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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **244**

01/22/2019 Authored by Clafin, Hansen, Wagenius, Vang, Loeffler and others
The bill was read for the first time and referred to the Committee on Education Policy
03/04/2020 Adoption of Report: Amended and re-referred to the Health and Human Services Finance Division

1.1 A bill for an act
1.2 relating to education; health; requiring school districts to conduct radon testing;
1.3 amending Minnesota Statutes 2018, section 123B.571.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 123B.571, is amended to read:

1.6 **123B.571 RADON TESTING.**

1.7 Subdivision 1. ~~Voluntary Plan.~~ The commissioners of health and education may jointly
1.8 develop a plan to encourage school districts and charter schools to accurately and efficiently
1.9 test for the presence of radon in public school buildings serving students in kindergarten
1.10 through grade 12. ~~To the extent possible, the commissioners shall base the plan on the~~
1.11 ~~standards established by the United States Environmental Protection Agency.~~ For purposes
1.12 of this section, buildings also include the Minnesota State Academies in Faribault and the
1.13 Perpich Center for Arts Education in Golden Valley.

1.14 Subd. 2. **Radon testing.** A school district may include radon testing as a part of its
1.15 ten-year facility plan under section 123B.595, subdivision 4. If a school district receives
1.16 authority to use long-term facilities maintenance revenue to conduct radon testing, the
1.17 district shall conduct the testing according to the radon testing plan developed by the
1.18 commissioners of health and education.

1.19 Subd. 3. **Reporting.** A school district ~~that has tested~~ or charter school must test its school
1.20 buildings for the presence of radon ~~shall~~ and must report the results of its tests to the
1.21 Department of Health in a form and manner prescribed by the commissioner of health. A

2.1 school district that has tested for the presence of radon ~~shall~~ must also report the results of
2.2 its testing at a school board meeting.

2.3 Subd. 4. Testing requirements. (a) A school district or charter school must adopt a
2.4 radon testing schedule requiring a short-term or long-term test be conducted in every building
2.5 servicing students at least once every five years. A school district or charter school must begin
2.6 testing school buildings by July 1, 2021, and complete testing of all buildings that serve
2.7 students within five years.

2.8 (b) Tests must be conducted with certified radon testing devices as listed by either the
2.9 National Radon Proficiency Program or the National Radon Safety Board. Tests must test
2.10 all frequently occupied rooms with ground contact and rooms immediately above unoccupied
2.11 spaces that are in contact with the ground, such as crawl spaces and tunnels.

2.12 (c) If a radon test shows that a frequently occupied room has a radon level at or above
2.13 four picocuries per liter, a school district or charter school must mitigate or take corrective
2.14 action, and retest after corrective measures to show radon reductions. A school district or
2.15 charter school must follow the Radon Mitigation Standards for Schools and Large Buildings
2.16 released by the American National Standards Institute/American Association of Radon
2.17 Scientists and Technologists. The district or charter school must conduct follow-up testing
2.18 within two years.

2.19 (d) All radon measurement and mitigation work must be completed by individuals
2.20 licensed under Minnesota Statutes, section 144.4961.

2.21 **EFFECTIVE DATE.** This section is effective July 1, 2020.