

ENVIRONMENTAL LAW INSTITUTE
DATABASE OF STATE INDOOR AIR QUALITY LAWS

DATABASE EXCERPT: RADON LAWS

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About the Database

The Environmental Law Institute's Database of State Indoor Air Quality Laws contains a broad cross-section of state laws on the subject of indoor air quality (IAQ). The following chart collects those laws included in the Database that address the subject of *radon*. The chart does not 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.

You can view a PDF of the complete Database, as well as search the Database, at <http://www.eli.org/buildings/database-state-indoor-air-quality-laws>. Like the complete Database, this radon excerpt covers laws enacted through December 2021. The abstracts for policies that were established or substantially revised in 2021 appear in **bold** type.

To read other ELI summaries and analysis of state policies on other IAQ topics, visit our Indoor Environments and Green Buildings main program page: www.eli.org/buildings.

AK	Alaska Statutes §§ 34.70.010--.200
	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 https://www.commerce.alaska.gov/web/portals/5/pub/rec4229.pdf .)

CA	California Business & Professions Code § 10084.1
	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) required the state to update the booklet.

CA	California Civil Code §§ 1102--1102.18
	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.

CA	California Health & Safety Code § 105430
	Provides that the state health agency may develop radon assessment and mitigation requirements for new construction in at-risk areas.

CA	California Health & Safety Code §§ 106750 et seq.
	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 certification 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.

CO	Colorado Revised Statutes § 12-10-404
	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 by State Real Estate Commission requires disclosure of moisture problems and environmental conditions of which seller has current actual knowledge, including the existence of radon, asbestos, methane, solvents, and whether there is tobacco smoke in the interior of property. Form also requires disclosure of presence of a carbon monoxide alarm. (Form available at: https://www.colorado.gov/dora/node/95951 .)

CO	Colorado Revised Statutes § 25-1.5-101
	Authorizes the Department of Public Health and Environment to establish and enforce sanitary standards for the operation and maintenance of schools. Department regulations (6 Colo. Code Regs. 1010-6:6.1 et seq.) require schools to test for radon in accordance with procedures described in the 2015 AARST Protocols and to maintain results on file at school. Newly constructed schools must test for radon within 19 months of occupancy and remodeled schools must be evaluated by the state to determine the need for radon testing. Regulations establish additional IAQ-related requirements, including installation of CO alarms, regular cleaning/replacement of ventilation system filters, and annual chemical inventories, and provide that "exposure to noise, dusts, toxic chemicals, or other hazards shall be controlled at all times including when the building or portion thereof is occupied during construction or remodeling."

CO	Colorado Revised Statutes § 25-11-114
	Requires the Department of Public Health and Environment to establish a program to educate the public on best practices for radon mitigation. Directs the Department to establish a program to provide financial assistance for radon mitigation to low-income households. Regulations implementing the Colorado Low Income Radon Mitigation Assistance (LIRMA) Program (6 Colo. Code Regs. 1007-1:21.1 et seq.) set forth eligibility criteria and application procedures for owners of owner-occupied homes to receive funding (up to \$1,500 for radon mitigation system installation and post-installation radon testing); establish a process for becoming a "LIRMA eligible certified mitigation contractor"; and address mitigation contractor responsibilities under the program, including a provision that contractors may not be reimbursed for work unless post-mitigation testing shows radon levels below 4pCi/L.

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

CO	Colorado Revised Statutes §§ 25-1.5-101, 26-6-106
	Authorizes the Department of Public Health and Environment to establish sanitary standards for licensed child care centers and certain other child care facilities. Regulations adopted by the agency (6 Colo. Code Regs. 1010-7:7.14.2) require existing child care facilities [excluding family child care homes] to conduct radon testing by May 1, 2017 and new facilities to conduct radon tests within six months of occupancy, pursuant to Department guidance and the AARST 2014 Protocol for Conducting Radon and Radon Decay Product Measurements In Schools and Large Buildings. Remodeled facilities must notify the Department so that the agency may assess the need for any additional radon testing. The regulations also prohibit the use of certain products, including chemical air fresheners, scent-enhanced products, toxic organic solvents, and materials with heavy metals such as lead, mercury, or cadmium.

CO	Colorado Statutes §§ 12-165-101—113
	Requires individuals performing radon mitigation or radon measurement in the state to obtain a state license and to conduct measurement and mitigation in accordance with applicable ANSI/AARST protocols or other state-approved national consensus standards. The law exempts from licensing those who perform radon testing or mitigation on a single-family home they own and occupy. Regulations adopted under the law establish certification requirements.

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 every five years 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 § 10-231f
	Authorizes local and regional boards of education to establish an IAQ committee for each school district or facility and provides that such committees must include a maintenance staff member, teacher, school health staff member, and parent of a student. Purpose of the committee is to increase staff and student awareness of facets of the environment that affect the health of the occupants of school facilities including, but not limited to, air quality, water quality and radon. Also prohibits boards of education and school administrators from barring school safety committees from addressing IAQ issues that affect the health of school occupants.

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
	Authorizes 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. The Department has developed a guidance document on school radon testing. (Guidance available at: https://portal.ct.gov/DPH/Environmental-Health/Radon/Radon-In-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 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 4.0 pCi/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, using a template developed by the Commissioner of Consumer Protection. Requires the property condition report to indicate seller's knowledge of any radon testing results for the property, and of the presence of a radon control system, asbestos-containing materials, lead-based paint, lead plumbing, and basement dampness. Also requires the report to provide information about carbon monoxide and smoke detectors. (Disclosure form adopted at Conn. Admin. Code 20-327b-1.)

CT	Connecticut General Statutes § 29-252
	Directs the State Building Inspector and the Codes and Standards Committee to jointly adopt and administer a State Building Code based on a nationally-recognized model building code. The 2018 Connecticut State Building Code adopts the 2015 International Residential Code, including a modified version of Appendix F that requires passive radon-resistant construction features in new one- and two-family dwellings and townhouses. (See https://portal.ct.gov/-/media/DAS/Office-of-State-Building-Inspector/2018-CT-State-Building-Code---Effective-10-01-18.pdf .)

CT	Connecticut General Statutes § 8-446
	Establishes a Healthy Homes Fund, which will be used by the state Department of Housing to fund a program “to reduce health and safety hazards in residential dwellings in Connecticut, including, but not limited to, lead, radon and other contaminants or conditions, through removal, remediation, abatement and other appropriate methods.” The Fund is supported by remittances from a new surcharge on homeowners' insurance policies. (See Conn. Gen. Stat. § 38a-331.)

CT	Connecticut General Statutes §§ 20-419--420
	Requires that home improvement contractors obtain a certificate of registration from the state, and includes in definition of "home improvement" residential water/storm restoration or mold remediation, where the total price for all work exceeds \$200. Provides that contractors who perform radon mitigation may not obtain the certificate of registration unless they have achieved certification as radon mitigators by the National Radon Safety Board or the National Environmental Health Association.

CT	Connecticut Public Act 21-48 (2021)
	Directs the state environmental agency to establish an energy efficiency retrofit grant program using available federal or other funds, to provide energy efficiency upgrades for affordable housing and other rental dwellings, with priority given to applicants serving those with low incomes. Authorizes grant funding to be used to install heat pumps and balanced ventilation and to mitigate health and safety hazards such as radon, mold, asbestos, and lead in certain cases.

DE	Delaware Code, tit. 14, § 3003a
	Authorizes the Office of Child Care Licensing to promulgate regulations establishing standards for licensed child care facilities. Regulations (14 Del. Admin. Code 933-7.0, 933-10.0, 933-45.0, 933-46, 933-49.0, 934-7.0, 934-9.0, 934-27.0, 934-61) require that child care centers and homes present evidence that the facility is free of radon hazards prior to licensing and prior to relocation of the facility. Requires facilities to conduct a radon test and ensure acceptable radon mitigation occurs if testing indicates a radon level over 4.0 pCi/L. Requires testing once every five years and within six months after any remodeling, renovation, or construction. Requires that a child care center or large family home located in a building that previously or currently contains a dry cleaner, nail salon, or any “other use that may result in an unacceptable indoor air quality ...[obtain]...indoor air sampling as required per 7 DE Admin. Code 1375 that shows there is no impact to the center.” Allows testing to be performed by the property owner or a certified inspector as defined in the regulations, and requires that copies of testing results be sent to the licensing agency within five days of receiving results.

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 about radon developed by the state. The radon disclosure form, developed by the Delaware Real Estate Commission, requires disclosure of any radon tests performed on the property. Real estate licensees are required by regulation (24 Del. Admin. Code 2900-10.0) to obtain the radon disclosure from sellers and to make the disclosure and a state-created radon fact sheet available to purchasers and make the radon disclosure a part of any agreement of sale. The state's Property Condition Report requires disclosure of additional environmental hazards, such as asbestos, lead paint, toxic or hazardous substances, and mold, including any past mold testing results. (See https://dpr.delaware.gov/boards/realestate/forms/ .)

DC	District of Columbia Code § 10-712
	Requires the D.C. Dept. of General Services to assess D.C.-owned buildings (including schools) for potential IAQ risks, including: ventilation and temperature control; mold or mildew; pests; the use of any pesticides that are not minimum risk pesticides or organic pesticides; toxic chemicals and hazardous waste; asbestos; lead-based paint; lead in drinking water; radon; carbon monoxide; groundwater quality; dust; gas and diesel emissions; polychlorinated biphenyls; and volatile organic compounds. Directs the agency to establish inspection and remediation protocols and post online the results of assessments and remediation activities. Requires certain action if the agency determines that any of the assessed environmental risks are potential hazards at a site that will undergo demolition, construction, excavation, or substantial renovation.

DC	District of Columbia Code § 6-1409
	Authorizes the Mayor to issue proposed rules to amend the District's construction codes, to be submitted for review by the D.C. Council. Rules adopted by the city (D.C. Mun. Regs. Tit. 12, § App. F.) revise the residential building code to establish radon-resistant new construction requirements by incorporating an amended version of Appendix F of the International Residential Code.

DC	District of Columbia Code §§ 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 or have received certification of proficiency from an organization approved by the Mayor. Requires the Mayor to maintain a public list of those who have been listed as proficient by EPA. Authorizes the Mayor to issue rules establishing radon screening, testing, or mitigation programs in the District that are in compliance with any recommendations or guidelines published by EPA. Regulations adopted by the Department of Energy and Environment (20 D.C. Mun. Regs. 3250) require persons conducting or offering to conduct radon screening, testing, or mitigation for a fee to be certified as proficient by the National Radon Proficiency Program or the National Radon Safety Board.

DC	District of Columbia Code §§ 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 measurement and mitigation to be certified by the department and to report radon test results to the department. Requires the department to administer a public information program. Requires radon testing of all public and private schools, 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 residential real estate. 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 § 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	Georgia Code § 12-3-5
	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) established the Radon Awareness Grant Program to provide funds to local governments and community-based organizations to address radon issues in their communities.

ID	Idaho Statutes § 39-1210
	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 and require documentation of testing for radon gas, asbestos and lead paint. The regulations further state, "Documentation must be maintained at the facility confirming any hazardous material or toxins have been removed or do not pose a threat to the children served. Hazardous materials or toxins are not limited to lead paint, asbestos, and radon."

IL	Illinois Compiled Statutes Ch. 105, § 5/10-20.48
	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.)

IL	Illinois Compiled Statutes Ch. 225, § 10/5.8
	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 a general warning statement about radon in homes. Regulations adopted by the Department (89 Ill. Admin. Code 406.4, 407.370, 408.10) incorporate the radon testing requirements.

IL	Illinois Compiled Statutes Ch. 420, §§ 44/1--90
	Authorizes the state to undertake a variety of radon-related activities, including radon measurement, surveys, monitoring, education, and technical assistance. Requires the licensing of persons selling radon detection devices, performing radon detection, or performing radon reduction services. Also requires state approval of radon sampling and measurement devices that are sold to a radon contractor for use in licensed activities. 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.

IL	Illinois Compiled Statutes Ch. 420, §§ 46/1--25
	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: https://www2.illinois.gov/iema/NRS/Radon/Pages/RealEstate.aspx) Also requires landlords of residential rental 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.

IL	Illinois Compiled Statutes Ch. 420, §§ 52/1 et seq.
	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. Rules adopted by the Illinois Emergency Management Agency (Ill. Admin. Code 422.160) establish construction methods "intended to resist radon entry and prepare the building for post-construction radon mitigation, if necessary."

IL	Illinois Compiled Statutes Ch. 765, §§ 77/1--65
	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.

IL	Illinois Compiled Statutes Ch. 815, §§ 505/2U--2W
	Provides that it is a misdemeanor to misrepresent the capabilities of a device for detecting and measuring radon or radon progeny.

IN	Indiana Code §§ 16-41-38-1--10
	Requires the state to establish a certification program for persons engaged in radon testing and abatement, and provides for reciprocity. Requires the state to adopt rules requiring training and education as conditions for certification, as well as continuing education and biennial reexamination. Regulations adopted under the law (410 Ind. 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.

IN	Indiana Code §§ 32-21-5-1--12
	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 9-1-2) 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 Form 46234 at: http://www.in.gov/iara/webfile/formsdiv/index.html .)

IA	Iowa Code § 237A.12
	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. Rules also require that "sufficient ventilation is provided to maintain adequate indoor air quality."

IA	Iowa Code § 257.31
	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.

IA	Iowa Code § 558A.1 et seq.
	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.

IA	Iowa Code §§ 101C.1 et seq.
	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.

IA	Iowa Code §§ 136B.1--.5
	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.

IA	Iowa Senate File 366
	Requires the state Department of Education to notify each school district and accredited nonpublic school of the risks associated with radon, provide information about radon testing and mitigation, and encourage schools to adopt a radon testing and mitigation plan. School districts and nonpublic schools are required to notify the Department of any current or anticipated radon testing and mitigation plans. The legislation further required the Department to report to the legislature on information collected from schools. (Report available at: https://www.legis.iowa.gov/docs/publications/DF/661702.pdf .)

KS	Kansas Statutes § 58-3078a
	Requires every contract for the sale of residential real estate 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.

KS	Kansas Statutes §§ 48-16a01 et seq.
	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.

KY	Kentucky Revised Statutes § 198B.706
	Directs the Kentucky Board of Inspectors to adopt regulations requiring that a home inspection report include a statement that the report does not address environmental hazards. Regulations promulgated by the Board (831 Ken. Admin. Regs 2:030) require inclusion of this statement and provide that "the presence or evidence of" certain environmental hazards, including radon and mold, shall not be addressed in the report.

KY	Kentucky Revised Statutes § 324.360
	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. 11:121) incorporates by reference a disclosure form that requires disclosure of any radon testing and any installed radon mitigation system and includes the following statement: “Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks, including lung cancer. The Kentucky Department for Public Health recommends radon testing. For more information, visit chfs.ky.gov and search 'radon'.” Also requires disclosure of the existence of mold or other fungi, and of other environmental hazards, such as carbon monoxide, asbestos, or urea formaldehyde. (See Form 402, at https://krec.ky.gov/Documents/402-SellersDisclosureofPropertyCondition.pdf .)

KY	Kentucky Revised Statutes §§ 211.9101 et seq.
	Requires persons or businesses to obtain a registration certificate biennially from the state in order to conduct radon measurement, mitigation, or laboratory analysis. To obtain a registration certificate, applicants must: be certified through either the National Radon Proficiency Program or the National Radon Safety Board to perform radon measurement, mitigation, and laboratory analysis; adopt and follow written standard operating procedures established by an ANSI-accredited development organization for measurement, mitigation, and laboratory analysis; and provide evidence of a general liability insurance policy. The state has adopted program regulations (902 Ky. Admin. Regs. 95:040).

LA	Louisiana Revised Statutes § 9:3198
	Requires sellers of residential real property to complete a property disclosure document containing at least the minimum language prescribed by the Louisiana Real Estate Commission. Form developed by the Commission requires disclosure of whether the property contains radon, mold/mildew, asbestos, formaldehyde, contaminated drywall, and contaminated flooring, among other items. (Form available at: https://lrec.gov/forms/mandatory-forms/ .)

ME	Maine Revised Statutes, tit. 10, § 9041
	Directs the state Manufactured Housing Board to adopt rules and establish standards governing state-certified manufactured housing. Regulations (02-385 Code Maine Regs. Ch. 380, § 3) require such housing to comply with the radon mitigation preparation standard established by the Board (02-385 Code Maine Regs. Ch. 110, Subch. 2, § 10).

ME	Maine Revised Statutes, tit. 10, § 9722
	Requires that the state building code incorporate ASTM E1465 (“Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings”) as a mandatory standard. The standard requires installation of a passive RRNC system, pre-occupancy testing, and activation of the system with a fan if testing reveals unacceptable radon concentrations. ASTM E1465 is an expired standard; it was withdrawn by ASTM in 2017 and is no longer being updated.

ME	Maine Revised Statutes, tit. 14, § 6030-D
	Requires residential landlords to have the air in their rental properties 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 and for all testing to follow protocols specified in the law. 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. (See https://www.maine.gov/dhhs/mecdc/environmental-health/rad/radon/documents/Maine%20radon%20gas%20disclosure-final.pdf .) Establishes a fine of \$250 per violation. Requires reporting of test results to state.

ME	Maine Revised Statutes, tit. 20-A, § 4013
	Requires that newly-built elementary and secondary schools and other school administrative buildings use radon-resistant construction techniques consistent with rules adopted by the state. Authorizes school administrative units to hire a state-registered professional to test an occupied school every five years for radon, using a testing method consistent with state rules. Requires school administrative units to report any test results to the state and to notify parents, faculty and staff of results. Requires the Department of Health and Human Services to adopt rules to implement the law and submit a report of the test results from all schools every five years to the Legislature and the Governor. Provides that, when funds are available, the department must disburse money to schools for radon testing.

ME	Maine Revised Statutes, tit. 22, § 785
	Establishes the Maine Gold Standard for Radon Testing and Mitigation Initiative effective July 1, 2022, to recognize, promote and assist, landlords, homeowners and home builders who meet the radon testing and mitigation criteria set forth in the law. Criteria for landlords to receive the gold standard designation include radon testing every two years and mitigation of radon levels above 4.0 pCi/L, with the Department of Health and Human Services paying the first \$600 in mitigation expenses. Criteria for homeowners include testing for radon in air and testing for radon, arsenic and uranium in private wells before conveyance of the property, with the department to pay all costs for testing and the first \$600 in mitigation expenses. Also includes criteria for home builders. Requires the department to adopt rules to implement initiative.

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, including requiring radon service providers to conform to the minimum performance standards in EPA Radon Proficiency Programs or listed in the rules.

ME	Maine Revised Statutes, tit. 33, § 173
	Requires seller of residential real property to provide purchaser with a disclosure statement regarding 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 those engaging in the business of radon testing to complete certification by 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 Housing & Community Development Code § 3-203
	Establishes the Maryland Housing Fund to insure loans, bonds, notes and provide other forms of credit. Regulations under the law (Code of Md. Regs. 05.06.01.10) seek to promote housing opportunities by insuring mortgages to finance the construction and rehabilitation of multifamily housing. Authorizes the Fund to require participating lenders to have the borrower conduct a screening of the proposed site for environmental conditions, including radon gas, lead-based paint, PCBs, asbestos, or other environmental hazards. Similar authority (Code of Md. Regs. 05.06.04.07) is provided for special housing projects insured by the Fund.

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 (Code of Md. Regs. 09.12.51.04) incorporate the 2018 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.

MA	Massachusetts General Laws, ch. 43, § 93
	Requires the State Board of Building Regulations and Standards to adopt and administer a state building code. Regulations adopted by the Board (780 Code Mass. Regs. App. F) incorporate into the state residential building code an amended version of the International Residential Code Appendix F ("Radon Control Methods"), requiring passive radon-resistant new home construction in all Zone 1 (high radon potential) counties in the state. Regulations provide that alternatively, the passive system requirements of ANSI/AARST Standard Designation CCAH: "Reducing Radon in New Construction of One & Two Family Dwellings and Townhouses," or approved equal system, may be used. The regulations establish that no radon testing is required prior to construction, following completion of the radon control system, or after completion of the project, and such testing may not be a condition of issuing a certificate of occupancy.

MI	Michigan Compiled Laws § 125.1504
	Directs the state to adopt a residential building code, specifically the International Residential Code, applicable statewide. The state Department of Licensing and Regulatory Affairs has incorporated the IRC, including Appendix F (radon control), into the Michigan Residential Code. The radon-resistant new construction requirements are applicable to Zone 1, high radon potential counties within the state. (See www.michigan.gov/documents/lara/lara_bcc_2015_residential_code_502813_7.pdf)

MI	Michigan Compiled Laws § 722.112
	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 the lowest level of the family or group child care homes and require that documentation of radon test results be kept on file in the home.

MI	Michigan Compiled Laws §§ 565.951--.966
	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.

MN	Minnesota Statutes § 123B.571
	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 10-year facility plan. Also establishes that if school districts use long-term facilities maintenance 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.

MN	Minnesota Statutes § 123B.595
	Governs school district use of long-term facilities maintenance revenue. Provides that in order to qualify for such revenue, school districts must update annually and submit biennially a 10-year facility plan that includes provisions for implementing a health and safety program that complies with best practices for IAQ management. Establishes that revenue may be used for health and safety capital projects, which may include expenditures necessary for indoor air quality inspections, investigations, and testing; mold abatement; upgrades or replacement of mechanical ventilation systems to meet ASHRAE standards and the State Mechanical Code; cleanup after major weather-related disasters or flooding; and mitigation of specified indoor environmental pollutants, including mold and radon. (See also Minn. Stat. 123B.57.)

MN	Minnesota Statutes § 144.496
	Establishes requirements for providing information about radon during residential real property sales. Requires sellers to provide buyers with a copy of the Department of Health publication entitled "Radon in Real Estate Transactions," along with a written disclosure that includes: whether a radon test has occurred; the most recent records of radon concentrations in the dwelling; a description of any radon mitigation or remediation, including any installed mitigation system; and a radon warning specified in the law. Authorizes a buyer who is injured by a violation of the law to bring a civil action for damages and other equitable relief.

MN	Minnesota Statutes § 144.4961
	Requires those who perform radon testing, mitigation, and laboratory services for compensation to be licensed annually by the state effective January 1, 2019. Also requires radon mitigation professionals to attach a radon mitigation system tag provided by the Commissioner of Health to systems installed on or after January 1, 2019. Directs the Commissioner to adopt licensing rules and work standards. Department of Health regulations (Minn. Rules 4620.7000 -- 7950) establish licensing requirements and required work practices and provide for inspections and enforcement.

MN	Minnesota Statutes § 326B.106
	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 1303.2400--2403) 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.

MS	Mississippi Code §§ 89-1-501--523
	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://mrec.ms.gov/docs/mrec_forms_PCDS2017FINAL-LETTERWITHNUMBERS.pdf .)

MT	Montana Code § 50-1-206
	Requires the Department of Health to establish school health regulations for any "matters pertinent to the health and physical well-being of the pupils, teachers, and others who frequent schools." The Department's school regulations (Mt. Admin. Rules 37.111.826-827) include a number of IAQ and ventilation requirements: systems must undergo annual checks; air filters must have a MERV rating between 8 and 13 (MERV 13 recommended during periods of poor air quality); school staff must complete annual IAQ inspections using EPA's IAQ Tools for Schools walk-through inspection checklist; and schools must maintain IAQ inspection records for 3 years. Schools must also have a protocol in place on limiting infiltration of outside air during poor air quality conditions. The regulations also address preconstruction review for new schools or additions/alterations (Mt. Admin. Rules 37.111.804), "recommending" the radon prevention strategies in new construction and requiring submittal of specifications for any radon-resistant techniques used. The regulations (Mt. Admin. Rules 37.111.841) prohibit the use of deodorizers and odor-masking agents and state that "as current non-green cleaning supplies are depleted it is recommended that they are replaced with cleaning products that are 'Green Products.'"

MT	Montana Code §§ 75-3-601--607
	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.

NE	Nebraska Revised Statutes § 71-3501
	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. Admin. Code, Ch. 11, §§ 11-001 et seq.) provide for the licensing 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.

NE	Nebraska Revised Statutes § 76-2,120
	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 any radon mitigation that has been conducted, as well as 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.

NE	Nebraska Revised Statutes §§ 76-3501 -- 3507
	Requires that new construction "intended to be regularly occupied by people" incorporate passive radon-resistant elements outlined in the law. Provides an exception for: any construction project that "utilizes the design of an architect or professional engineer"; projects located in counties with average radon levels below 2.7 pCi/L; and non-residential projects where a "local building official makes a determination ... that radon resistant new construction is not necessary." Requires the state health agency to compile annually and submit to the legislature radon measurements reported to the agency over the preceding five years, to determine the average radon concentration by county, and to identify counties with average radon concentrations over 2.7 pCi/L. Also provides that building contractors are not required to be certified as radon mitigation specialists in order to activate passive radon mitigation systems, but must do such work in accordance with state regulations; post-installation testing must be carried out by a radon mitigation specialist. Law follows 2018 issuance of a legislatively-mandated Task Force report. (See http://www.trphd.org/file_download/inline/6386a405-c710-466d-a268-b8e5bf1b6f70 .) A separate law incorporates the radon-resistant new construction standards into the state building code and provides that local building codes must adopt these minimum standards in order to be deemed to conform to the state building code. (Neb. Rev. Stat. § 71-6403--6406).

NH	New Hampshire Revised Statutes § 125:9
	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.

NH	New Hampshire Revised Statutes § 310-A:189-a
	Requires that those who design or install radon mitigation systems be certified with the National Radon Proficiency Program or the National Radon Safety Board. Requires the state Board of Home Inspectors to provide notice of this certification requirement on its website.

NH	New Hampshire Revised Statutes § 477:4-a
	Requires that prior to executing a contract for the sale of real property, the seller must provide to buyer the following radon notification statement: "Radon gas, the product of decay of radioactive materials in rock may be found in some areas of New Hampshire. This gas may pass into a structure through the ground or through water from a deep well. Testing can establish its presence and equipment is available to remove it from the air or water."

NH	New Hampshire Revised Statutes §§ 10-B:1--B:4
	Requires the Department of Administrative 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.

NJ	New Jersey Statutes § 13:1K-14
	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.

NJ	New Jersey Statutes § 30:5B-5.2
	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. State licensing regulations for child care centers (N.J. Admin. Code 3A:52-5.3) incorporate the testing requirement.

NJ	New Jersey Statutes § 56:8-19.1
	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 may adversely affect 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.

NJ	New Jersey Statutes §§ 26:2D-59--62
	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.

NJ	New Jersey Statutes §§ 26:2D-70--80
	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.

NJ	New Jersey Statutes §§ 52:27D-123A--123E
	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 radon-resistant new construction standards to be used in certain residential and school buildings in designated areas of the state.

NY	2018 New York Session Laws Ch. 414 (A. B. 10774-A)
	Creates a radon task force to conduct a comprehensive study on preventing radon exposure, including an examination of the need for interagency coordination of public education and prevention programs and the need for training, education and possible licensing of radon services providers. Directs the task force to submit its recommendations and any proposed legislation necessary to implement its findings to the governor and the legislature. Subsequent legislation extended the deadline for submitting the report to November 1, 2022.

NY	New York Education Law §§ 409-d, 409-e
	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. Program must require at least one visual inspection in 2020 and in 2022, and may require others as necessary to maintain the safety of the buildings. Program must also establish a safety rating system that includes safety, health, HVAC, and other elements. Regulations (8 N.Y. Code Rules & Regs. 155.3--155.5) establish the elements of the required inspections and require a comprehensive maintenance plan for all major building systems, including IAQ procedures and guidelines. Regulations further require a process for monitoring the conditions of occupied schools to ensure they are maintained in good repair. Law and regulations also establish requirements for IAQ during construction and renovation, and mandate establishment of health and safety committees at the school district level consisting of representation from district officials, staff bargaining units, and parents.

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.

NY	New York Social Services Law § 390
	Directs the state Office of Children and Family Services to promulgate regulations for licensure and registration of child day care facilities. Regulations (18 N.Y. Code Rules & Regs. 416.2(a)(13), 417.2(a)(13), 418-1.2(a)(6), 418-2.2(a)(6)) require that applicants for a child day care license submit a written certification, on forms provided by the state, that the “building, its property and premises, and the surrounding neighborhood and environment are free from environmental hazards.” The Office has developed a certification form and guidance document that require license applicants in Zone 1 areas who have not already tested for radon to “complete testing and resolve any identified problems before registration/licensing is completed.” (See LDSS-7040, Environmental Hazards Guidance Sheet, available at: https://ocfs.ny.gov/search/docs.php?type=1&topic=3 .)

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	Ohio Revised Code § 5302.30
	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.

OH	Ohio Revised Code §§ 3723.01--.18
	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.

OK	Oklahoma Statutes, tit. 60, §§ 831--839
	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 regulations (Ok. Admin. Code 605:10-15-4, App. A) adopt 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, other hazardous or regulated materials, and "any condition on the property that would impair the health or safety of the occupants." (See https://oklahoma.gov/orec/contract-forms-and-related-addenda.html .)

OR	Oregon Revised Statutes § 105.848
	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.

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. 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. The state Building Code and Structures Board has incorporated the International Residential Code Appendix F (radon control) standard into the Oregon Residential Specialty Code and incorporated requirements for passive soil depressurization into the Structural Specialty Code for public buildings.

OR	Oregon Revised Statutes § Ch. 622, § 1
	Establishes a Healthy Homes Program to provide housing repair and rehabilitation grants to entities that serve low-income households and to landlords of low-income housing units. Defines repair and rehabilitation as including activities that improve the health and safety of the occupants, such as: radon, lead and mold abatement; installation of a smoke filtration system or air purification system; and removal of asthma triggers. Provides that entities receiving grants must serve or represent communities with high concentrations of low-income households or communities “impacted by environmental justice factors.” Appropriates \$10 million for the program from the new Healthy Homes Repair Fund, for the biennium beginning July 1, 2021. Authorizes the program to develop methods for evaluating, preventing and reducing health hazards in housing, as well as recommendations for incorporating healthy housing into housing codes. Also creates an Interagency Task Force on Healthy Homes to undertake specified activities and report to the legislature.

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 §§ 332.331, .334, .337
	Amends the Education Code to require school districts, education service districts and public charter schools to adopt and review annually a Healthy and Safe Schools Plan that addresses, at a minimum, lead, radon, asbestos, IPM and carbon monoxide. Also requires that the results of any testing conducted under the plan, as well as an annual report on the plan, be made available to the public. Directs the state to develop a model plan, along with information on substances that may pose health risks. Authorizes the state to recommend to districts and schools evidence-based practices for addressing other environmental conditions. Regulations implementing the law (Or. Admin. Code 581-022-2223) set forth elements of the model plan, deadlines for adoption of plans, requirements for annual reporting, and provisions for reimbursement of costs for testing drinking water. Law also establishes a Healthy Schools Facilities Fund to provide assistance to schools in implementing the law and authorizes the state to use the fund to provide grants to schools for testing lead in potable water. Other regulations establish technical assistance grants for radon assessments. (Or. Admin. Code 581-027-0005, -0030.)

OR	Oregon Revised Statutes §§ 332.341, .345
	Requires school districts to develop a plan that provides for radon testing in any frequently occupied room in contact with the ground or located above a basement or crawlspace, and for retesting at least once every 10 years. Requires test results to be provided to the local school board and the state Health Authority and made readily available to parents/guardians, staff and others. Also requires the state Health Authority to disseminate information on radon to school districts and to develop model plans for school districts to follow.

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--7504
	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. Admin. 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 (200 R.I. Admin. Code 20-05-4.5) require such projects to comply with all requirements set forth in version 3.0 of the Northeast Collaborative for High Performance Schools Protocol (Northeast-CHPS), which in turn requires utilizing the U.S. EPA's Tools for Schools Program or an equivalent indoor health and safety program at the school district level. The regulations also prohibit siting new schools in areas of high and moderate radon potential unless the school building project plan incorporates a radon mitigation strategy.

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; recommending radon-resistant construction standards; developing a public information program; and issuing radon standards for air and water. Requires state certification or licensure of radon professionals. Directs the state to establish regulations requiring the evaluation of all public buildings, schools, and day care centers for elevated radon levels. Regulations promulgated under the law establish licensing and certification requirements for radon mitigation and measurement professionals and radon analytical services (216 R.I. Admin. Code 50-15-2.1 -- 2.14). The regulations also establish radon standards; measurement and mitigation protocols; and requirements for testing, mitigation and notification of high radon levels in public buildings, schools, and child care facilities. (See also 218 R.I. Admin. Code Ch. 70.)

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, mold, moisture damage, 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." Information about mold must include "type, repairs, alterations, modifications." Also requires disclosure of ventilation system modifications.

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 mold. (See https://llr.sc.gov/re/RECPDF/Property%20Condition%20Disclosure%20Statement.pdf .)

SD	South Dakota Codified Laws §§ 43-4-37--44
	Requires sellers of residential property to provide a property disclosure form that addresses 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	Tennessee Code § 49-2-121
	Encourages local education agencies to implement an IAQ inspection and evaluation program, such as EPA's IAQ Tools for Schools program, which may address ventilation, radon, relative humidity, separation of students and staff from construction, and reduced use of cleaning and maintenance products. Directs the state Department of Education to compile a statewide survey of IAQ in public schools by 2006.

TN	Tennessee Code §§ 66-5-201 et seq.
	Requires sellers of residential real property containing 1-4 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.

TX	Texas Government Code § 2306.053
	Authorizes the Texas Department of Housing and Community Affairs to administer federal housing, community affairs, or community development programs, including the low income housing tax credit program. Regulations adopted under the law (10 Tx. Admin. Code 11.305) require that environmental site assessments (ESAs) for affordable multifamily housing projects funded by the Department must be conducted and reported in conformity with ASTM standards and meet additional criteria specified in the regulations. Among other things, the ESA report must “assess the potential for the presence of radon on the property, and recommend specific testing if necessary.”

TX	Texas Government Code §§ 2306.201 et seq.
	Establishes the state Housing Trust Fund to provide financial assistance to enable households to finance, acquire, rehabilitate and develop decent, safe and sanitary housing. The Department of Housing and Community Affairs administers the fund and established the Amy Young Barrier Removal Program to provide one-time grants from the fund to persons with disabilities in low income households, for the purpose of home modifications. Regulations implementing the program (10 Texas Admin. Code 26.27) allow a portion of the funds to be used to repair life-threatening hazards and unsafe conditions, which the regulations define to include environmental hazards such as mold, lead-based paint, asbestos or radon.

TX	Texas Property Code § 5.008
	Requires that certain sellers of single-unit residential property give buyers a written disclosure notice that addresses a variety of conditions, including water damage and the presence of radon, asbestos, urea-formaldehyde insulation, lead-based paint, or hazardous or toxic waste.

UT	Utah Code § 15A-3-206
	Adopts the state construction code. Requires that when passive radon controls or portions thereof are voluntarily installed in a home, the voluntary installation must comply with IRC Appendix F, though no additional inspection of the installation is required.

UT	Utah Code § 26-7-7
	Requires the Department of Health, in consultation with the Division of Waste Management and Radiation Control, to develop a statewide electronic awareness campaign to educate the public regarding: the existence and prevalence of radon gas in buildings and structures; the health risks associated with radon gas; and options for radon testing and remediation.

UT	Utah Code § 58-55-305
	Requires those installing or repairing radon mitigation systems to be licensed as a contractor under the state’s construction trades licensing law. (See also Utah Admin. Code R156-55a-301).

UT	Utah Code § 79-2-405
	Directs the Department of Natural Resources to study and make recommendations to the legislature on ways to increase public education and outreach regarding the risks of radon gas and ways to mitigate Utah residents' exposure to radon. Requires the Department to provide a final report and recommendations, including any recommended legislation, in 2022.

UT	Utah Concurrent Resolution 11 (2013)
	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.

VT	Vermont H. 426, Act 72 (2021)
	Requires that on or before June 30, 2023, each public school and approved independent school perform a radon measurement in accordance with ANSI/AARST protocols, for any school facility that has not had a test completed in five or more years. Requires schools to make available the radon measurement results to each employee and student at the school.

VA	Virginia Code § 22.1-138
	Requires that every school building in Virginia be tested for radon pursuant to EPA procedures and regulations as prescribed by the Board of Education. Requires each school to maintain files of its radon test results and make the files available for review. Also requires each local school board to develop and implement a plan to test and, if necessary, remediate mold in public school buildings in accordance with guidance issued by the U.S. EPA. Directs the Department to "determine the minimum level of mold in a school building that raises a concern for the health of building occupants" for purposes of notification to school staff and parents.

VA	Virginia Code § 32.1-229
	Requires the Board of Health to establish a program of effective regulation of sources of radiation, including a program of education and technical assistance relating to radon that is targeted to areas known to have high radon levels. Amended in 2019 to require that as a part of the program, a list of persons who are nationally certified to offer screening, testing, or mitigation for radon be made available to the public.

VA	Virginia Code § 32.1-229.01
	<p>Prohibits individuals from providing radon screening, testing, or mitigation services unless they meet proficiency measures acceptable to the state Board of Health or the U.S. EPA, or receive certification as a professional by either the National Radon Proficiency Program or The National Radon Safety Board. Requires radon professionals to comply with EPA testing standards, ASTM E-2121 mitigation standard, or other testing/mitigation standards deemed acceptable to the Board of Health or EPA. State contractor licensing regulations (18 Va. Admin. Code 50-22-30—60) establish radon mitigation as a specialty service and require those applying for the specialty to meet the state certification requirement. Legislation enacted in 2018 (Va. H.B. No. 1534) directed the Department of Health to review consumer complaints regarding radon testing and mitigation received since 2013, as well as the current state certification requirements for radon testers and mitigators, and to determine the benefits of any additional oversight of radon professionals. The legislation required the agency to report its findings and recommendations to the state legislature by December 1, 2018.</p>

VA	Virginia Code § 36-98
	<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 § 55.1-703
	<p>Requires owners to disclose certain information to prospective purchasers of residential real property, in accordance with a state-developed form. Required disclosures include a statement that the owner makes no representations or warranties as to the condition of the real property and that purchasers are advised to due diligence they deem necessary, including obtaining "a mold assessment conducted by a business that follows the guidelines provided by the U.S. Environmental Protection Agency." Disclosure must also include a statement that the owner "makes no representations with respect to whether the property is located in a locality classified as Zone 1 or Zone 2" on EPA's Map of Radon Zones and must advise purchasers to "exercise whatever due diligence they deem necessary to determine whether the property is located in such a zone" including, among other things, reviewing EPA's Map of Radon Zones and ordering a radon inspection. Law also requires each school board to maintain a water management program for the prevention of Legionnaire's disease at each public school building and to "validate each water management program on at least an annual basis to maintain the health and decency of such buildings." Directs public schools to maintain files related to the water management program, including the results of all validation and remediation activities, and to make such files available for review.</p>

VA	Virginia Code §§ 54.1-201, -1102
	<p>Requires the Board for Contractors to promulgate regulations necessary for licensure of contractors, inspectors, and tradesmen. Rules adopted under the law (18 Va. Admin. Code 50-22-30, 40) require that firms applying for a contractor's license and seeking licensing in the radon mitigation services specialty must name a qualified individual who has obtained an EPA or Virginia DEQ accepted radon certification. 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.</p>

WA	Washington Revised Code § 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 covered buildings in High Radon Potential (Zone 1) counties and for buildings constructed using unvented crawl space methods.

WA	Washington Revised Code §§ 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 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 HVAC training. 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. (See also W.V. Admin. Code 164-4-7.)

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 disclosure report, including the existence of potentially hazardous substances, including radon, lead-based paint, or asbestos.