



Rep. Emily McAsey

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1 AMENDMENT TO HOUSE BILL 4665

2 AMENDMENT NO. _____. Amend House Bill 4665, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the Radon
6 Resistant Construction Act.

7 Section 5. Findings. Radon is a radioactive element that is
8 part of the radioactive decay chain of naturally occurring
9 uranium in soil. Radon is the leading cause of lung cancer
10 among non-smokers and the number one risk in homes according to
11 the Harvard School of Public Health, Center for Risk Analysis.
12 The 2008-2009 Annual Report from the President's Cancer Panel
13 stated: "Comparative risk assessments by the Environmental
14 Protection Agency and its Science Advisory Board have
15 consistently ranked radon among the top 4 environmental risks
16 to the public.". The World Health Organization's Handbook on

1 Radon Key Messages include: "There is no known threshold
2 concentration below which radon exposure presents no risk. The
3 majority of radon-induced lung cancers are caused by low and
4 moderate radon concentrations rather than by high radon
5 concentrations, because in general less people are exposed to
6 high indoor radon concentrations.". The Surgeon General of the
7 United States urged Americans to test their homes to find out
8 how much radon they might be breathing. The United States
9 Environmental Protection Agency estimates that more than
10 20,000 Americans die of radon-related lung cancer each year.

11 Section 10. Primary responsibility with Illinois Emergency
12 Management Agency.

13 (a) The Illinois Emergency Management Agency shall have
14 primary responsibility for coordination, oversight, and
15 implementation of all State functions in matters concerning the
16 presence, effects, measurement, and mitigation of risks of
17 radon and radon progeny in dwellings and other buildings. The
18 Department of Natural Resources, the Environmental Protection
19 Agency, the Department of Public Health, and other State
20 agencies shall consult and cooperate with the Agency as
21 requested and as necessary to fulfill the purposes of this Act.

22 (b) The Agency shall promulgate rules necessary for the
23 administration and implementation of this Act.

24 Section 15. Definitions. As used in this Act, unless the

1 context requires otherwise:

2 "Active mitigation system", also known as "active soil
3 depressurization" or "ASD", means a family of radon mitigation
4 systems involving mechanically driven soil depressurization,
5 including sub-slab depressurization (SSD), drain tile
6 depressurization (DTD), block wall depressurization (BWD), and
7 sub-membrane depressurization (SMD).

8 "Agency" means the Illinois Emergency Management Agency.

9 "New residential construction" means any original
10 construction of a single-family home or a dwelling containing 2
11 or fewer apartments, condominiums, or town houses.

12 "Passive new construction pipe" means a pipe installed in
13 new construction that relies solely on the convective flow of
14 air upward for soil gas depressurization and may consist of
15 multiple pipes routed through conditioned space from below the
16 foundation to above the roof.

17 "Radon" means a gaseous radioactive decay product of
18 uranium or thorium.

19 "Radon contractor" means a person licensed in accordance
20 with the Radon Industry Licensing Act to perform radon or radon
21 progeny mitigation or to perform measurements of radon or radon
22 progeny in an indoor atmosphere.

23 "Radon resistant construction" means the installation of
24 passive new construction pipe during new residential
25 construction.

26 "Residential building code" means an ordinance,

1 resolution, or law that establishes standards applicable to new
2 residential construction.

3 "Residential building contractor" means any individual,
4 corporation, or partnership that constructs new residential
5 construction.

6 "Task Force on Radon-Resistant Building Codes" means the
7 Task Force on Radon-Resistant Building Codes as authorized by
8 the Radon Industry Licensing Act.

9 Section 20. Adoption of passive radon resistant
10 construction. All new residential construction in this State
11 shall include passive radon resistant construction.

12 Section 25. Installation of active mitigation systems. The
13 installation of an active mitigation system shall only be
14 performed by a radon contractor. The installation of radon
15 resistant construction may be performed by a residential
16 building contractor or his or her subcontractors or a radon
17 contractor during new residential construction. Only a radon
18 contractor may install a radon vent fan or upgrade a passive
19 new construction pipe to an active mitigation system.

20 Section 30. Local administration and enforcement. A local
21 governmental unit that has adopted any ordinance, resolution,
22 or law regulating radon resistant construction may provide for
23 its administration and enforcement.

1 Section 35. Local standards. Governmental units may adopt,
2 pursuant to local ordinance, regulations at least as stringent
3 as the rules promulgated by the Agency or may, by ordinance or
4 resolution, adopt the rules promulgated by the Agency for radon
5 resistant construction and the fixtures, materials, and design
6 and installation methods of radon resistant construction
7 systems. The rules promulgated by the Agency may be
8 incorporated in the ordinance or resolution by reference.

9 Section 97. The Radon Industry Licensing Act is amended by
10 changing Section 28 as follows:

11 (420 ILCS 44/28)

12 Sec. 28. Task Force on Radon-Resistant Building Codes.

13 (a) The Radon-Resistant Building Codes Task Force is
14 created. The Task Force consists of the following members:

15 (1) the Director, ex officio, or his or her
16 representative, who is the chair of the Task Force;

17 (2) a representative, designated by the Director, of a
18 home builders' association in Illinois;

19 (3) a representative, designated by the Director, of a
20 home inspectors' association in Illinois;

21 (4) a representative, designated by the Director, of an
22 international building code organization;

23 (5) a representative, designated by the Director, of an

1 Illinois realtors' organization;

2 (6) two representatives, designated by the Director,
3 of respiratory disease organizations, each from a
4 different organization;

5 (7) a representative, designated by the Director, of a
6 cancer research and prevention organization;

7 (8) a representative, designated by the Director, of a
8 municipal organization in Illinois;

9 (9) one person appointed by the Speaker of the House of
10 Representatives;

11 (10) one person appointed by the Minority Leader of the
12 House of Representatives;

13 (11) one person appointed by the President of the
14 Senate; and

15 (12) one person appointed by the Minority Leader of the
16 Senate.

17 (b) The Task Force shall meet at the call of the chair.
18 Members shall serve without compensation, but may be reimbursed
19 for their reasonable expenses from moneys appropriated for that
20 purpose. The Agency shall provide staff and support for the
21 operation of the Task Force.

22 (c) The Task Force shall make recommendations to the
23 Governor and, the Agency, ~~the Environmental Protection Agency,~~
24 ~~and the Pollution Control Board~~ concerning the adoption of
25 rules for building codes and, by January 1, 2013, for radon
26 resistant construction in new residential construction.

1 (Source: P.A. 96-195, eff. 8-10-09.)

2 Section 99. Effective date. This Act takes effect June 1,
3 2013, except that this Section and Section 97 take effect upon
4 becoming law.".