

Amendment to HB 398

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to notice of PFAS contamination prior to the sale of real property.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Notification Required; PFAS. Amend the section heading of RSA 477:4-a and RSA 477:4-a, I
8 to read as follows:

9 477:4-a Notification Required; Radon, Arsenic, ~~and~~ Lead **and PFAS**.

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

14 "Radon: Radon, the product of decay of radioactive materials in rock, may be found in some areas of
15 New Hampshire. Radon gas may pass into a structure through the ground or through water from a
16 deep well. Testing of the air by a professional certified in radon testing and testing of the water by
17 an accredited laboratory can establish radon's presence and equipment is available to remove it from
18 the air or water."

19 "Arsenic: Arsenic is a common groundwater contaminant in New Hampshire that occurs at
20 unhealthy levels in well water in many areas of the state. Tests are available to determine whether
21 arsenic is present at unsafe levels, and equipment is available to remove it from water. The buyer is
22 encouraged to consult the New Hampshire department of environmental services private well testing
23 recommendations (www.des.nh.gov) to ensure a safe water supply if the subject property is served by
24 a private well."

25 "Lead: Before 1978, paint containing lead may have been used in structures. Exposure to lead from
26 the presence of flaking, chalking, chipping lead paint or lead paint dust from friction surfaces, or
27 from the disturbance of intact surfaces containing lead paint through unsafe renovation, repair or
28 painting practices, or from soils in close proximity to the building, can present a serious health
29 hazard, especially to young children and pregnant women. Lead may also be present in drinking
30 water as a result of lead in service lines, plumbing and fixtures. Tests are available to determine
31 whether lead is present in paint or drinking water."

32 ***"PFAS: Poly- and perfluoroalkyl substances (PFAS) are found in products that are***

1 *used in domestic, commercial, institutional and industrial settings. These chemical*
2 *compounds have been detected at levels that exceed federal and/or state advisories or*
3 *standards in wells throughout New Hampshire, but are more frequently detected at*
4 *elevated levels in southern New Hampshire. Testing of the water by an accredited*
5 *laboratory can measure PFAS levels and inform a home buyer's decision regarding the*
6 *need to install water treatment systems."*

7 2 Effective Date. This act shall take effect January 1, 2025.