

WEST VIRGINIA CODE: §18-9G-3

§18-9G-3. Plans for new construction and major improvements of public school buildings required to provide sufficient water bottle filling stations.

(a) The state board shall promulgate a rule pursuant to §29A-3B-1 *et seq.* of this code on or before November 1, 2022, to require newly constructed public school buildings to include the following:

- (1) A minimum of one water bottle filling station on each floor and wing of each public school building;
- (2) At least one water bottle filling station in all school food service areas;
- (3) At least one water bottle filling station near gymnasiums and outdoor learning and activity areas, including playgrounds and athletic facilities; and
- (4) A minimum of at least one water bottle filling station per 200 building occupants projected upon completion of the projected construction.

(b) The state board shall promulgate a rule pursuant to §29A-3B-1 *et seq.* of this code on or before November 1, 2022, to require existing public school buildings undergoing a major improvement to include a minimum of half of the facility's existing water coolers being retrofitted or replaced to provide water bottle filling capability and be made ADA compliant. Pending the availability of a water supply line and sanitary plumbing, the preferred placement of these stations shall be in the following areas:

- (1) School food service areas;
- (2) Near gymnasiums and outdoor learning and activity areas, including playgrounds and athletic facilities; and
- (3) Grouped toilet areas.

(c) Any water bottle filling station installed in a public school building shall:

- (1) Dispense filtered, clean drinking water;
- (2) Be touchless for sanitary reasons;
- (3) Be regularly cleaned to maintain sanitary conditions; and
- (4) Be regularly maintained to ensure proper functioning.

(d) County boards shall adopt a policy to permit students in schools with one or more water

bottle filling stations to carry water bottles.

WV Legislature