

# STATE OF NEW YORK

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7819

2025-2026 Regular Sessions

## IN ASSEMBLY

April 11, 2025

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Introduced by M. of A. TAPIA -- read once and referred to the Committee on Environmental Conservation

AN ACT directing the department of environmental conservation to commission a comprehensive study on the retrofitting needs of schools located within 500 feet of major highways to mitigate exposure to harmful air pollution

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. The department of environmental conservation, in consulta-  
2 tion with the department of education, shall commission a study to  
3 determine the necessary measures and associated costs to retrofit or  
4 update air filtration and ventilation systems and to seal the building  
5 envelopes of public and charter schools identified as being located  
6 within 500 feet of major highways.  
7 This study shall advance the state's obligation to protect children's  
8 constitutional rights to a "sound basic education" and a "healthful  
9 environment".
- 10 § 2. The study shall examine public and charter schools located within  
11 500 hundred feet of a major highway and include, but not be limited to,  
12 the following components:
- 13 (a) Air filtration and ventilation assessments, to include:  
14 (i) inspecting and documenting the type, age, and condition of exist-  
15 ing air filtration and ventilation systems, including HVAC systems and  
16 air purifiers in schools;  
17 (ii) identifying any gaps, deficiencies, or absence of such systems;  
18 and  
19 (iii) recommending appropriate upgrades or full system replacements  
20 where necessary, considering best practices for filtering fine particu-  
21 late matter and other traffic-related pollutants.  
22 (b) Building envelope evaluations, to include:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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- 1 (i) inspecting the structural integrity of the building envelopes,  
2 including doors, windows, walls, and roofing, to assess whether pollu-  
3 tants are being introduced through leaks or insufficient sealing; and  
4 (ii) recommending weatherization and sealing measures to improve  
5 indoor air quality by preventing outdoor air pollutants from infiltrat-  
6 ing indoor spaces.
- 7 (c) Feasibility analysis, to include:
- 8 (i) assessing the technical feasibility of implementing filtration,  
9 ventilation, and sealing improvements in each school, taking into  
10 account the building age, design and infrastructure limitations; and  
11 (ii) prioritizing schools based on factors such as the severity of  
12 pollution exposure, vulnerability of the student population, and exist-  
13 ing facility conditions.
- 14 (d) Cost estimation, to include:
- 15 (i) providing a detailed, itemized estimate of the projected costs  
16 associated with recommended upgrades for each school, including materi-  
17 als, labor, and maintenance considerations; and  
18 (ii) preparing an aggregate cost estimate for all schools, reflecting  
19 the total investment required to address this public health concern  
20 statewide.
- 21 § 3. The department of environmental conservation shall submit a  
22 comprehensive report detailing the study's findings, recommendations,  
23 and cost estimates to the governor, the speaker of the assembly, and the  
24 temporary president of the senate within one year of the effective date  
25 of this act.
- 26 § 4. This act shall take effect immediately.