

MEMORANDUM

June 12, 2015

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Introduction:** Bill 31-15, Sale of Real Property – Radon Test – Single-family home

Bill 31-15, Sale of Real Property – Radon Test – Single-family home, sponsored by Lead Sponsor Councilmember Rice is scheduled to be introduced on June 16, 2015. A public hearing is tentatively scheduled for July 14 at 1:30 p.m.

Radon is a radioactive gas found in the air that comes from the natural breakdown of uranium in soil, rock, and water. High levels of radon can cause serious illnesses and often occur in single family homes in the County. Although radon remediation from a single family home is possible, many people purchase a home without knowing if high levels of radon exist in the home. Bill 31-15 would require the seller of a single-family home to test for radon and give the buyer a copy of the radon test results. It would also require the seller to provide the buyer with an estimate to reduce radon under certain circumstances.

This packet contains:

Bill 31-15

Legislative Request Report

Circle #

1

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Bill No. 31-15
Concerning: Sale of Real Property –
Radon Test – Single-family home
Revised: February 12, 2015 Draft No. 1
Introduced: June 16, 2015
Expires: December 16, 2016
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Rice

AN ACT to:

- (1) require the seller of a single-family home to test for radon and give the buyer a copy of the radon test results;
- (2) require the seller to provide the buyer with an estimate to reduce radon under certain circumstances; and
- (3) generally amend the law governing the sale of a single-family home in the County.

By adding

Montgomery County Code
Chapter 40, Real Property
Section 40-13C

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 40-13C is added as follows:**

2 **40-13C. Radon test – single-family home.**

3 (a) Definitions. In this Section, the following words have the meanings
4 indicated:

5 Department means the Department of Environmental Protection.

6 Director means the Director of the Department or the Director’s
7 designee.

8 Single-family home means a single-family detached or attached
9 residential building.

10 Radon means a radioactive gas found in the air that comes from the
11 natural breakdown of uranium in soil, rock, and water.

12 Radon test means measuring the amount of radon in an indoor space with
13 a kit made for this purpose and approved for use by the Director.

14 (b) Before signing a contract for the sale of a single-family home located in
15 the County, the seller must provide the buyer with:

16 (1) a copy of the results of a radon test performed on the living quarters
17 of the home less than one year before the date of the contract; and

18 (2) an estimate from a licensed contractor to reduce any radon level of
19 4 picocuries per liter or more to less than 2 picocuries per liter.

20 *Approved:*

21 _____
George Leventhal, President, County Council

Date

22 *Approved:*

23 _____
Isiah Leggett, County Executive

Date

LEGISLATIVE REQUEST REPORT

Bill 31-15

Sale of Real Property – Radon Test – Single-family home

DESCRIPTION:	Bill 31-15 would require the seller of a single-family home to test for radon and give the buyer a copy of the radon test results. It would also require the seller to provide the buyer with an estimate to reduce radon under certain circumstances.
PROBLEM:	Radon is a radioactive gas found in the air that comes from the natural breakdown of uranium in soil, rock, and water. High levels of radon can cause serious illnesses and often occurs in single family homes in the County. Although radon remediation from a single family home is possible, many people purchase a home without knowing if high levels of radon exist in the home.
GOALS AND OBJECTIVES:	Ensure that a buyer of a single family home in the County learns if the house contains high levels of radon before purchasing it.
COORDINATION:	Department of Environmental Protection
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Robert H. Drummer, Senior Legislative Attorney
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	Not applicable.