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FISCAL IMPACT STATEMENT

LS 6070

BILL NUMBER: HB 1252

NOTE PREPARED: Oct 25, 2023

BILL AMENDED:

SUBJECT: Radon Testing in School Buildings.

FIRST AUTHOR: Rep. Andrade

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires the individual or entity having authority over a public school building to test for radon in the lowest level of the school building before January 1, 2027, and report the test results to the Indiana Department of Health (IDOH). It requires the IDOH to record the test results in a data base and use the data base in its efforts to reduce the health risks of radon.

Effective Date: July 1, 2024.

Explanation of State Expenditures: *Radon Testing* - The bill specifies that school corporations shall seek any available state or federal grant funds to pay for the cost of radon testing. The IDOH may be able to award grants from the Radon Gas Trust Fund or from the federal State Indoor Radon Grant (SIRG) program for the purposes of radon testing required by the bill. The EPA recently released their FFY 2022-2026 Strategic Goals for SIRG where one of the objectives is to build new schools with radon-reducing features where appropriate, and to have existing schools tested and fixed when necessary. Any additional or redirected spending of state or federal funds for radon testing from FY 2025 to FY 2027 would be dependent upon administrative decisions by the IDOH. The Radon Gas Trust Fund received appropriations of \$10,670 each year for FY 2024 and 2025. Indiana was awarded approximately \$82,000 in federal SIRG funds in each of the last three federal fiscal years.

Agency Workload - The IDOH will experience additional workload to collect and study radon testing data from school corporations, as required by the bill. Additionally, if the bill results in school personnel seeking certification as radon testers, the IDOH may require additional workload to process a higher volume of certification applications. Collecting radon test results and certifying radon testers are considered routine administrative functions of the IDOH and should be able to be completed with no additional appropriations,

assuming near customary agency staffing and resource levels. [*Administrative expenses of the IDOH are paid from the Tobacco Master Settlement Fund, a dedicated fund.*]

Explanation of State Revenues: *Certification Fees* - The IDOH certifies radon testers and collects a \$100 biennial fee for certification, deposited into the Radon Gas Trust Fund. If school corporations choose to train and certify an employee to complete the radon testing required by the bill, fee revenue may increase between FY 2025 and FY 2027. Any increase in fee revenue is expected to be small.

Penalties - Certified radon testers are required to report the testing results of all buildings tested to the IDOH. To the extent that the required reporting is not completed, the IDOH may impose a civil penalty of up to \$1,000 per day for the number of days the tester is documented to have been in violation. Civil penalties are deposited in the state General Fund. Any revenue from civil penalties as a result of the bill is expected to be small.

Explanation of Local Expenditures: *Radon Testing* - The bill requires public school buildings to test the air in the lowest level of the buildings for actionable radon levels before January 1, 2027. The estimated cost of radon testing conducted by a certified professional is between \$20 and \$50 per room. The total costs per school corporation will depend on the number of school buildings required to be tested and the number of rooms tested in the lowest level of each building. Estimated testing costs for a school building that tests between 15 and 30 rooms would be between \$300 and \$1,500. If state and federal grant funds are unavailable to pay for the required testing, school corporations would pay for the testing costs.

Radon Mitigation - The bill does not require school buildings to conduct radon mitigation after finding actionable levels of radon. However, school corporations may opt to take voluntary radon mitigation actions based on their radon test results. A recent study published in the International Journal of Environmental Research and Public Health estimates that costs of radon mitigation in U.S. schools are between \$2,000 and \$5,000, depending on characteristics of the building and the underlying soil.

Explanation of Local Revenues:

State Agencies Affected: Indiana Department of Health.

Local Agencies Affected: School corporations.

Information Sources: Paul Krievins, Indiana Department of Health; American Lung Association, Addressing Radon Risk Reduction in Schools; <https://www.epa.gov/radon/state-and-tribal-indoor-radon-grants-sirg-program-and-resources>; International Journal of Environmental Research and Public Health (2018), [*Radon in Schools: A Brief Review of State Laws and Regulations in the United States*](#); Legislative Services Agency, *Indiana Handbook of Taxes, Revenues, and Appropriations*, FY 2022.

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