos, lead-based paint, and toxic materials.</p>
NH	<p>New Hampshire Revised Statutes § 125:9</p> <p>Requires the Department of Health and Human Services to investigate complaints of poor indoor air quality and to conduct inspections of buildings and dwellings, upon request, for the presence of radon or other health hazards in indoor air. Also requires the department to provide education, technical consultation, and recommendations for abatement of such health hazards in conjunction with the University of New Hampshire cooperative extension service.</p>
NH	<p>New Hampshire Revised Statutes § 477:4-a</p> <p>Requires that prior to executing a contract for the sale of real property, the seller must provide buyer with a statement about radon and radon testing and mitigation techniques.</p>

NH	<p>New Hampshire Revised Statutes §§ 10-B:1--B:4</p> <p>Requires the Department of Health and Human Services to adopt clean air standards that must be met in buildings purchased, renovated or leased by the state. Provides that the department is responsible for certifying that buildings meet the clean air standards. Regulations promulgated under the law (NH Code Admin. R. ENV-A 2200 et seq.) establish testing requirements and set standards for ventilation, noise, radon, carbon dioxide, asbestos, formaldehyde, and carbon monoxide.</p>
NJ	<p>New Jersey Statutes § 13:1K-14</p> <p>Requires the Department of Environmental Protection to provide the owner of certain residential property inspected for radon, where appropriate, with written certification that any radon gas contamination present was within acceptable limits as established by the U.S. EPA and the department. Also requires the department to provide written certification at the completion of projects undertaken to remove radium or to remedy excessive levels of radon gas from a residential property.</p>
NJ	<p>New Jersey Statutes § 30:5B-5.2</p> <p>Requires that child care centers be tested for radon at least once every five years. Also requires posting of the test results and of any measures taken or proposed to mitigate the presence of radon.</p>
NJ	<p>New Jersey Statutes § 56:8-19.1</p> <p>Limits liability of licensed real estate brokers or salespersons for communicating false, misleading or deceptive information, where the licensee had no actual knowledge of the information, and made a diligent effort (e.g., obtained a property disclosure report from seller) to ascertain whether the information was false or misleading. State real estate commission property disclosure form adopted pursuant to the law (N.J. Admin. Code 13:45A-29.1) includes disclosure of number and location of carbon monoxide detectors, as well as disclosure of the presence of mold, lead-based paint, urea-formaldehyde foam insulation, asbestos, PCBs, other toxic substances, and any condition that adversely affects, or possibly adversely affects, the quality of air on the property. Disclosure form also includes a section providing information about radon testing results, though sellers can opt to provide this information at the time of the contract for sale.</p>

NJ	<p>New Jersey Statutes §§ 26:2D-59--62</p> <p>Requires the state to conduct a study of potential sources of radon contamination and to propose strategies for radon testing within the state. Requires the state's environmental and health agencies to establish a program of confirmatory radon monitoring in residences utilizing local health officers and Department of Environmental Protection personnel. Establishes a public information and education program.</p>
NJ	<p>New Jersey Statutes §§ 26:2D-70--80</p> <p>Prohibits persons from testing for or mitigating radon unless certified by the state, and requires the state to develop a certification program. Requires certified professionals to provide the state with information about services provided and tests performed, and provides for confidentiality of that information. Requires sellers to provide buyers with copies of any radon test results upon entering into contract for sale. Regulations adopted under the law (N.J. Admin. Code 7:28-27.1 et seq.) establish the requirements and procedures for certification of radon testers and mitigators. Additional regulations adopted under the law (N.J. Admin. Code 7:18-1.1 et seq.) establish rules governing certification of laboratories performing radon analysis.</p>
NJ	<p>New Jersey Statutes §§ 52:27D-123A--123E</p> <p>Requires the state to adopt a radon hazard subcode to ensure that schools and residential buildings in areas of high radon potential are constructed in a manner that minimizes radon entry and facilitates any subsequent remediation activities. Authorizes state to include radon testing requirements. Regulations promulgated under the law (N.J. Admin. Code 5:23-10.1--10.4) establish the Radon Hazard Subcode, containing standards for radon-resistant materials and techniques to be used in certain residential and school buildings in designated areas of the state.</p>
NY	<p>New York Education Law §§ 409-d, 409-e</p> <p>Requires the Commissioner of Education to establish, develop, and monitor a comprehensive public school building safety program which must include a uniform inspection, safety rating, and monitoring system. Regulations promulgated under the law (8 N.Y. Code Rules & Regs. 155.3--155.5) require a comprehensive maintenance plan for all major building systems, including provisions for establishing maintenance procedures and guidelines that will contribute to acceptable IAQ. Regulations also require: annual and five-year inspections that include IAQ components; an annual safety rating; and a process for monitoring the conditions of occupied schools to ensure they are maintained in good repair. Law also establishes requirements relating to IAQ during construction and renovation, and mandates establishment of health and safety committees at the school district level consisting of representation from district officials, staff bargaining units, and parents.</p>

NY	New York Energy Law, App. §§ 7930.1 et seq.
	Establishes requirements for Radon Assessment Specialists to participate in the state's Radon Diagnosis Assistance Program. Requires the state's Energy Office to maintain a list of specialists who meet the requirements. Regulations adopted under the law (9 N.Y. Code Rules & Regs. 7930) establish requirements for qualifying and provide a list of specialists.

NY	New York Public Health Law § 225
	Authorizes the Department of Health to issue regulations relating to ionizing radiation. Regulations issued under the law (10 N.Y. Codes Rules & Regs. 16.130) require radon testing and mitigation firms to report testing and mitigation results to the department.

NY	New York Real Property Law § 462
	Requires all sellers of residential real property to complete and provide to the buyer a property condition disclosure statement, which requires disclosure of the presence of hazardous substances, asbestos, and methane gas, and of any radon testing performed on the property. Also requires sellers to provide a copy of any radon testing reports and to report any known material defects in carbon monoxide detectors.

NC	North Carolina General Statutes §§ 47E-1 et seq.
	Requires owners of residential real property consisting of up to four units to provide buyers with a disclosure statement regarding known environmental conditions of the property, including the presence of radon gas, lead-based paint, asbestos, methane gas, and other hazardous or toxic materials. Regulations (21 N.C. Admin. Code 58A.0114) adopting the disclosure form require disclosure of these and other toxic substances, as well as disclosure of water leakage and dampness.

OH	Ohio Revised Code § 3748.20
	Requires the Governor to establish a radon advisory council for the purpose of advising and consulting on radon regulations and programs.

OH	<p>Ohio Revised Code § 5302.30</p> <p>Requires sellers of residential real property containing up to four units to deliver a disclosure form to buyers disclosing material defects and the presence of hazardous materials or substances, including radon gas. Regulations adopted under the law (Ohio Admin. Code 1301:5-6-10) establish the form, requiring disclosure of the presence of radon, lead-based paint, asbestos, and urea-formaldehyde foam insulation. Form also requires disclosure of mold inspection or remediation of the property and contains a warning statement about mold to purchasers.</p>
OH	<p>Ohio Revised Code §§ 3723.01--.18</p> <p>Prohibits persons from providing professional radon testing and mitigation services unless licensed by the state. Requires the state to administer a licensing program for radon testers, mitigators, and laboratories. Regulations adopted under the law (Ohio Admin. Code 3701-69 et seq.) set forth the licensing program. Law also requires the state to collect and disseminate information on radon, and authorizes the state to conduct inspections and administer training programs.</p>
OK	<p>Oklahoma Statutes, tit. 60, §§ 831--839</p> <p>Requires sellers of residential property consisting of 1-2 dwelling units to provide to purchasers either a written property disclaimer statement or written Property Condition Disclosure Statement. Requires the Oklahoma Real Estate Commission to establish by rule a form for the disclosure statement. The regulation (605 Okla. Admin. Code Ch. 10, Subch 17, App. A) adopts a disclosure form that requires seller to disclose known presence of radon or any radon testing. Also requires seller to disclose any mold inspections or treatment, the known presence of asbestos, lead-based paint, and other hazardous or regulated materials. [See http://www.ok.gov/OREC/documents/Residential%20Prop%20Disclweb%207-2008.pdf.]</p>
OR	<p>Oregon Revised Statutes § 105.848</p> <p>Requires the state Real Estate Agency to provide information on radon issues, such as radon hazard potential and methods of testing for and mitigating radon, to potential purchasers of one and two family dwellings. Information must be available on the agency's website and printed copies must be available to the public at a reasonable fee.</p>

OR	Oregon Revised Statutes § 455.365
	Requires the state building code agencies to adopt design and construction standards for mitigating radon in new residential buildings and new public buildings, including schools, with standards to take effect between 2011-2013. Does not specify the radon control standard to be used, but requires the agencies to consider standards recommended by the U.S. EPA. New standard is to be applicable in seven counties listed in the law, as well as others the agency may consider appropriate in light of local radon levels. Regulations adopted under the law (Or. Admin. Code 918-480-0005, 918-460-0015) incorporate the International Residential Code Appendix F standard into the state residential building code and incorporate requirements for passive soil depressurization into the Structural Specialty Code for public buildings.

OR	Oregon Revised Statutes §§ 105.462--.490
	Amends existing disclosure law to require sellers of real property consisting of up to four dwelling units to provide buyers with a seller's property disclosure statement, which includes disclosure of any testing of or treatment for formaldehyde, radon gas, mold, lead-based paint, or asbestos on the property.

OR	Oregon Revised Statutes §§ 433.502--.526
	Authorizes the Department of Human Services to conduct IAQ field investigations, establish IAQ standards, and implement a public information program. Requires that if established, the standards include particulate matter, aldehydes, radon, carbon monoxide, carbon dioxide, ozone, and water vapor. Authorizes the Department to establish a public recognition program for office workplaces, buildings, and public areas that consistently meet the IAQ requirements set forth in state law.

PA	Pennsylvania Statutes, tit. 35, §§ 7501 et seq.
	Directs the Department of Environmental Resources to implement a radon demonstration project in which the agency develops and implements methods for radon remediation and installs such systems in occupied residential buildings with the permission of the owners. Requires the Department to advise homeowners, in areas affected by high radon concentrations, of ways to avoid unscrupulous or unqualified contractors. Authorizes the Pennsylvania Housing Finance Agency to establish a low-interest loan program to finance home improvements designed to prevent radon infiltration and accumulation in residences.

PA	Pennsylvania Statutes, tit. 63, §§ 2001 et seq.
	Requires the Department of Environmental Resources to establish and carry out a certification program for persons who test for, mitigate, or safeguard a building from the presence of radon gas. Prohibits individuals from providing these radon services unless certified under the program. Requires certified radon testers to provide test results to the Department and provides for confidentiality of the information. Regulations adopted under the law (25 Pa. Admin. Code 240) establish the certification program.

PA	Pennsylvania Statutes, tit. 68, §§ 7301 et seq.
	Requires sellers of residential real property to complete and deliver to buyers a Seller's Property Disclosure Statement. Requires the State Real Estate Commission to create the disclosure statement. The disclosure statement adopted by state regulation (49 Pa. Code 35.335a) requires sellers to disclose knowledge of the presence of and/or testing for hazardous substances on the property, including radon, urea-formaldehyde foam insulation, PCBs, lead paint, and asbestos.

RI	Rhode Island General Laws § 16-60-4
	Authorizes the state Board of Regents to approve standards for the design and construction of school buildings. Regulations adopted under the law (R.I. Admin. Code 21-2-41:1.04--1.05) require all new school construction and school renovation projects that cost more than \$500,000 to incorporate a radon mitigation strategy if the site is located in an area with moderate or high radon potential. Regulations also require compliance with certain high performance construction standards, including protecting IAQ during renovation of occupied buildings.

RI	Rhode Island General Laws § 23-1-5.1
	Authorizes the Department of Health to provide, upon request, laboratory services for voluntary testing of indoor air pollutants, including radon. Authorizes the Department to establish fees to fund such activities.

RI	Rhode Island General Laws §§ 23-61-1 et seq.
	Authorizes the Department of Health to undertake a variety of radon-related activities, including: conducting a voluntary radon testing program; undertaking radon testing; requiring that owners of "public or high priority buildings" test for radon; recommending radon-resistant construction standards; developing a public information program; and issuing radon standards for air and water. Requires licensure of radon professionals and establishes monetary fines and other penalties for violations. Requires the state to establish regulations requiring the evaluation of all public buildings, schools, and day care centers for elevated radon levels. Establishes a fee on new residential construction. Regulations promulgated under the law establish licensing and certification requirements for radon mitigation and measurement professionals and radon analytical services (R.I. Admin. Code 31-1-25:B.1--B.8). Regulations establish radon standards; measurement and mitigation protocols; and requirements for testing and mitigation of high radon levels in public buildings, schools, and child care facilities. [See also R.I. Admin Code 31-1-37:28.0 and 21-2-57:III.]

RI	Rhode Island General Laws §§ 5-20.8-1--8
	Requires sellers of residential real estate to provide buyers with a disclosure form explaining all known deficient conditions, including radon, urea-formaldehyde foam insulation, asbestos, and hazardous contaminants. Provides that disclosure form must include the statement: "Radon has been determined to exist in the State of Rhode Island. Testing for the presence of radon in residential real estate prior to purchase is advisable."

SC	South Carolina Code §§ 27-50-10--110
	Requires sellers of property containing up to four dwelling units to provide purchasers with a written disclosure statement disclosing environmental contamination on the property, including the presence of radon gas, lead-based paint, asbestos, methane gas, hazardous or toxic materials, and other environmental contamination. Disclosure statement adopted pursuant to the law also requires sellers to report the presence of formaldehyde or toxic mold. [See http://www.llr.state.sc.us/POL/REC/RECPDF/DOC360.pdf .]

SD	South Dakota Codified Laws §§ 43-4-37--44
	Requires sellers of residential property to provide a form disclosing known hazardous conditions including radon, mold, methane gas, lead paint, asbestos insulation, urea formaldehyde foam insulation, and toxic materials, as well as any known testing for such conditions.

TN	<p>Tennessee Code §§ 66-5-201 et seq.</p> <p>Requires sellers of residential real property containing up to four dwelling units to provide purchasers with a residential property disclaimer statement or a disclosure form that discloses knowledge of any environmental hazards on the property, including radon gas, asbestos, and lead-based paint.</p>
TX	<p>Texas Property Code § 5.008</p> <p>Requires that certain sellers of single-unit residential property give buyers a written notice that discloses a variety of conditions, including the presence of radon, asbestos, urea formaldehyde insulation, lead-based paint, or hazardous or toxic waste.</p>
UT	<p>Utah Code § 58-55-305</p> <p>Requires those installing or repairing radon mitigation systems to be licensed as a contractor under the state's construction trades licensing law. Pursuant to state regulations (Utah Admin. Code R156-55a-302b), in order to obtain a radon contractor license classification, the applicant must hold a current certificate from the National Radon Safety Board or National Radon Proficiency Program.</p>
UT	<p>Utah Concurrent Resolution 11 (2013)</p> <p>Urges property owners, business owners, landlords, real estate professionals, home builders, government agencies, and others to take action to test for and remediate radon and educate the public about the dangers and risks of radon exposure.</p>
VA	<p>Virginia Code § 22.1-138</p> <p>Provides that every school building in Virginia shall be tested for radon, and that the test results shall be available for public review.</p>
VA	<p>Virginia Code § 36-98</p> <p>Authorizes the state to promulgate a Uniform Statewide Building Code. Building code adopted pursuant to the law (13 Va. Admin. Code 5-63-210--220) establishes Appendix F of the International Residential Code as the standard for local jurisdictions that elect to adopt a radon control standard for new construction in high radon potential areas.</p>

VA	Virginia Code §§ 32.1-229 et seq.
	Prohibits individuals from providing radon screening, testing, or mitigation services unless they have completed a proficiency program acceptable to the state Board of Health. Requires radon professionals to comply with radon mitigation and testing standards accepted by the U.S. EPA and the Board of Health.

VA	Virginia Code §§ 54.1-201, -1102
	Requires the Board for Contractors to promulgate regulations necessary for the licensure of contractors, inspectors, and tradesmen. Rules adopted under the law (18 Va. Admin. Code 50-22-30--60) require radon mitigation contracting firms to hold a state building contractor license and set forth the licensing requirements. Separate regulations (18 Va. Admin. Code 15-40-120) require that if home inspections do not cover specified items (including mold, radon, and other environmental hazards), the inspection contract must note the exclusions.

WA	Revised Code of Washington § 19.27.074
	Establishes duties for the state building code council. Regulations adopted under the law (Wash. Admin. Code 51-51-0327) adopt the Radon Resistant New Construction provisions of the International Residential Code for all buildings in High Radon Potential (Zone 1) counties and for all buildings constructed using unvented crawl space methods.

WA	Revised Code of Washington §§ 64.06.005--.070
	Requires sellers of improved and unimproved residential real property, as well as commercial real estate, to provide buyers with a disclosure statement providing information about carbon monoxide alarms and indicating knowledge of substances of environmental concern on the property, including radon gas, formaldehyde, asbestos, and lead-based paint.

WV	West Virginia Code § 18-9E-3
	Requires all new school buildings to be designed and constructed in compliance with current ASHRAE standards and requires the School Building Authority to promulgate rules consistent with ASHRAE standards for independent testing, adjusting, and balancing of HVAC systems in new and renovated school buildings. Requires that the Department of Education provide county maintenance personnel with additional training on school HVAC equipment. Requires the department to forward to the School Building Authority copies of any IAQ complaints that require system repair or replacement. Also requires the state Board of Education to develop rules allowing the use of appropriate floor covering in public schools; the rule adopted (W.V. Admin. Code 126-173-1--2) recommends restricting carpet to certain uses, requires that carpet meet industry standards, and further requires that custodial staff receive instruction on carpet maintenance. Requires the Division of Health to perform radon testing in new schools within one year of occupancy and at least once every five years thereafter. Requires the state to establish standards for safe levels of radon in public school buildings and requires mitigation if testing reveals high radon levels.

WV	West Virginia Code §§ 16-2-2, 16-2-11
	Authorizes local boards of health to provide "enhanced" public health services, such as lead and radon abatement to improve indoor air quality.

WV	West Virginia Code §§ 16-34-1 et seq.
	Requires licensing of radon testers, mitigators, and laboratories. Authorizes the state to adopt rules (W. V. Admin. Code 64-78-1 et seq.) establishing the criteria, procedures, and fees for licenses as well as reporting requirements of radon testers, mitigators, and labs. Requires the Division of Health to maintain a list of all licensed radon testers, mitigation specialists, mitigation contractors, and radon laboratories in the state, and to investigate public complaints about licensees. Also requires agency to conduct research and disseminate information about radon.

WI	Wisconsin Statutes § 254.34
	Establishes the Department of Health and Family Services as the state radiation control agency and requires the department to: develop and disseminate radon information; coordinate a radon measurement program; work with local health departments to perform radon measurement and mitigation in homes; develop training materials and conduct training in radon diagnosis and mitigation methods; and determine performance standards and funding allocations for regional radon centers.

WI

Wisconsin Statutes §§ 709.001 et seq.

Requires sellers of property containing up to four dwelling units to provide buyers with a residential real estate condition report disclosing the existence of potentially hazardous substances, including radon, lead-based paint, or asbestos.