

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 846 Session of
1993

INTRODUCED BY D. R. WRIGHT, PESCI, ROONEY, MELIO, GIGLIOTTI,
BATTISTO, MAYERNIK, KUKOVICH, E. Z. TAYLOR, TRELLO, PISTELLA,
JOSEPHS, CURRY AND HUGHES, MARCH 22, 1993

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 22, 1993

AN ACT

1 Requiring radon testing and notification for sale of residential
2 property.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Residential
7 Property Radon Testing and Notification Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Department." The Department of Environmental Resources of
13 the Commonwealth.

14 "New residential real property." Real property upon which a
15 residence will be constructed by a contractor.

16 "Residential real property." Real property which is intended
17 to be used as a primary residence.

1 Section 3. Radon testing.

2 (a) Testing.--

3 (1) Except as provided in paragraph (2), prior to the
4 sale of residential real property, the owner shall test any
5 building to be used as a dwelling for the presence of radon.
6 All radon testing shall be conducted by a radon testing
7 individual, firm or laboratory certified by the department.
8 Testing shall be performed in accordance with protocols
9 approved by the department. Testing shall be done on ground
10 floors and below-ground floors, if there are any. Each
11 building need not be tested more often than once every three
12 years, unless improvements or renovations which affect
13 ventilation characteristics or air exchange rates were
14 completed within the three-year period.

15 (2) For new residential property, the owner shall test
16 the building for the presence of radon six months after the
17 contractor completes construction.

18 (b) Validity of test results.--Radon test results shall be
19 valid for three years and may be used as notice as required by
20 subsection (c) for a subsequent sale of residential real
21 property within the three-year period.

22 (c) Notice.--The owner of the residential real property
23 shall provide written notice of the results of the testing under
24 subsection (a) to a prospective purchaser of the residential
25 real property at the time the sales agreement is entered into.
26 The buyer may not waive the notice required by this subsection.

27 Section 4. Effective date.

28 This act shall take effect in 60 days.