S T A T E O F N E W Y O R K

10236--A

I N A S S E M B L Y

May 17, 2016

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Mental Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to requiring annual radon testing of schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 16.11 of the mental hygiene law is amended by adding a new subdivision (g) to read as follows:

(G) THE COMMISSIONER SHALL REQUIRE ANNUAL RADON TESTING OF SCHOOLS, AS DEFINED IN SUBDIVISION ELEVEN OF SECTION 1.03 OF THIS CHAPTER. SUCH TESTING SHALL BE PERFORMED BY A TRAINED AND CERTIFIED, INDEPENDENT ENTITY.

(1) WHERE RADON LEVELS EXCEED 4 PCI/L, CORRECTIVE ACTIONS SHALL BE TAKEN WITHIN THIRTY DAYS BY TRAINED AND CERTIFIED SPECIALISTS TO SUCCESSFULLY REDUCE THE RADON LEVEL BELOW 4 PCI/L.

(2) WHERE RADON LEVELS EXCEED 8 PCI/L, CORRECTIVE ACTION SHALL BE TAKEN WITHIN FOURTEEN DAYS BY TRAINED AND CERTIFIED SPECIALISTS TO SUCCESSFULLY REDUCE THE RADON LEVEL BELOW 4 PCI/L.

(3) EACH SCHOOL MUST POST THEIR ANNUAL TEST RESULTS ONLINE. RESULTS SHALL BE POSTED PRIOR TO AND FOLLOWING ANY ACTIONS TAKEN TO REDUCE RADON ARE COMPLETED. IF NO CORRECTIVE ACTIONS ARE NECESSARY, PROOF OF SUCH SHALL BE POSTED.

(4) A COMPREHENSIVE REPORT INCLUDING THE TEST RESULTS FROM ALL SCHOOLS, AS DEFINED IN SUBDIVISION ELEVEN OF SECTION 1.03 OF THIS CHAPTER, SHALL BE PROVIDED TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY NO LATER THAN THE FIFTEENTH OF JANUARY EACH YEAR AND SHALL BE POSTED ONLINE BY THE SAME DATE.

S 2. Within 120 days of the effective date of this act, all schools, as defined in subdivision 11 of section 1.03 of the mental hygiene law, shall have had their first annual radon test completed.

S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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