HOUSE FILE 2412
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2264)

(As Amended and Passed by the House March 7, 2022)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act requiring radon testing and mitigation in public schools, and including applicability provisions.

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

Section 1. NEW SECTION. **280.32 Radon testing and mitigation.**

1. For purposes of this section, *"short-term test"* means a test using a device that remains in an area for two to seven days to determine the amount of radon in the air.

2. The board of directors of each public school district shall establish a radon plan and schedule for short-term tests for radon gas to be performed at each attendance center under its control at least once by July 1, 2027, and at least once every five years thereafter. Each school district shall publish testing results on the district's internet site in a timely manner.

* [3. Radon testing pursuant to this section conducted on and after July 1, 2022, shall be conducted by a person certified to conduct such testing pursuant to section 136B.1 or by district employees that have completed a school radon testing training program approved by the department of education and the department of public health. District employees that have completed training shall not perform testing services in locations other than the employee's employing district. The department of public health shall maintain and make available to school districts a list of such approved school radon testing training programs. Testing shall be based on recognized national standards that outline school radon testing practices.]

4. *a.* If the results of a short-term test at an attendance center are at or above four picocuries per liter, the board of directors of the public school district shall conduct a second short-term test for radon gas and radon decay products in the spaces with elevated results within sixty days of the first test.

b. If the averaged results of the first and second tests at an attendance center pursuant to paragraph *"a"* are at or above four picocuries per liter, the board of directors of the public school district shall retain or employ a person

credentialed pursuant to section 136B.1 to develop a radon mitigation plan that may include further diagnostic testing, corrective measures, and active mitigation. The board shall complete the radon mitigation plan within two years of the first test. A district is not required to mitigate radon at an attendance center if the district intends to abandon the building within five years or has a plan to renovate the attendance center within five years and the renovation will include radon mitigation.

5. All new school construction shall incorporate radon resistant construction techniques.

6. In consultation with appropriate stakeholders and the department of education, the department of public health shall adopt rules to administer this section.

Sec. 2. Section 423F.3, subsection 3, paragraph a, Code 2022, is amended to read as follows:

a. If the board of directors adopts a resolution to use funds received under the operation of this chapter solely for providing property tax relief by reducing indebtedness from the levies specified under section 298.2 or 298.18, or for radon testing pursuant to section 280.32, the board of directors may approve a revenue purpose statement for that purpose without submitting the revenue purpose statement to a vote of the electors.

Sec. 3. STATE MANDATE FUNDING SPECIFIED. In accordance with section 25B.2, subsection 3, the state cost of requiring compliance with any state mandate included in this Act shall be paid by a school district from state school foundation aid received by the school district under [section 257.16] or revenues from the secure an advanced vision for education fund under section 423F.3. This specification of the payment of the state cost shall be deemed to meet all of the state funding-related requirements of section 25B.2, subsection 3, and no additional state funding shall be necessary for the full implementation of this Act by and enforcement of this Act

against all affected school districts.

Sec. 4. APPLICABILITY. Section 423F.3, subsection 8, does not apply to this Act.