

SENATE BILL 427

F1, J1

(11r1979)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Elfreth and West**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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 *women's* restrooms at the school; requiring a public
6 middle or high school to install menstrual hygiene product dispensers in certain
7 restrooms by certain dates; *requiring a public elementary school to install menstrual*
8 *hygiene product dispensers in at least one restroom by a certain date; requiring the*
9 *State to reimburse each county board for certain costs; requiring each county board*
10 *to submit to the State Department of Education a request for reimbursement for*
11 *certain costs on or before certain dates; requiring the Governor to include a certain*
12 *appropriation in the annual budget bill in a certain fiscal year; ~~requiring each school~~*
13 *~~nurse at a public elementary school to install make available to students menstrual~~*
14 *~~hygiene product dispensers in at least one restroom products by a certain date;~~*

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.

Italics indicate opposite chamber/conference committee amendments.



1 defining a certain term; and generally relating to the provision of menstrual hygiene
2 products in public schools.

3 BY adding to
4 Article – Education
5 Section 7–447
6 Annotated Code of Maryland
7 (2018 Replacement Volume and 2020 Supplement)

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

10 **Article – Education**

11 **7–447.**

12 (A) IN THIS SECTION, “MENSTRUAL HYGIENE PRODUCTS” MEANS
13 SIZE-APPROPRIATE TAMPONS OR SANITARY NAPKINS FOR USE IN CONNECTION
14 WITH THE MENSTRUAL CYCLE.

15 (B) ~~(1)~~ SUBJECT TO ~~SUBSECTION (C) OF THIS SECTION~~ ~~PARAGRAPH (2)~~
16 ~~OF THIS SUBSECTION~~ SUBSECTION (C) OF THIS SECTION, EACH COUNTY BOARD
17 SHALL ENSURE THAT EACH PUBLIC ~~MIDDLE AND HIGH~~ SCHOOL PROVIDE, AT NO
18 CHARGE TO STUDENTS, MENSTRUAL HYGIENE PRODUCTS VIA DISPENSERS IN THE
19 WOMEN’S RESTROOMS AT THE SCHOOL.

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

22 (I) AT LEAST TWO WOMEN’S RESTROOMS ON OR BEFORE
23 OCTOBER 1, ~~2021~~ 2022; AND

24 (II) ON OR BEFORE AUGUST 1, ~~2025~~;

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

26 ~~A. AT LEAST ONE MEN’S RESTROOM; AND~~

27 ~~B. ALL, ALL WOMEN’S RESTROOMS; OR~~

28 ~~2. IF THE RESTROOMS ARE NOT DIVIDED BY GENDER,~~
29 ~~ALL RESTROOMS.~~

1 ~~(3)~~ ~~(4)~~ (2) A PUBLIC ELEMENTARY SCHOOL SHALL INSTALL
 2 MENSTRUAL HYGIENE PRODUCT DISPENSERS IN AT LEAST ONE RESTROOM ON OR
 3 BEFORE OCTOBER 1, 2022.

4 (D) (1) THE STATE SHALL REIMBURSE A COUNTY BOARD FOR THE COSTS
 5 OF PURCHASING AND INSTALLING MENSTRUAL HYGIENE PRODUCT DISPENSERS TO
 6 COMPLY WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION
 7 SUBSECTION (C) OF THIS SECTION.

8 ~~(H)~~ (2) EACH COUNTY BOARD SHALL SUBMIT TO THE
 9 DEPARTMENT A REQUEST FOR REIMBURSEMENT FOR THE COSTS OF PURCHASING
 10 AND INSTALLING MENSTRUAL HYGIENE PRODUCT DISPENSERS TO COMPLY WITH
 11 THE REQUIREMENTS OF:

12 ~~1. (I) PARAGRAPH (2)(I) OF THIS SUBSECTION~~
 13 SUBSECTION (C)(1)(I) AND (2) OF THIS SECTION, ON OR BEFORE NOVEMBER 1,
 14 2022; AND

15 ~~2. (II) PARAGRAPH (2)(II) OF THIS SUBSECTION~~
 16 SUBSECTION (C)(1)(II) OF THIS SECTION, ON OR BEFORE SEPTEMBER 1, 2025.

17 ~~(H)~~ (3) FOR FISCAL YEAR 2023, THE GOVERNOR SHALL
 18 INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$325,000~~ \$500,000
 19 TO BE USED TO REIMBURSE EACH COUNTY BOARD FOR THE COSTS REPORTED TO
 20 THE DEPARTMENT UNDER SUBPARAGRAPH (H)1 OF THIS PARAGRAPH UNDER
 21 PARAGRAPH (2) OF THIS SUBSECTION.

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 27 1, 2021.