

House Study Bill 178 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON KOESTER)

A BILL FOR

1 An Act concerning short-term testing and retesting for radon at
2 public school district attendance centers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 279.39A Radon testing.

2 1. For purposes of this section, "*short-term test*" means
3 a test approved by the department of public health in which a
4 testing device remains in an area for not less than two days
5 and not more than ninety days to determine the amount of radon
6 in the air that is acceptable for human inhalation.

7 2. The board of directors of each public school district
8 shall provide for short-term testing and retesting for radon
9 gas to be performed at each attendance center under its control
10 and following any new construction of an attendance center or
11 additions, renovations, or repairs to an attendance center.

12 3. a. The department of public health and the department
13 of education shall each adopt rules pursuant to chapter 17A to
14 jointly administer this section.

15 b. In consultation with appropriate stakeholders, the
16 department of public health shall adopt rules pursuant to
17 chapter 17A establishing standards for radon testing at
18 attendance centers. Such standards shall include but are not
19 limited to training requirements for persons to conduct such
20 testing and best practices for conducting such testing.

21 Sec. 2. Section 298.3, subsection 1, Code 2015, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. n. Radon testing pursuant to section 280.30.

24 Sec. 3. Section 423F.3, subsection 3, paragraph a, Code
25 2015, is amended to read as follows:

26 a. If the board of directors adopts a resolution to use
27 funds received under the operation of this chapter solely for
28 providing property tax relief by reducing indebtedness from the
29 levies specified under section 298.2 or 298.18, or for radon
30 testing pursuant to section 280.30, the board of directors may
31 approve a revenue purpose statement for that purpose without
32 submitting the revenue purpose statement to a vote of the
33 electors.

34 Sec. 4. STATE MANDATE FUNDING SPECIFIED. In accordance
35 with section 25B.2, subsection 3, the state cost of requiring

1 compliance with any state mandate included in this Act may be
2 paid by a school district from a physical plant and equipment
3 levy under chapter 298, as amended by this Act, the secure
4 an advanced vision for education fund under chapter 423F, as
5 amended by this Act, or a modified supplemental amount under
6 section 257.31, subsection 6. This specification of the
7 payment of the state cost shall be deemed to meet all of the
8 state funding-related requirements of section 25B.2, subsection
9 3, and no additional state funding shall be necessary for the
10 full implementation of this Act by and enforcement of this Act
11 against all affected school districts.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with
the explanation's substance by the members of the general assembly.

15 This bill requires the board of directors of each public
16 school district to provide for short-term testing and retesting
17 for radon gas at each attendance center under its control.
18 The rules relating to the testing are to be adopted by the
19 departments of education and public health.

20 The bill adds radon testing pursuant to the bill to the list
21 of permissible uses of a physical plant and equipment levy and
22 revenues from the secure an advanced vision for education fund
23 by a school district.

24 The bill may include a state mandate as defined in Code
25 section 25B.3. The bill provides that the cost of any state
26 mandate included in the bill may be paid by a school district
27 from a physical plant and equipment levy under Code chapter
28 298, as amended by the bill, the secure an advanced vision for
29 education fund under Code chapter 423F, as amended by the bill,
30 or a modified supplemental amount under Code section 257.31,
31 subsection 6. The specification is deemed to constitute state
32 compliance with any state mandate funding-related requirements
33 of Code section 25B.2. The inclusion of this specification is
34 intended to reinstate the requirement of political subdivisions
35 to comply with any state mandates included in the bill.