

HB 1532 – AS AMENDED BY THE SENATE

19Mar2014... 0880h
04/24/14 1434s

2014 SESSION

14-2461
05/03

HOUSE BILL **1532**

AN ACT requiring property sellers to provide an arsenic notice to buyers.

SPONSORS: Rep. Almy, Graf 13; Rep. Helmstetter, Rock 9; Rep. LeBrun, Hills 32; Sen. Carson,
Dist 14; Sen. Cataldo, Dist 6

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill adds arsenic to the radon and lead paint notice sellers are required to provide buyers prior to the sale of real property.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT requiring property sellers to provide an arsenic notice to buyers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Notification of Radon, Arsenic, and Lead Paint. Amend RSA 477:4-a to read as follows:

2 477:4-a Notification Required; Radon [~~Gas~~], **Arsenic**, and Lead Paint.

3 I. Prior to the execution of any contract for the purchase and sale of any interest in real
4 property which includes a building, the seller, or seller's agent, shall provide the following
5 notification to the buyer. The buyer shall acknowledge receipt of this notification by signing a copy
6 of such notification:

7 "Radon [~~Gas~~]: Radon [~~gas~~], the product of decay of radioactive materials in rock may be found in
8 some areas of New Hampshire. [~~This~~] **Radon** gas may pass into a structure through the ground or
9 through water from a deep well. Testing can establish its presence and equipment is available to
10 remove it from the air or water.

11 **Arsenic: Arsenic is a common groundwater contaminant, occurring at unhealthy levels in**
12 **certain areas of the state. Tests are available to determine whether arsenic is present.**

13 [~~Lead~~]Lead Paint: Before 1977, paint containing lead may have been used in structures. The presence of
14 flaking lead paint can present a serious health hazard, especially to young children and pregnant
15 women. Tests are available to determine whether lead is present."

16 II. Nothing in this section shall be construed to have any impact on the legal validity of title
17 transferred pursuant to a purchase and sale contract in paragraph I, or to create or place any
18 liability with the seller or seller's agent for failure to provide the notification described in paragraph
19 I.

20 2 Effective Date. This act shall take effect January 1, 2016.