

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 1070

By Senator M. Maynard

[Introduced February 23, 2026; referred
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §18-9D-22a, relating to the authority to fund grounds and site improvements
 3 necessary to protect school buildings.

Be it enacted by the Legislature of West Virginia:

ARTICLE 9D. SCHOOL BUILDING AUTHORITY.

§18-9D-22a. Authority to Fund Grounds and Site Improvements Necessary to Protect

School	Buildings.
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1 (a) Legislative Findings. - The Legislature finds that deterioration, erosion, drainage failure,
 2 slope instability, subsidence, flooding, and other site conditions surrounding school facilities can
 3 directly threaten the structural integrity, safety, and useful life of school buildings. The Legislature
 4 further finds that allowing the School Building Authority to address such site conditions in a timely
 5 manner will reduce long-term repair costs, prevent loss of public investment, and protect the
 6 health and safety of students, staff, and the public.

7 (b) Authority Granted. - Notwithstanding any provision of this code to the contrary, the
 8 School Building Authority is authorized to use funds made available to it for the purpose of
 9 planning, designing, acquiring, constructing, improving, renovating, repairing, or replacing school
 10 facilities to also include grounds and site improvements when the Authority determines that such
 11 improvements are reasonably necessary to:

12 (1) Prevent or mitigate damage to the foundation, structure, or building envelope of a
 13 school facility;

14 (2) Address drainage, stormwater, erosion, or slope stability conditions that threaten a
 15 school building;

16 (3) Stabilize soil, fill, embankments, or retaining structures that support or protect a school
 17 building;

18 (4) Prevent subsidence, settlement, or movement that could impair structural integrity; or

19 (5) Preserve the safe occupancy and continued use of a school facility.

20 (c) Eligible Improvements. - Eligible grounds and site improvements under this section
21 may include, but are not limited to:

- 22 (1) Grading, excavation, and earth stabilization;
- 23 (2) Drainage systems, culverts, stormwater controls, and subsurface water management;
- 24 (3) Retaining walls, slope reinforcement, and erosion control measures;
- 25 (4) Site access improvements necessary to perform structural protection work; and
- 26 (5) Related engineering, geotechnical studies, and design services.

27 (d) Determination and Documentation. - Prior to approving funding under this section, the
28 School Building Authority shall require written documentation from a licensed professional
29 engineer or other qualified design professional certifying that the proposed grounds or site
30 improvements are necessary to protect or preserve the structural integrity or safety of a school
31 building.

32 (e) Construction. - Nothing in this section shall be construed to authorize the use of School
33 Building Authority funds for purely aesthetic landscaping, recreational amenities, or routine
34 grounds maintenance unrelated to building protection.

35 (f) Effective Date. - This act shall take effect 90 days from passage.

NOTE: The purpose of this bill relates to the authority to fund grounds and site improvements necessary to protect school buildings.

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