

By Mr. Cohen of Newton, petition of David B. Cohen and Cheryl A. Jacques for legislation to inform consumers in real estate transactions of radon hazards within such residential property. Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT INFORMING CONSUMERS OF RADON HAZARDS IN THE HOME.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 255 of the General Laws is hereby amended by insert-  
2 ing after section 12I the following section:—  
3 section 12J. It shall be a violation for sellers of residential  
4 property and/or their real estate agents to fail to include the  
5 following written notice in a prominent place on the Offer to  
6 Purchase:

7 NOTICE TO PROSPECTIVE BUYERS:

8 You have a right to make this offer to purchase contingent upon  
9 a radon test showing an indoor radon level acceptable to you.  
10 Radon has been identified as a problem in this state. Radon is  
11 an odorless, colorless, tasteless gas that can seep into homes  
12 through cracks and openings in a home's foundation. Breathing  
13 radon can cause lung cancer. The U.S. Environmental Protection  
14 Agency and state Department of Public Health strongly urge you  
15 to require any home you intend to purchase to be tested for radon.  
16 For more information about testing, call the Department of Public  
17 Health.  
18 Failure by a real estate agent to include this notice in the Offer  
19 to Purchase form provided to prospective buyers shall be punish-  
20 able by a fine not to exceed \$1000.

