

Data Center Legislation relating to Air Quality

State	Bill/Status	Description
Colorado	SB 1030 (<i>Pending, 2026</i>)	Includes “air quality” in “cumulative impacts” definition. Requires a operator or developer of a large-load data center proposed in a disproportionately impacted community to undergo a cumulative impacts analysis before the development or expansion begins.
Illinois	SB 3917 (<i>Pending, 2026</i>)	Requires data center backup generators to meet specified Tier 4 standards for diesel generators and Tier 2 standards for natural gas generators.
New York	AB 10141 (<i>Pending, 2026</i>)	Requires the department, in consultation with the department of public service and the federally designated bulk system operator, to prepare a generic environmental impact statement on data center development in this state. The impact study must include information on pollution from data centers, including the amount of greenhouse gases emitted by each existing data center and the cumulative total for the state emitted by existing, proposed, and projected data centers, expressed in metric tons of carbon dioxide equivalent, and the types and quantity of air pollutants emitted by each data center and the cumulative total for the state emitted by existing, proposed, and projected data centers.
	AB 9086 (<i>Pending, 2025</i>)	Includes “any increase in emissions of regulated air contaminants” in the “negative impact” definition. Requires data center operator to address the efforts to reduce any negative impacts to the host community and its environment that the planned data center may cause in a public hearing.
Missouri	HB 2239 (<i>Pending, 2026</i>)	Requires each operator of data centers to submit an environmental and health report to the Department of Natural Resources including information on air metrics.
Vermont	SB 205 (<i>Pending, 2026</i>)	Requires the Public Utility Commission, with input from the Department of Public Service and all other interested parties, shall open an investigation into the construction and operation of AI data centers in Vermont. Requires the commission to consider the environmental impacts of an AI data center including air quality.
Virginia	HB 607 (<i>Pending, 2026</i>)	Directs the Department of Environmental Quality to conduct a three-year study regarding aggregate air pollution in areas with a large volume of data centers. The study would research and model various scenarios for data center generator emissions and provide recommendations for future handling of minor air permits for generators and air quality monitoring needs. The Department must report its findings and recommendations by October 1, 2029.
	HB 1502 (<i>Pending, 2026</i>)	Directs the Department of Environmental Quality to conduct a one-year study of all standby generators used by a commercial facility with an air permit in the Commonwealth, including a data center. The study shall (i) identify commercial facilities with an air permit that use standby generators, (ii) identify the type of pollutants emitted from such standby generators, and (iii) analyze and describe the amount of pollutants from such standby generators. The Department shall report its findings and any recommendations to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and

		the Senate Committee on Agriculture, Conservation and Natural Resources by July 1, 2027.
Wisconsin	AB 1099 (<i>Failed, 2026</i>)	Prohibits the operation of a data center in Wisconsin unless the creation of data center specific safeguards concerning air, water and noise pollution to protect the environment and people's health.