

SENATE BILL No. 522

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-37.5.

Synopsis: Radon testing in schools. Requires every building that is used by a public school or nonpublic school: (1) where students are regularly present; (2) that contains a licensed child care center; or (3) that contains a licensed child care ministry; to be tested for the presence of radon gas or radon progeny before July 1, 2020, and at least one time every five years thereafter. Provides that the superintendent of the school corporation or chief administrative officer of the nonpublic school, in consultation with the state department of health (state department) and the principal of each school to be tested, shall determine: (1) the buildings to be tested; (2) the locations to be tested within each building; (3) the method of testing; and (4) the procedures concerning notification and circulation of the testing results. Requires the test results to be submitted to the state department. Requires the tests to be conducted by a person certified to perform radon testing.

Effective: July 1, 2019.

Melton

January 14, 2019, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 522

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-41-37.5-4, AS ADDED BY P.L.79-2008,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 4. (a) **Except as provided in section 6 of this**
4 **chapter**, an individual conducting an indoor air quality test under this
5 chapter must be:
6 (1) a professional engineer (as defined in IC 25-31-1-2);
7 (2) an industrial hygienist; or
8 (3) a supervisor or technician certified by a national organization
9 that:
10 (A) writes and adheres to standards for:
11 (i) testing, adjusting, and balancing of heating, ventilation,
12 and air conditioning equipment or exhaust systems; and
13 (ii) indoor air quality testing procedures and requirements;
14 and
15 (B) certifies supervisors and technicians to perform:
16 (i) testing, adjusting, and balancing of heating, ventilation,
17 and air conditioning equipment or exhaust systems; and



1 (ii) indoor air quality testing procedures and requirements.

2 (b) The report of a test conducted under this chapter must be
3 certified by the person conducting the test. If the person uses a
4 professional seal on documents, the certification must include the
5 person's seal.

6 SECTION 2. IC 16-41-37.5-6 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2019]: **Sec. 6. (a) This section applies only to
9 a public school and a nonpublic school.**

10 **(b) Every building that is used by a public school or a nonpublic
11 school:**

- 12 **(1) where students are regularly present;**
13 **(2) that contains a child care center licensed under
14 IC 12-17.2-4; or**
15 **(3) that contains a child care ministry licensed under
16 IC 12-17.2-6;**

17 **must be tested for the presence of radon gas or radon progeny
18 before July 1, 2020, and at least one (1) time every five (5) years
19 thereafter.**

20 **(c) The superintendent of the school corporation or chief
21 administrative officer of the nonpublic school, in consultation with
22 the state department and the principal of each school to be tested,
23 shall determine:**

- 24 **(1) the buildings to be tested;**
25 **(2) the locations to be tested within each building;**
26 **(3) the method of testing; and**
27 **(4) the procedures concerning notification and circulation of
28 the testing results.**

29 **(d) The superintendent of the school corporation or chief
30 administrative officer of the nonpublic school shall submit the
31 results of a test conducted under this section to the state
32 department not more than thirty (30) days after receiving the test
33 results.**

34 **(e) A test conducted under this section must be performed by a
35 person certified under IC 16-41-38.**

36 **(f) Notwithstanding subsection (b), if a school building has been
37 tested for radon gas or radon progeny after June 30, 2014, and
38 before July 1, 2019, the next test must be performed within five (5)
39 years of the latest test. This subsection expires June 30, 2024.**

