

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**SENATE BILL 696**

Short Title:   Protect NC Citizens from Radon. (Public)

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Sponsors:     Senator Mayfield (Primary Sponsor).

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Referred to:   Rules and Operations of the Senate

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April 8, 2021

A BILL TO BE ENTITLED

AN ACT TO PROTECT NORTH CAROLINA CITIZENS FROM EXPOSURE TO RADON  
BY INCLUDING STANDARDS FOR RADON MITIGATION SYSTEMS IN THE STATE  
BUILDING CODE AND BY DIRECTING THE DEPARTMENT OF HEALTH AND  
HUMAN SERVICES TO ISSUE REPORTING AND TESTING REQUIREMENTS FOR  
RADON GAS IN STRUCTURES.

The General Assembly of North Carolina enacts:

**RADON GAS TESTING AND REPORTING**

**SECTION 1.(a)** Definitions. – As used in this section, "Commission" means the North Carolina Radiation Protection Commission, and "State Radon Program" means the North Carolina Radon Program within the Radiation Protection Section of the North Carolina Department of Health and Human Services.

**SECTION 1.(b)** Amendment. – Until the effective date of the rules that the Commission is required to adopt pursuant to this section, the Commission shall follow the provisions of subsection (c) of this section with regard to radon testing and reporting.

**SECTION 1.(c)** Implementation. – Notwithstanding any provision of law to the contrary, the Commission shall require that radon mitigation system installers shall provide the following information to the State Radon Program:

1.     The radon test results and whether the test was done pre- or post-system installation.
2.     Whether the testing followed any testing standards developed by a national standards organization.
3.     The zip code where the system is installed.
4.     The kind of structure (such as single or multifamily residential, commercial, or educational).
5.     Whether the structure is new or existing.

**SECTION 1.(d)** Additional Rulemaking Authority. – The Commission shall adopt rules consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rules adopted by the Commission pursuant to this subsection shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

**SECTION 1.(e)** Sunset. – This section expires on the date that rules adopted pursuant to subsection (d) of this section become effective.



1           **SECTION 2.(a)** Commission Empowered to Adopt Rules. – G.S. 104E-7(a) reads  
2 as rewritten:

3           "(a) There is hereby created the North Carolina Radiation Protection Commission of the  
4 Department of Health and Human Services with the power to promulgate rules and regulations  
5 to be followed in the administration of a radiation protection program. All rules and regulations  
6 for radiation protection that were adopted by the Commission for Public Health and are not  
7 inconsistent with the provisions of this Chapter shall remain in full force and effect unless and  
8 until repealed or superseded by action of the Radiation Protection Commission. The Radiation  
9 Protection Commission is authorized:

10           ...

11           (11) To adopt rules imposing testing and reporting requirements for radon gas  
12 inside buildings."

13           **SECTION 2.(b)** Temporary Rule Authority. – The Commission may adopt  
14 temporary rules to implement the requirements of subsection (a) of this section.

15           **SECTION 2.(c)** Annual Mapping Requirement. – G.S. 104E-9 is amended by adding  
16 a new subsection to read:

17           "(c) The Radiation Protection Section of the Department shall produce and annually  
18 update a map of radon mitigation systems installed in structures in the State based on the data  
19 generated and reported to the Department under rules for radon gas testing and reporting adopted  
20 by the Commission under G.S. 104E-7(a)(11)."

21           **SECTION 3.** Effective Date. – Subsection 2(c) of this act becomes effective July 1,  
22 2023. The remainder of this act is effective when it becomes law.