

Subd. 3. **Radon disclosure.** A landlord must provide a copy of the Department of Health's publication titled "Radon in Rental Properties" and a radon disclosure to each prospective tenant before executing a residential lease and any current tenants as of the effective date.

The disclosure must identify:

(1) the date of the most recent radon tests performed at the residential building;

(2) the test locations and the radon concentration results;

(3) a description of any mitigation or remediation measures taken at the residential building; and

(4) the most recent records and reports pertaining to radon concentrations and mitigation within the residential building or how the tenant can obtain these records.

Subd. 4. **Mitigation.** (a) A landlord must ensure mitigation is completed within 180 days of a radon test result that indicates an elevated radon concentration in a dwelling or an occupiable location.

(b) Mitigation must be performed by a radon mitigation professional who is licensed under section 144.4961.

Subd. 5. **Remedy.** (a) If a landlord violates this section, a tenant may bring an action in district court pursuant to this section or section 504B.161.

(b) The residential tenant may report alleged violations of this section to the inspector.

(c) If a landlord violates subdivision 2, 3, or 4, the residential tenant is entitled to damages equal to \$500 per violation and reasonable attorney fees, in addition to any other remedies or penalties.

(d) Falsifying a radon test or radon test result is a breach of section 504B.161 and the residential tenant is entitled to punitive damages of \$1,000 in addition to any other remedies or penalties.

(e) The attorney general may seek the penalties and remedies available under section 8.31 against any person who violates this section.

EFFECTIVE DATE. This section is effective December 1, 2020, and applies to all residential agreements in effect or entered into on or after that date.

Sec. 2. **DEPARTMENT OF HEALTH PUBLICATION.**

The commissioner of health must produce a publication titled "Radon in Rental Properties" for distribution to landlords and tenants. The publication must be available

- 3.1 electronically through the Department of Health's website. The publication must include
- 3.2 information related to:
- 3.3 (1) the health effects of indoor radon;
- 3.4 (2) the action level of indoor radon; and
- 3.5 (3) a landlord's duties and a tenant's rights under Minnesota Statutes, section 504B.152.
- 3.6 **EFFECTIVE DATE.** This section is effective December 1, 2020.