

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

House Bill 5525

FISCAL
NOTE

By Delegates Vance, Dean, Bridges, Ellington, Pritt,
Browning, Holstein, Green, Toney, Roop, and Brooks

[Introduced February 13, 2026; referred to the
Committee on Energy and Public Works then
Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §22-37-1, §22-37-2, §22-37-3, §22-37-4, §22-37-5, §22-37-6, §22-37-7, §22-
 3 37-8, and §22-37-9, relating to establishing the Southern West Virginia Clean Fund Act of
 4 2026; providing definitions; adopting enhanced water quality standards for the counties of
 5 Boone, Fayette, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe, Raleigh,
 6 Summers, Wayne, and Wyoming; updating maximum contaminant levels; implementing
 7 advanced water filtration systems ; establishing the West Virginia Clean Water Fund;
 8 conducting annual assessments; conducting quarterly testing for contaminants;
 9 establishing a state-run website; reporting requirements; monetary penalties; state
 10 intervention, including temporary management of noncompliant water systems;
 11 reinvestment of funds collected from fines; conducting a survey of lead service lines within
 12 all public water systems; removing lead service lines; financial assistance to low-income
 13 households for removal of lead pipe replacement; and funding and appropriations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 37. THE SOUTHERN WEST VIRGINIA CLEAN WATER FUND ACT OF 2026.

§22-37-1. Short title.

1 This article may be known and cited as the Southern West Virginia Clean Water Fund Act
 2 of _____ 2026.

§22-37-2. Purpose.

1 The purpose of this Act is to improve drinking water quality standards, enhance water
 2 treatment infrastructure, and ensure safe and reliable drinking water for the residents of the
 3 counties of Boone, Fayette, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe,
 4 Raleigh, _____ Summers, _____ Wayne, _____ and _____ Wyoming.

§22-37-3. Definitions.

1 For purposes of this article:
 2 (1) "Contaminant" means any physical, chemical, biological, or radiological substances in

3 water that may pose a risk to human health.

4 (2) "Department" means the West Virginia Department of Environmental Protection.

5 (3) "Maximum Contaminant Level" means the highest permissible level of a contaminant in
6 drinking water as determined by the West Virginia Department of Environmental Protection.

7 (4) "Public Water System" means any system providing water to the public for human
8 consumption through pipes or other conveyances.

9 (5) "Southern counties" means the counties of Boone, Fayette, Greenbrier, Lincoln, Logan,
10 McDowell, Mercer, Mingo, Monroe, Raleigh, Summers, Wayne, and Wyoming.

§22-37-4. Enhanced water quality standards.

1 (a) The Department shall adopt drinking water quality standards that meet or exceed
2 federal Environmental Protection Agency standards.

3 (b) The maximum contaminant levels for contaminants such as lead, arsenic,
4 perfluoroalkyl and polyfluoroalkyl substances, and other emerging contaminants shall be updated
5 every three years based on the latest scientific research.

6 (c) Water utilities shall implement advanced filtration systems to remove contaminants
7 where maximum contaminant levels exceed safe limits.

§22-37-5. Infrastructure improvement program.

1 (a) The state shall establish the Southern West Virginia Clean Water Fund to provide
2 grants and low-interest loans for upgrading water treatment plants and replacing aging pipelines in
3 the counties of Boone, Fayette, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe,
4 Raleigh, Summers, Wayne, and Wyoming.

5 (b) Priority shall be given to rural and underserved communities lacking access to clean
6 drinking water.

7 (c) Water utilities shall conduct annual infrastructure assessments and submit reports to
8 the _____ Department.

§22-37-6. Mandatory testing and public reporting.

1 (a) Public Water Systems shall conduct quarterly testing for lead, bacteria, nitrates, and
2 other contaminants.

3 (b) Results shall be made publicly available within 30 days via a state-run website and
4 mailed to affected residents.

5 (c) Any violation of maximum contaminant levels must be reported to residents within 24
6 hours, along with remediation plans.

§22-37-7. Enforcement and penalties.

1 (a) Water utilities failing to meet maximum contaminant level standards shall face fines
2 ranging from \$1,000 to \$10,000 per violation.

3 (b) Repeat offenders may be subject to state intervention, including temporary state
4 management of noncompliant water systems.

5 (c) Funds collected from fines shall be reinvested in the Southern West Virginia Safe Water
6 Fund.

§22-37-8. Lead pipe replacement initiative.

1 (a) The state shall conduct a comprehensive survey of lead service lines within all public
2 water systems by 2027.

3 (b) A phased lead pipe replacement program shall be implemented, with full removal of
4 lead service lines by 2035.

5 (c) Financial assistance shall be provided to low-income households for lead pipe
6 replacement.

§22-37-9. Funding and appropriations.

1 (a) The Legislature shall appropriate \$10 million to the Southern West Virginia Safe Water
2 Fund for water quality improvement programs in the southern counties.

3 (b) Federal funding and private-sector partnerships shall be pursued to supplement state
4 funding.

NOTE: The purpose of this bill is to establish the Southern West Virginia Clean Water Fund Act of 2026 in order to enhance water quality standards, test for and remove various contaminants, and to replace lead service lines within all public water systems in the counties of Boone, Fayette, Greenbrier, Lincoln, Logan, McDowell, Mercer, Mingo, Monroe, Raleigh, Summers, Wayne, and Wyoming.

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