

Rhode Island's New Radon Law



COMPARING THE ORIGINAL BILL WITH THE FINAL ENACTED LAW.

Rhode Island's new radon law establishes mandatory testing requirements for many residential real estate transactions beginning June 1, 2027. If unsafe radon levels are identified, the law also requires mitigation, while providing a process that allows a transaction to proceed when mitigation cannot reasonably be completed before closing. Radon legislation had been a high priority for the General Assembly for several years, with similar proposals coming close to passage in previous legislative sessions before the measure was ultimately enacted in 2026.

Throughout the legislative process, RI REALTORS® (RIAR) worked with lawmakers to help shape the legislation into a more practical framework for real estate transactions while preserving its consumer health and safety goals. The final law includes important changes that provide greater flexibility for buyers and sellers, help reduce the potential for unnecessary costs and closing delays, and recognize certain existing mitigation systems and recent radon testing. The comparison below highlights several key differences between the original proposal and the law that ultimately passed.

ORIGINAL BILL

FINAL VERSION WITH RIAR'S AMENDMENTS

Would have taken effect upon passage.



Takes effect June 1, 2027, giving the profession time to prepare and allowing RIAR to develop forms and educational materials.

Applied to virtually every residential real estate transaction unless an existing statutory exemption applied.



Creates new exemptions for homes with qualifying radon mitigation systems and recent testing, eliminating unnecessary duplicate testing in many transactions.

No exemption for homes that recently installed a radon mitigation system.



Exempts properties with a licensed radon mitigation system installed within the previous three years.

No recognition of recent post-mitigation testing.



Also exempts properties where the mitigation system is more than three years old if the home has been tested within the previous three years.

Seller was required to pay for the mandatory radon test in every transaction.



Buyer pays for a post-contract test unless the seller already provides a certified test completed within one year of showing no unsafe radon levels.

Buyer could request an independent radon test at the buyer's expense.



Either party may rely on radon testing, and the law requires disclosure of qualifying test results to both parties and the buyer's lender.

Seller was responsible for installing mitigation system before closing in every case.



Mitigation is still required when unsafe radon levels are found, but if installation cannot reasonably be completed before closing, the parties may close using an escrow arrangement.

Prohibited closing from taking place until mitigation was completed.



Expressly authorizes escrow of mitigation funds until the work is completed, avoiding unnecessary delays in closing.

Purchase and sales agreement was not enforceable until a radon test had been completed.



Testing is required for applicable transactions, but the statute no longer conditions the legal enforceability of the purchase and sales agreement on completion of the test.