

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4383

**FISCAL
NOTE**

By Delegate Burkhammer

[Introduced January 15, 2026; referred to the
Committee on Education then Health and Human
Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §18-36-1, §18-36-2, and §18-36-3, all relating to establishing the West Virginia
3 Clean Air in Schools Act of 2026.

Be it enacted by the Legislature of West Virginia:

ARTICLE 36. WEST VIRGINIA CLEAN AIR IN SCHOOLS ACT OF 2026.

§18-36-1. Short title.

1 This Act shall be known and may be cited as the "West Virginia Clean Air in Schools Act of
2 2026."

§18-36-2. Definitions.

3 For the purposes of this Act:

4 (1) Indoor Air Quality (IAQ): The quality of air within indoor environments, measured by
5 pollutant concentrations and environmental conditions.

6 (2) IAQ Monitor: A wall-mounted or portable device capable of continuously measuring
7 indoor air pollutants and environmental factors, transmitting data electronically for public reporting.

8 (3) CO₂ (Carbon Dioxide): A naturally occurring gas exhaled by humans; high
9 concentrations indoors indicate poor ventilation.

10 (4) PM2.5 (Particulate Matter): Fine inhalable particles with a diameter of 2.5 micrometers
11 or smaller.

12 (5) Volatile Organic Compounds (VOCs): Gases emitted from paints, adhesives, cleaning
13 supplies, furniture, and other products that may be harmful to an individual's health.

14 (6) TVOCs (Total Volatile Organic Compounds): The cumulative concentration of all VOCs
15 in a given space, reported in micrograms per cubic meter (µg/m³).

16 (7) Relative Humidity: The percentage of moisture in indoor air compared to the maximum
17 possible at that temperature.

18 (8) Mold: Fungi that can grow indoors on damp materials, releasing spores and toxins that
19 may cause allergic, respiratory, or other toxic effects.

20 (9) Public Dashboard: A digital platform maintained by the West Virginia Department of
21 Education that displays IAQ data by school, classroom, and county.

22 (10) Corrective Action Plan: A written plan prepared by a school when IAQ exceeds
23 Department of Health standards, detailing actions, timelines, and responsible parties.

24 (11) School Facility: Any building owned, leased, or operated by a county board of
25 education in West Virginia that serves students in kindergarten through grade 12.

26 (12) Standards: parameters defined by the Department of Health to reduce indoor air
27 pollutants and increase indoor air quality.

<u>§18-36-3.</u>	<u>Phase-in</u>	<u>implementation</u>	<u>schedule.</u>
1	<u>To ensure equitable adoption across all counties while accounting for financial realities, the</u>		
2	<u>following schedule shall apply:</u>		
3	<u>(1) Phase I – By July 1, 2027</u>		
4	<u>(A) IAQ monitors installed in all elementary school classrooms, nurse's offices, and</u>		
5	<u>administrative offices.</u>		
6	<u>(B) Public dashboard operational at state and school levels.</u>		
7	<u>(C) Annual mold inspections begin in all schools.</u>		
8	<u>(2) Phase II – By July 1, 2028</u>		
9	<u>(A) IAQ monitors installed in 50% of middle and high school classrooms, with priority given</u>		
10	<u>to:</u>		
11	<u>(i) Special education classrooms</u>		
12	<u>(ii) Basement-level or windowless classrooms</u>		
13	<u>(iii) Rooms adjacent to parking lots, highways, or industrial sites</u>		
14	<u>(B) Schools must begin tracking humidity continuously in all monitored spaces.</u>		
15	<u>(1) Phase III – By July 1, 2029</u>		
16	<u>(A) IAQ monitors installed in all remaining classrooms statewide, achieving full coverage</u>		
17	<u>across K-12 schools.</u>		

18 (B) All schools must demonstrate compliance with Department of Health standards for
19 CO₂, PM2.5, VOCs, and humidity.

20 (C) Any school with repeated exceedances must submit corrective action plans to the
21 Department of Education and Department of Health until compliance with Department of Health
22 standards has been demonstrated.

NOTE: The purpose of this bill is to establish the West Virginia Clean Air in Schools Act of 2026.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.