

Enrolled Senate Bill 1025

Sponsored by Senator DINGFELDER; Senators BATES, BONAMICI, BURDICK, EDWARDS, HASS, MONNES ANDERSON, MONROE, ROSENBAUM, SCHRADER, SHIELDS, VERGER, Representatives BUCKLEY, CANNON, DEMBROW, HOLVEY, NATHANSON, RILEY, ROBLAN, STIEGLER, TOMEI, WINGARD (Presession filed.)

CHAPTER

AN ACT

Relating to radon in buildings; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2010 Act is added to and made a part of ORS chapter 455.

SECTION 2. (1) The Building Codes Structures Board and the Residential and Manufactured Structures Board shall adopt design and construction standards for mitigating radon levels in new residential buildings that are identified under the structural specialty code as Group R-2 or R-3 buildings and new public buildings. In adopting the standards, the boards shall give consideration to any standards recommended by the United States Environmental Protection Agency for radon mitigation systems in buildings.

(2) The boards shall make the design and construction standards for mitigating radon levels applicable in:

(a) Baker, Clackamas, Hood River, Multnomah, Polk, Washington and Yamhill Counties; and

(b) Any county for which the boards, after consultation with the Oregon Health Authority, consider the standards appropriate due to local radon levels.

(3) The Director of the Department of Consumer and Business Services may authorize a municipality that administers and enforces one or more building inspection programs under ORS 455.148 or 455.150 to also administer and enforce any applicable standards for mitigating radon that are adopted by the boards.

(4) The director, in consultation with the boards, may adopt rules for the implementation, administration and enforcement of this section.

SECTION 3. (1) The Real Estate Agency shall provide information to alert potential buyers of one and two family dwellings to issues concerning radon in the dwellings. The information may include, but need not be limited to, radon hazard potential and methods of testing for and mitigating radon. The agency may collaborate with public or private entities to provide the information.

(2) The agency shall place the information described in subsection (1) of this section on the agency's website and make printed copies of the information available to the public. The agency may charge a reasonable fee for providing a printed copy of the information.

(3) The agency shall encourage public and private entities dealing with potential buyers of one and two family dwellings to post the information described in subsection (1) of this

section on entity websites and to assist in making printed copies of the information available to the public.

SECTION 4. (1) The Building Codes Structures Board and the Residential and Manufactured Structures Board shall adopt design and construction standards under section 2 of this 2010 Act no later than January 1, 2011.

(2) The Department of Consumer and Business Services shall make the standards adopted by the boards under section 2 of this 2010 Act applicable to Group R-2 and R-3 new residential buildings for which initial building permits are issued on or after April 1, 2011, and to new public buildings for which initial building permits are issued on or after April 1, 2013.

SECTION 5. The Real Estate Agency shall initially make the information described in section 3 of this 2010 Act available on the agency's website and as printed copies no later than January 1, 2011.

SECTION 6. This 2010 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect on its passage.

Passed by Senate February 16, 2010

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Secretary of Senate

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President of Senate

Passed by House February 22, 2010

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Speaker of House

Received by Governor:

.....M.,....., 2010

Approved:

.....M.,....., 2010

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2010

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Secretary of State