

Chapter 706

(Senate Bill 427)

AN ACT concerning

Public Schools – Provision of Menstrual Hygiene Products – Requirement

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

BY adding to

Article – Education

Section 7-447

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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

Article – Education**7-447.**

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

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

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

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

(II) ON OR BEFORE AUGUST 1, 2025;

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

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

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

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

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

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

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

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

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

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

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.