

CORRECTED REPRINT

HOUSE No. 325

By Ms. Stanley of West Newbury, petition filed at the request of David P. Kapturowski relative to requiring radon notification prior to real estate transactions. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO RADON NOTIFICATION AT THE TIME OF A REAL ESTATE TRANSACTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The General Court recognizes that radon is an odor-
2 less, colorless, tasteless, and radioactive gas that occurs naturally in
3 soils and groundwater; that radon enters homes and buildings
4 through opening in foundations, decays to form radon progeny, and
5 unless vented to the atmosphere, accumulates in buildings and
6 becomes hazardous to human health, and prolonged exposure to
7 elevated concentrations of radon decay products has been associated
8 with increases in the risk of lung cancer. The General Court recog-
9 nizes that there is a need to protect human health and prevent expo-
10 sure to elevated concentrations of radon and a higher risk of
11 mortality from lung cancer.

1 SECTION 2. Prior to the execution of any contract or the
2 purchase and sale of any interest in real property which includes a
3 building, the seller, or seller’s agent, shall provide a copy of the US
4 EPA’s Home Buyer’s and Seller’s Guide to Radon to the buyer. The
5 buyer shall acknowledge receipt of this notification by signing a
6 copy of such notification:

7 “I (We) have received a copy of the US EPA’s *Home Buyer’s and*
8 *Seller’s Guide to Radon*. Radon Gas: Radon Gas, the product of
9 decay of radioactive materials in rock may be found in some areas of
10 Massachusetts. This gas may pass into a structure through the

11 ground or through water from a deep well. Testing can establish its
12 presence and equipment is available to remove unsafe levels from
13 the air or water.