

SENATE BILL 427

F1, J1

1lr1979
CF HB 205

By: **Senators Elfreth and West**

Introduced and read first time: January 20, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Provision of Menstrual Hygiene Products – Requirement**

3 FOR the purpose of requiring each county board of education to ensure that each public
4 middle and high school provide, at no charge to students, menstrual hygiene
5 products via dispensers in the restrooms at the school; requiring a public middle or
6 high school to install menstrual hygiene product dispensers in certain restrooms by
7 certain dates; requiring the State to reimburse each county board for certain costs;
8 requiring each county board to submit to the State Department of Education a
9 request for reimbursement for certain costs on or before certain dates; requiring the
10 Governor to include a certain appropriation in the annual budget bill in a certain
11 fiscal year; requiring each school nurse at a public elementary school to ~~install~~ make
12 available to students menstrual hygiene ~~product dispensers in at least one restroom~~
13 products by a certain date; defining a certain term; and generally relating to the
14 provision of menstrual hygiene products in public schools.

15 BY adding to

16 Article – Education

17 Section 7–447

18 Annotated Code of Maryland

19 (2018 Replacement Volume and 2020 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7-447.

2 (A) IN THIS SECTION, "MENSTRUAL HYGIENE PRODUCTS" MEANS
3 SIZE-APPROPRIATE TAMPONS OR SANITARY NAPKINS FOR USE IN CONNECTION
4 WITH THE MENSTRUAL CYCLE.

5 (B) ~~(1)~~ SUBJECT TO SUBSECTION (C) OF THIS SECTION ~~PARAGRAPH (2)~~
6 OF THIS SUBSECTION, EACH COUNTY BOARD SHALL ENSURE THAT EACH PUBLIC
7 MIDDLE AND HIGH SCHOOL PROVIDE, AT NO CHARGE TO STUDENTS, MENSTRUAL
8 HYGIENE PRODUCTS VIA DISPENSERS IN THE RESTROOMS AT THE SCHOOL.

9 ~~(C)~~ ~~(1)~~ (2) A PUBLIC MIDDLE OR HIGH SCHOOL SHALL INSTALL
10 MENSTRUAL HYGIENE PRODUCT DISPENSERS IN:

11 (I) AT LEAST TWO WOMEN'S RESTROOMS ON OR BEFORE
12 OCTOBER 1, ~~2021~~ 2022; AND

13 (II) ON OR BEFORE AUGUST 1, 2025;

14 ~~1. IF THE RESTROOMS ARE DIVIDED BY GENDER:~~

15 ~~A. AT LEAST ONE MEN'S RESTROOM; AND~~

16 ~~B. ALL, ALL WOMEN'S RESTROOMS; OR~~

17 ~~2. IF THE RESTROOMS ARE NOT DIVIDED BY GENDER,~~
18 ALL RESTROOMS.

19 (3) (I) THE STATE SHALL REIMBURSE A COUNTY BOARD FOR THE
20 COSTS OF PURCHASING AND INSTALLING MENSTRUAL HYGIENE PRODUCT
21 DISPENSERS TO COMPLY WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS
22 SUBSECTION.

23 (II) EACH COUNTY BOARD SHALL SUBMIT TO THE DEPARTMENT
24 A REQUEST FOR REIMBURSEMENT FOR THE COSTS OF PURCHASING AND
25 INSTALLING MENSTRUAL HYGIENE PRODUCT DISPENSERS TO COMPLY WITH THE
26 REQUIREMENTS OF:

27 1. PARAGRAPH (2)(I) OF THIS SUBSECTION, ON OR
28 BEFORE NOVEMBER 1, 2022; AND

29 2. PARAGRAPH (2)(II) OF THIS SUBSECTION, ON OR
30 BEFORE SEPTEMBER 1, 2025.

1 **(III) FOR FISCAL YEAR 2023, THE GOVERNOR SHALL INCLUDE IN**
 2 **THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$325,000 TO BE USED TO**
 3 **REIMBURSE EACH COUNTY BOARD FOR THE COSTS REPORTED TO THE DEPARTMENT**
 4 **UNDER SUBPARAGRAPH (II)1 OF THIS PARAGRAPH.**

5 **(2) (C) A EACH SCHOOL NURSE AT A PUBLIC ELEMENTARY SCHOOL**
 6 **SHALL ~~INSTALL~~ MAKE AVAILABLE, AT NO CHARGE TO STUDENTS, MENSTRUAL**
 7 **HYGIENE ~~PRODUCT DISPENSERS IN AT LEAST ONE RESTROOM~~ PRODUCTS ON OR**
 8 **BEFORE OCTOBER 1, 2021.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 10 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.