



Providing nonpartisan legal, research, and fiscal analysis services to the Minnesota Senate

S.F. No. 3807 - Radon testing and disclosure required; commissioner of health database and publication required

Author: Senator Robert J. Kupec
Prepared by: Priyanka Premo, Senate Counsel (651/296-3914)
Date: February 19, 2024

Overview

S.F. 3807 requires a landlord to conduct a long-term radon test every three years and make the test results available to current tenants and prospective tenants. This bill permits a tenant to recover statutory damages and reasonable attorney fees for violations. This bill requires the commissioner of health to maintain a radon test result database and prepare a publication.

Summary

Section 1. Radon testing; disclosure; mitigation.

Subdivision 1. Definitions. Defines “elevated radon concentration,” “mitigation,” and “radon test.”

Subd. 2. Radon testing. Requires a landlord to complete a long-term radon test every three years that conforms with testing standards established by the commissioner of health. A licensed radon professional must perform the radon test. The landlord must report the test results to all current tenants, the commissioner of health, and the inspector. Requires the commissioner of health to create a publicly available and searchable electronic database with the most recent radon test results.

Subd. 3. Radon disclosure. Requires a landlord to provide a copy of the Department of Health publication titled “Radon in Rental Properties” and a radon disclosure to each prospective tenant. The disclosure must include the date of the most recent radon test and a description of any mitigation measures taken.

Subd. 4. Mitigation. Requires a landlord to take mitigation measures within 90 days of a radon test indicating an elevated radon concentration. Provides that a radon mitigation professional must perform the mitigation.

Subd. 5. Remedy. Permits a tenant to bring an action against a landlord for violations of this section and recover \$250 per violation and reasonable attorney fees. Permits a tenant to recover \$500 in punitive damages for falsification of a radon test.

Effective date. This section is effective December 1, 2024, and applies to leases entered into on or after that date.

Section 2. Department of Health publication. Requires the commissioner of health to prepare a publication titled “Radon in Rental Properties.” The publication must be posted on the Department of Health's website and must include information related to the health effects of indoor radon, the acceptable level of indoor radon, and a landlord’s duties and tenant’s rights under section 1 of this bill.

Effective date. This section is effective December 1, 2024.