

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
169-35 (COR)	Sabina Flores Perez Telo T. Taitague Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD James C. Moylan	AN ACT TO ADD A NEW § 104115.1 TO CHAPTER 104 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS, AND THE REPORTING OF RADON RESULTS, UPON SALE OF REAL PROPERTY.	6/21/19 4:12 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 169-35(COR)

Introduced by:

Sabina Flores Perez *SFP*

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Kelly Marsh (Taitano), PhD *KM*

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AN ACT TO ADD A NEW § 104115.1 TO CHAPTER 104 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS, AND THE REPORTING OF RADON RESULTS, UPON SALE OF REAL PROPERTY.

2019 JUN 21 PM 4:12 *Y*

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that radon is a radioactive, colorless, and odorless gas and a known carcinogen,
4 considered by the United States Environmental Protection Agency (USEPA) as the
5 second leading cause of lung cancer in the United States. In addition to cancer,
6 recent studies reveal that radon could impede the function of other vital organs,
7 such as the thyroid gland that produces hormones that control heart rate, blood
8 pressure, body temperature, metabolism, and weight. On Guam, a 2009 radon
9 exposure survey conducted by the Guam Environmental Protection Agency
10 (GEPA) found nearly one-third of all structures tested on Guam were above the
11 recommended action level of 4 picocuries per liter of air. Radon levels were
12 highest in villages in the northern half of Guam, where two-thirds of Guam's
13 population reside.

1 *I Liheslaturan Guåhan* further finds that information empowers our
2 community to educate and protect themselves against the threat of radon. As such,
3 *I Liheslatura* seeks to mandate that information regarding the potential for
4 exposure to radon be made available to the purchaser, and that radon testing results
5 also be made available, upon the sale of real property.

6 **Section 2.** A new § 104115.1 is hereby *added* to Chapter 104 of Title 21,
7 Guam Code Annotated to read:

8 **“§ 104115.1. Information on Radon Upon Sale of Residential Real**
9 **Property**

10 (a) Every purchaser of any interest in residential real property on
11 which a residential dwelling exists shall be notified in writing that said
12 property may present the potential for exposure to radon.

13 (1) The Guam Environmental Protection Agency shall
14 develop the content of written information that the selling broker shall
15 provide to the buyer of any interest in residential real property on
16 which a residential dwelling exists. The information shall describe
17 potential hazards of exposure to radon, and methods and resources for
18 radon testing and remediation.

19 (b) The seller of any interest in residential real property on which a
20 residential dwelling exists is required to provide the buyer with any
21 information on radon from tests or inspections in the seller’s possession, and
22 notify the buyer of any known radon hazards.

23 (c) Nothing in this Section is intended to or shall be construed to
24 imply an obligation on the seller to conduct any radon testing or mitigation
25 activities.”

26 **Section 3. Severability.** If any provision of this Act or its application to
27 any person or circumstance is found to be invalid or contrary to law, such

1 invalidity *shall not* affect other provisions or applications of this Act that can be
2 given effect without the invalid provision or application, and to this end the
3 provisions of this Act are severable.