

Senate File 413 - Introduced

SENATE FILE 413
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1155)

A BILL FOR

1 An Act relating to allowable disclosures of radon testing
2 results.

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

1 Section 1. Section 136B.2, subsection 1, paragraph b, Code
2 2015, is amended to read as follows:

3 b. A person shall not disclose to any other person, except
4 to the department, the results of a test or the address or
5 the name of the owner of a nonpublic building that the person
6 tested for the presence of radon gas and radon progeny, unless
7 the owner of the building waives, in writing, this right of
8 confidentiality. However, a person certified or credentialed
9 pursuant to section 136B.1 may disclose the results of a test
10 performed by the person for the presence of radon and radon
11 progeny to a potential buyer of a nonpublic building when
12 an offer to purchase has been presented by the buyer and if
13 the potential buyer paid for the testing. Any test results
14 disclosed shall be results of a test performed within the five
15 years prior to the date of the disclosure.

16 Sec. 2. Section 136B.2, subsection 2, Code 2015, is amended
17 to read as follows:

18 2. a. Notwithstanding the requirements of this section,
19 disclosure to any person of the results of a test performed
20 on a nonpublic building for the presence of radon gas and
21 radon progeny is not required if the results do not exceed the
22 currently established United States environmental protection
23 agency action guidelines, except as required during a real
24 estate transaction pursuant to section 558A.4, subsection 2.

25 b. A person who tests a nonpublic building which the person
26 owns is not required to disclose to any person the results of
27 a test for the presence of radon gas or progeny if the test
28 is performed by the person who owns the nonpublic building,
29 except as required during a real estate transaction pursuant to
30 section 558A.4, subsection 2.

31 EXPLANATION

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

34 This bill relates to allowable disclosures of radon
35 testing results. The bill provides that a person certified or

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1 credentialed pursuant to Code section 136B.1 may disclose the
2 results of radon testing to a potential buyer of a nonpublic
3 building when an offer to purchase has been presented by the
4 buyer and the buyer paid for the testing. The bill makes
5 additional technical changes.