

1 AN ACT concerning regulation.

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

4 Section 5. The Child Care Act of 1969 is amended by adding  
5 Section 5.8 as follows:

6 (225 ILCS 10/5.8 new)

7 Sec. 5.8. Radon testing of licensed day care centers,  
8 licensed day care homes, and licensed group day care homes.

9 (a) Effective January 1, 2013, licensed day care centers,  
10 licensed day care homes, and licensed group day care homes  
11 shall have the facility tested for radon at least once every 3  
12 years pursuant to rules established by the Illinois Emergency  
13 Management Agency.

14 (b) Effective January 1, 2014, as part of an initial  
15 application or application for renewal of a license for day  
16 care centers, day care homes, and group day care homes, the  
17 Department shall require proof the facility has been tested  
18 within the last 3 years for radon pursuant to rules established  
19 by the Illinois Emergency Management Agency.

20 (c) The report of the most current radon measurement shall  
21 be posted in the facility next to the license issued by the  
22 Department. Copies of the report shall be provided to parents  
23 or guardians upon request.

1       (d) Included with the report referenced in subsection (c)  
2 shall be the following statement:

3           "Every parent or guardian is notified that this  
4 facility has performed radon measurements to ensure the  
5 health and safety of the occupants. The Illinois Emergency  
6 Management Agency (IEMA) recommends that all residential  
7 homes be tested and that corrective actions be taken at  
8 levels equal to or greater than 4.0 pCi/L. Radon is a Class  
9 A human carcinogen, the leading cause of lung cancer in  
10 non-smokers, and the second leading cause of lung cancer  
11 overall. For additional information about this facility  
12 contact the licensee and for additional information  
13 regarding radon contact the IEMA Radon Program at  
14 800-325-1245 or on the Internet at  
15 www.radon.illinois.gov."

16       Section 10. The Illinois Radon Awareness Act is amended by  
17 changing Section 10 as follows:

18           (420 ILCS 46/10)

19       Sec. 10. Radon testing and disclosure.

20           (a) Except as excluded by Section 20 of this Act, the  
21 seller shall provide to the buyer of any interest in  
22 residential real property the IEMA pamphlet entitled "Radon  
23 Testing Guidelines for Real Estate Transactions" (or an  
24 equivalent pamphlet approved for use by IEMA) and the Illinois

1 Disclosure of Information on Radon Hazards, which is set forth  
2 in subsection (b) of this Section, stating that the property  
3 may present the potential for exposure to radon before the  
4 buyer is obligated under any contract to purchase residential  
5 real property. Nothing in this Section is intended to or shall  
6 be construed to imply an obligation on the seller to conduct  
7 any radon testing or mitigation activities.

8 (b) The following shall be the form of Disclosure of  
9 Information on Radon Hazards to be provided to a buyer of  
10 residential real property as required by this Section:

11 DISCLOSURE OF INFORMATION ON RADON HAZARDS

12 (For Residential Real Property Sales or Purchases)

13 Radon Warning Statement

14 Every buyer of any interest in residential real property is  
15 notified that the property may present exposure to dangerous  
16 levels of indoor radon gas that may place the occupants at risk  
17 of developing radon-induced lung cancer. Radon, a Class-A human  
18 carcinogen, is the leading cause of lung cancer in non-smokers  
19 and the second leading cause overall. The seller of any  
20 interest in residential real property is required to provide  
21 the buyer with any information on radon test results of the  
22 dwelling showing elevated levels of radon in the seller's  
23 possession.

1           The Illinois Emergency Management Agency (IEMA) strongly  
2 recommends ALL homebuyers have an indoor radon test performed  
3 prior to purchase or taking occupancy, and mitigated if  
4 elevated levels are found. Elevated radon concentrations can  
5 easily be reduced by a qualified, licensed radon mitigator.

6 Seller's Disclosure (initial each of the following which  
7 applies)

8           (a)..... Elevated radon concentrations (above EPA or  
9 IEMA recommended Radon Action Level) are known to be present  
10 within the dwelling. (Explain)

11           (b)..... Seller has provided the purchaser with the  
12 most current ~~all available~~ records and reports pertaining to  
13 elevated radon concentrations within the dwelling.

14           (c)..... Seller either has no knowledge of elevated  
15 radon concentrations in the dwelling or prior elevated radon  
16 concentrations have been mitigated or remediated.

17           (d)..... Seller has no records or reports pertaining  
18 to elevated radon concentrations within the dwelling.

19 Purchaser's Acknowledgment (initial each of the following  
20 which applies)

21           (e)..... Purchaser has received copies of all  
22 information listed above.

23           (f)..... Purchaser has received the IEMA approved

1 Radon Disclosure Pamphlet.

2 Agent's Acknowledgment (initial) (if applicable)

3 (g)..... Agent has informed the seller of the seller's  
4 obligations under Illinois law.

5 Certification of Accuracy

6 The following parties have reviewed the information above and  
7 each party certifies, to the best of his or her knowledge, that  
8 the information he or she provided is true and accurate.

9	Seller	Date	Seller	Date
10	Purchaser	Date	Purchaser	Date
11	Agent	Date	Agent	Date

12 (c) If any of the disclosures required by this Section  
13 occurs after the buyer has made an offer to purchase the  
14 residential real property, the seller shall complete the  
15 required disclosure activities prior to accepting the buyer's  
16 offer and allow the buyer an opportunity to review the  
17 information and possibly amend the offer.

18 (Source: P.A. 95-210, eff. 1-1-08; 96-278, eff. 8-11-09.)

19 Section 99. Effective date. This Act takes effect January  
20 1, 2013.