

CHAPTER 20

RADON TESTING RESULTS — DISCLOSURE

H.F. 371

AN ACT relating to allowable disclosures of radon testing results.

Be It Enacted by the General Assembly of the State of Iowa:

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

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

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

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

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

Approved March 31, 2015