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State of Minnesota

Printed Page No. 372

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4613

03/07/2024 Authored by Pursell, Howard, Jordan and Berg
The bill was read for the first time and referred to the Committee on Housing Finance and Policy
04/02/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to housing; permitting tenants to terminate a lease based on elevated radon
1.3 concentration; proposing coding for new law in Minnesota Statutes, chapter 504B.

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

1.5 Section 1. 504B.153 RADON TESTING; TENANT RIGHT TO TERMINATE.

1.6 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "Elevated radon concentration" has the meaning given in section 144.496, subdivision

1.9 2.

1.10 (c) "Licensed radon professional" means a person licensed under section 144.4961.

1.11 (d) "Mitigation" has the meaning given in section 144.496, subdivision 2.

1.12 (e) "Radon test" means a measurement of indoor radon concentrations according to
1.13 established industry standards for a residential building.

1.14 Subd. 2. Right to terminate. A tenant has the right to terminate a lease if:

1.15 (1) the tenant performs a radon test at the tenant's expense in the dwelling unit and the
1.16 test result indicates an elevated radon concentration;

1.17 (2) the tenant provides the landlord with copies of the radon test results within ten days
1.18 of performing the radon test;

1.19 (3) the landlord does not perform mitigation within 90 days of receiving the radon test
1.20 results from the tenant; and

2.1 (4) the landlord does not hire a licensed radon professional to perform an additional test  
2.2 within 90 days of receiving the radon test results or the landlord hires a licensed radon  
2.3 professional to perform a radon test within 90 days of receiving the radon test results and  
2.4 the additional test indicates an elevated radon concentration.

2.5 Subd. 3. **Limitations.** This section does not:

2.6 (1) prevent a tenant or landlord from conducting a radon test at any time;

2.7 (2) impose an obligation on a landlord or tenant to conduct any radon testing or perform  
2.8 any radon mitigation; or

2.9 (3) limit or waive any rights, remedies, or obligations under other applicable state or  
2.10 federal law.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to leases  
2.12 entered into on or after that date.