

# **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]

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

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

**§18-36-2. Definitions.**

For the purposes of this Act:

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

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

(3) CO<sub>2</sub> (Carbon Dioxide): A naturally occurring gas exhaled by humans; high concentrations indoors indicate poor ventilation.

(4) PM<sub>2.5</sub> (Particulate Matter): Fine inhalable particles with a diameter of 2.5 micrometers or smaller.

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

(6) TVOCs (Total Volatile Organic Compounds): The cumulative concentration of all VOCs in a given space, reported in micrograms per cubic meter (µg/m<sup>3</sup>).

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

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

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

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

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

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

**§18-36-3. Phase-in implementation schedule.**

To ensure equitable adoption across all counties while accounting for financial realities, the following schedule shall apply:

(1) Phase I – By July 1, 2027

(A) IAQ monitors installed in all elementary school classrooms, nurse's offices, and administrative offices.

(B) Public dashboard operational at state and school levels.

(C) Annual mold inspections begin in all schools.

(2) Phase II – By July 1, 2028

(A) IAQ monitors installed in 50% of middle and high school classrooms, with priority given to:

(i) Special education classrooms

(ii) Basement-level or windowless classrooms

(iii) Rooms adjacent to parking lots, highways, or industrial sites

(B) Schools must begin tracking humidity continuously in all monitored spaces.

(1) Phase III – By July 1, 2029

(A) IAQ monitors installed in all remaining classrooms statewide, achieving full coverage across K–12 schools.

- 18            (B) All schools must demonstrate compliance with Department of Health standards for  
19   CO<sub>2</sub>, 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.