

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Radon Awareness Act is amended by  
5 changing Section 15 and by adding Section 25 as follows:

6 (420 ILCS 46/15)

7 Sec. 15. Applicability. This Act shall ~~only~~ apply only to  
8 leased properties to the extent specified in Section 25 of this  
9 Act and to transfers by sale of residential real property.

10 (Source: P.A. 95-210, eff. 1-1-08.)

11 (420 ILCS 46/25 new)

12 Sec. 25. Disclosure of Radon hazard to current and  
13 prospective tenants.

14 (a) A lessor of a dwelling unit shall disclose to lessees  
15 the existence of a radon hazard consistent with the provisions  
16 of this Section. For the purposes of this Section, "dwelling  
17 unit" means a room or suite of rooms used for human habitation  
18 and for which a lessor and a lessee have a written lease  
19 agreement.

20 (b) The provisions of this Section apply only to dwelling  
21 units located below the third story above ground level.

22 (c) If a current lessee has provided in writing to the

1 lessor the results of a radon test that indicate that a radon  
2 hazard exists in a dwelling unit covered by this Section, then  
3 the lessor shall disclose in writing to any individual seeking  
4 to enter into a lease of that dwelling unit that a radon test  
5 has indicated that a radon hazard may exist in the dwelling  
6 unit. After receiving a notification of a radon test that  
7 indicates a radon hazard, the lessor may choose to conduct a  
8 radon test in the dwelling unit. If the lessor's radon test  
9 indicates that a radon hazard does not exist on the premises,  
10 the lessor shall not be required to disclose that a radon  
11 hazard exists in the dwelling unit.

12 (d) If a lessor conducts a radon test in a dwelling unit  
13 and the radon test indicates that a radon hazard exists in the  
14 dwelling unit, the lessor shall disclose in writing to the  
15 current lessee, and any individual seeking to enter into a  
16 lease of that dwelling unit, the existence of a radon hazard in  
17 the dwelling unit.

18 (e) If a lessor has undertaken mitigation activities and a  
19 subsequent radon test indicates that a radon hazard does not  
20 exist in the dwelling unit, then the lessor is not required to  
21 provide the disclosure required by this Section.

22 (f) Nothing in this Section shall be construed to require a  
23 lessor to conduct radon testing.

24 Section 99. Effective date. This Act takes effect January  
25 1, 2012.