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

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bottle filling stations to carry water bottles.

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