

Radon Testing

Requires seller to disclose if property has been tested for radon or has a known radon hazard. Many state laws enable agencies to develop appropriate regulations and forms to implement this requirement.

Alaska Statutes §§ 34.70.010--200
California Civil Code § 1102--1102.18
Colorado Revised Statutes Ann. § 12-61-804
Connecticut General Statutes Ann. § 20-327b
Delaware Code, tit. 6, §§ 2570—2578
District of Columbia Municipal Regs., tit. 17, § 2708
Illinois Compiled Stat. Ann. Ch. 765, §§ 77/1—65 and Ann. Ch. 420 §§ 46/1 et seq.
Indiana Code §§ 32-21-5-1—12
Iowa Code Ann. § 558A.1 et seq.
Kentucky Revised Statutes § 324.360
Maine Revised Statutes Ann., tit. 33, § 173
Maryland Real Property Code § 10-702
Michigan Compiled Laws Ann. §§ 565.951--966
Mississippi Code Ann. §§ 89-1-501--523
Montana Code Ann. §§ 75-3-601--607
Nebraska Revised Stat. § 76-2,120
New Hampshire Revised Statutes § 477:4-a
New Jersey Statutes Ann. §§ 26:2D-70--80 and Ann. § 56:8-19.1
New York Real Property Law § 462
North Carolina Gen. Stat. Ann. §§ 47E-1 et seq.
Ohio Revised Code § 5302.30
Oklahoma Statutes Ann., tit. 60, §§ 831--839
Oregon Revised Statutes Ann. §§ 105.462-105.490
Pennsylvania Statutes, tit. 68, §§ 7301 et seq.
Rhode Island General Laws §§ 5-20.8-1--8
South Carolina Code Ann. §§ 27-50-10--110
South Dakota Codified Laws §§ 43-4-37--44
Tennessee Code Ann. §§ 66-5-201 et seq.
Texas Property Code § 5.008
Washington Revised Code § 64.06.020
Wisconsin Statutes Ann. §§ 709.01 et seq.

Requires that registered radon testers notify their state radon programs of test results.

Maine Revised Statutes Ann., tit. 22, §§ 771—784
New York Public Health Code § 225

Authorizes the Department of Health to provide, upon request, laboratory services for voluntary testing of indoor air pollutants including radon

Rhode Island General Laws § 23-1-5.1

Regulations adopted under the law require certain schools at certain times to test for radon. Some require mitigation of high radon levels.

Colorado Revised Statutes Ann. § 25-1.5-101
Connecticut General Statutes Ann. § 19a-37b, Ann. § 10-220, and Ann. § 10-291
Florida Statutes Ann. § 404.056
Minnesota Statutes Ann. § 123B.57

New Jersey Statutes Ann. §18A:20-40
New York Education Law §§ 409-d, 409-e
Ohio Revised Code §§ 3701.93--936 (also §§ 3313.473, 3314.15)
Rhode Island General Laws §§ 23-61 et seq.
Virginia Code Ann. § 22.1-138
West Virginia Code Ann. § 18-9E-3

Requires child day care centers to test for radon

Connecticut General Statutes Ann. § 19a-79
Florida Statutes Ann. § 404.056
Idaho Code § 39-1210
Iowa Code Ann. § 237A.12
Maryland Family Law Code §§ 5-506, 508
Michigan Compiled Laws Ann. § 722.112
New Jersey Statutes Ann. § 30:5B-5.2
Rhode Island General Laws §§ 23-61 et seq.

Requires group day care homes to test for radon

Connecticut General Statutes Ann. § 19a-79
Idaho Code § 39-1210
Michigan Compiled Laws Ann. § 722.112

Conduct a variety of programs to test residential property and reduce exposure through regulation, warnings, advisory boards, and mitigation

Delaware Code, tit. 16, § 7402
District of Columbia Municipal Regs., tit. 10, § 403
Florida Statutes Ann. § 404.056
Maine Revised Statutes Ann., tit. 22, §§ 771—784
New Hampshire Revised Statutes § 125:9 and §§ 10-B:1--B:4
New Jersey Statutes Ann. §§ 26:2D-59—62 and Ann. § 13-1K-14
New York Public Health Code § 225
Ohio Revised Code § 3748.20
Pennsylvania Statutes, tit. 35, §§ 7501 et seq.
Rhode Island General Laws §§ 23-61 et seq.
West Virginia Code Ann. §§ 16-2-2, 16-2-11
Wisconsin Statutes Ann. § 254.34

Radon Mitigation

Establishes that no person may provide radon services unless that person is certified. This may be nationally certified and/or state certified depending on the state. Some states are required to keep a list of certified mitigators.

California Health & Safety Code §§ 106750—106865
Connecticut General Statutes Ann. §§ 20-420—427 and Ann. § 19a-14b
District of Columbia Statutes §§ 28-4201—4203
Florida Statutes Ann. § 404.056
Illinois Compiled Stat. Ann. Ch. 420, §§ 44/1--90
Indiana Code §§ 16-41-38-1--10
Iowa Code Ann. §§ 136B.1--.5
Kentucky Revised Statutes §§ 211.855--856

Maine Revised Statutes Ann., tit. 22, §§ 771--784
Maryland Environment Code § 8-305
Montana Code Ann. §§ 75-3-601--607
Nebraska Revised Stat. § 71-3501
New Jersey Statutes Ann. §§ 26:2D-70—80
New York Energy Law §§ 7930.1 et seq.
Ohio Revised Code §§ 3723.01--18
Pennsylvania Statutes, tit. 63, §§ 2001 et seq.
Rhode Island General Laws §§ 23-61 et seq.
Virginia Code Ann. §§ 32.1-229 et seq. and §§ 54.1-201, 54
West Virginia Code Ann. § 16-34-1 et seq.

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.

Iowa Code Ann. §§ 136B.1--5

Radon Resistant New Construction

Adopts standard for radon-resistant new construction. Provides that municipalities electing to adopt a radon-resistant new construction standard must use the state model standard.

California Health & Safety Code § 105430
Florida Statutes Ann. § 553.98
Maine Revised Statutes Ann., tit. 25, §2466 and Ann., tit. 22, §§ 771—784
Michigan Compiled Laws Ann. § 125.1504
Minnesota Statutes §16B.61
New Jersey Statutes Ann. §§ 52:27D-123A--123E
Rhode Island General Laws §§ 23-61 et seq.
Washington Revised Code § 19.27.074 and § 19.27.190

Public Education

Requires the state to prepare a public education/awareness program or document related to radon

California Business & Professions Code § 10084.1
Florida Statutes Ann. § 404.056
Georgia Code Ann. § 12-3-5
Illinois Compiled Stat. Ann. Ch. 420, §§ 44/1--90
Maine Revised Statutes Ann., tit. 22, §§ 771—784
Massachusetts General Laws Ann., ch. 13, § 97
Montana Code Ann. §§ 75-3-601—607
New Hampshire Revised Statutes § 125:9
New Jersey Statutes Ann. § 13-1K-14
Oregon Revised Statutes Ann. §§ 433.502--526
Rhode Island General Laws §§ 23-61 et seq.
Wisconsin Statutes Ann. § 254.34

Homebuilders: Disclosures, Tax Credits, Liability

Requires home builders to complete a disclaimer or a disclosure regarding environmental hazards present on the home site including radon

Maryland Real Property Code §§ 10-603—604

Establishes a green building tax credit program that includes radon

New York Tax Law § 19

Establishes a defense in a civil lawsuit brought against a builder for damages for injury caused by indoor air pollutants in a residential structure. Defense applies if builder complied in good faith with: building product safety standards, including labeling; restrictions on use of building materials known or believed to contain substances that contribute to indoor air pollution; and ventilation and radon-resistant construction requirements contained in state law.

Washington Revised Code § 4.24.560

Civil and Criminal Ramifications for Misrepresenting Radon Readings

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.

Colorado Revised Statutes Ann. § 6-1-105

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.

New Jersey Statutes Ann. § 56:8-19.1

Provides that it is a misdemeanor to misrepresent the capabilities of a device for detecting and measuring radon or radon progeny.

Illinois Compiled Stat. Ann. Ch. 815, §§ 505/2U--2W

Radon and Water

Requires adoptions of regulations establishing safe levels of radon in potable water

Connecticut General Statutes Ann. § 19a-14b