

1 HB365
2 89143-1
3 By Representative Ball
4 RFD: Commerce
5 First Read: 15-MAR-07

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8 SYNOPSIS: This bill would require disclosure between
9 the purchaser and the seller of residential real
10 property of any known radon hazards.

11 This bill allows potential buyers of
12 residential real property to have the property
13 tested for radon.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to radon gas, to require the purchaser and
20 seller of residential real property to disclose any known
21 radon hazard.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. As used in this act the following terms
24 have the following meanings:

- 25 (1) AGENT. A real estate agent.
26 (2) COMMISSION. The Alabama Real Estate Commission.
27 (3) DEPARTMENT. The Department of Public Health.

1 (4) RADON. The radioactive noble gas radon 222.

2 (5) RESIDENTIAL REAL PROPERTY. Real property used by
3 the owner exclusively as the owner's single-family dwelling.

4 Section 2. (a) Every purchaser of any interest in
5 residential real property shall be notified that the property
6 may present the potential for exposure to radon.

7 (b) The seller of any interest in residential real
8 property is required to provide the buyer with any information
9 on radon from tests or inspections in the seller's possession,
10 and notify the buyer of any known radon hazards.

11 (c) The department shall develop the content of the
12 written information that the buyer's agent shall provide the
13 buyer of any residential real property. The information shall
14 describe potential hazards of exposure to radon, testing for
15 radon, radon remediation, and the buyer's rights during a
16 property transaction.

17 (d) The commission with consultation from the
18 department shall develop a form to utilize in every transfer
19 of residential real property that includes:

20 (1) The property address.

21 (2) The seller's disclosure of any known radon
22 hazards.

23 (3) The buyer's acknowledgement that information
24 about radon was received.

25 (4) The buyer's acknowledgement of his or her option
26 to test for radon.

1 (5) The agent's acknowledgement that the seller has
2 been informed of his or her responsibility to ensure
3 compliance with this act.

4 (6) Dated signatures of the buyer, seller, and agent
5 attesting to the above requirements.

6 Section 3. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.