

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4642

**FISCAL
NOTE**

By Delegates Worrell, Burkhammer, and Hite

[Introduced January 21, 2026; referred to the
Committee on Energy and Public Works then
Finance]

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

Be it enacted by the Legislature of West Virginia:

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

§22-37-1. Short title.

This article may be known and cited as the West Virginia Clean Water Act of 2026.

§22-37-2. Purpose.

The purpose of this Act is to improve drinking water quality standards, enhance water treatment infrastructure, and ensure safe and reliable drinking water for all residents of West Virginia.

§22-37-3. Definitions.

For purposes of this article:

(a) "Contaminant" means any physical, chemical, biological, or radiological substances in water that may pose a risk to human health.

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

(c) "Maximum Contaminant Level" means the highest permissible level of a contaminant in

drinking water as determined by the West Virginia Department of Environmental Protection.

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

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

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

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

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

§22-37-5. Infrastructure improvement program.

(a) The state shall establish the West Virginia Safe Water Fund to provide grants and low-interest loans for upgrading water treatment plants and replacing aging pipelines.

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

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

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

(a) Public water systems shall conduct quarterly testing for lead, bacteria, nitrates, and other contaminants.

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

(c) Any violation of maximum contaminant levels must be reported to residents within 24 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 \$10,000 to \$100,000 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 West Virginia Safe Water 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 2028.

3 (b) A phased lead pipe replacement program shall be implemented, with full removal of
4 lead service lines by 2036.

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 annually for water quality improvement
2 programs.

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 West Virginia Clean Water 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.

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