

1.1 moves to amend H.F. No. 662, the first engrossment, as follows:

1.2 Page 2, delete section 2 and insert:

1.3 "Sec. 2. [144.496] MINNESOTA RADON AWARENESS ACT.

1.4 Subdivision 1. Citation. This section may be cited as the "Minnesota Radon
1.5 Awareness Act."

1.6 Subd. 2. Definitions. (a) The following terms used in this section have the meanings
1.7 give them.

1.8 (b) "Buyer" means any individual, partnership, corporation, or trustee entering into
1.9 an agreement to purchase any residential real estate or interest in real property.

1.10 (c) "Elevated radon concentration" means a radon concentration above the United
1.11 States Environmental Protection Agency's radon action level.

1.12 (d) "Mitigation" means measures designed to permanently reduce indoor radon
1.13 concentrations.

1.14 (e) "Radon test" means a measurement of indoor radon concentrations according to
1.15 established industry standards for residential real property.

1.16 (f) "Residential real property" means property occupied as, or intended to be
1.17 occupied as, a single-family residence, including a unit in a common interest community
1.18 as defined in section 515B.1-103, clause (10), regardless of whether the unit is in a
1.19 common interest community not subject to chapter 515B.

1.20 (g) "Seller" means any individual, partnership, corporation, or trustee transferring
1.21 residential real property in return for consideration.

1.22 Subd. 3. Radon disclosure. (a) Before signing an agreement to sell or transfer
1.23 residential real property, the seller or transferor shall disclose in writing to the buyer
1.24 or transferee any knowledge the seller or transferor has of radon concentrations in the
1.25 dwelling. The disclosure shall include:

1.26 (1) whether a radon test or tests have occurred on the property;

2.1 (2) the most current records and reports pertaining to radon concentrations within
2.2 the dwelling;

2.3 (3) a description of any radon concentrations, mitigation, or remediation;

2.4 (4) information regarding the radon mitigation system, including system description
2.5 and documentation, if such system has been installed in the dwelling; and

2.6 (5) a radon warning statement, meeting the requirements of subdivision 4.

2.7 (b) The seller or transferor shall provide the buyer or transferee with the Minnesota
2.8 Department of Health publication entitled "Radon in Real Estate Transactions."

2.9 (c) If any of the requirements of this section occur after the buyer signs an agreement
2.10 to purchase or transfer the residential real property, the seller shall complete the required
2.11 activities prior to signing an agreement to sell or transfer the residential real property
2.12 and allow the buyer an opportunity to review the information and possibly amend the
2.13 agreement without penalty to the buyer.

2.14 Subd. 4. **Radon warning statement.** The radon warning statement must include
2.15 the following language:

2.16 "Radon Warning Statement

2.17 The Minnesota Department of Health strongly recommends that ALL homebuyers
2.18 have an indoor radon test performed prior to purchasing or taking occupancy and
2.19 recommends having the radon levels mitigated if elevated radon concentrations are found.
2.20 Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed,
2.21 if applicable, radon mitigator.

2.22 Every buyer of an interest in residential real property is notified that the property
2.23 may present exposure to dangerous levels of indoor radon gas that may place the occupants
2.24 at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is
2.25 the leading cause of lung cancer in nonsmokers and the second leading cause overall. The
2.26 seller of an interest in residential real property is required to provide the buyer with any
2.27 information on radon test results of the dwelling."

2.28 **EFFECTIVE DATE.** This section is effective January 1, 2014, and applies to an
2.29 agreement to sell or transfer residential real property executed on or after that date."