

Testimony in Support of Senate Bill 2204
House Industry, Business and Labor Committee
Chairman Jonathan Warrey – March 31, 2025
By Shane Goettle on behalf of the American Cancer Society Cancer Action Network (ACS CAN)

Chairman Warrey and members of the committee, good morning. My name is Shane Goettle, and I am here representing the American Cancer Society Cancer Action Network (ACS CAN), the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society in strong support of Senate Bill 2204.

This legislation represents a commonsense, cancer-prevention policy for the state of North Dakota. SB 2204 requires that, before executing an agreement to sell or transfer residential real property, sellers must disclose in writing any knowledge they have of radon concentrations in the property. If the property has undergone radon testing or mitigation, the seller must also provide copies of the test results and any available evidence of mitigation. These disclosures are to be accompanied by a standardized radon warning, required by the bill, which reads in part:

“Radon gas is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time... Additional information regarding radon and radon testing may be obtained from your local public health unit or the state department of environmental quality.”

Radon is more than just a naturally occurring gas—it is a known carcinogen. According to both the U.S. Environmental Protection Agency and the National Cancer Institute, radon is the second leading cause of lung cancer in the United States, responsible for an estimated 15,000 to 22,000 deaths annually, with more than 10% occurring in non-smokers.

When radon seeps into homes through foundations and accumulates in enclosed spaces—like basements—it exposes residents to radioactive particles that damage lung tissue and increase mutation rates in DNA, raising the risk of cancer over time.

North Dakota’s geology and cold climate make indoor radon a particularly relevant concern. According to federal radon maps, large portions of our state fall into high potential zones for elevated radon levels. The EPA estimates that 1 in 15 homes nationwide has radon concentrations above the action level. In North Dakota, it may be even more common.

SB 2204 is not about creating burdens—it’s about creating awareness. The bill does not require sellers to test for radon, and it does not create a contingency or a right to rescind a purchase agreement unless those terms are expressly written into the contract. It also provides that radon disclosures and test results are not warranties or promises of accuracy, and that sellers who comply with the bill are immune from liability related to radon presence.

ACS CAN’s national position is clear: we believe the public should be informed of known radon hazards, especially when making decisions about homes and buildings where people spend extended periods of time. We support policies that require disclosure and encourage public

awareness, without mandating specific testing or mitigation. In fact, more than 30 states and the District of Columbia already have statutes addressing radon. SB 2204 puts North Dakota on par with national best practices.

In practical terms, the bill empowers buyers to make informed decisions and take voluntary steps to protect their health. Testing is the only reliable way to detect radon, and mitigation systems can reduce levels by 50% or more, offering meaningful protection against long-term exposure risks.

In conclusion, SB 2204 is a balanced and important bill. It increases awareness, encourages prevention, and strengthens public health—especially cancer prevention—while preserving fairness in real estate transactions. On behalf of ACS CAN, I respectfully urge this committee to give the bill a “Do Pass” recommendation.

Thank you for your time and consideration.