

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## **SENATE, No. 1221**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 5, 2022

The Senate Budget and Appropriation Committee reports favorably Senate Bill No. 1221 (1R) with committee amendments.

As amended by the committee, this bill requires school districts to ensure that students in schools educating students in grades six through 12, or any combination thereof, have direct access to menstrual products in at least 50 percent of female and gender-neutral school bathrooms free of charge. The amended bill requires that the Department of Education, in conjunction with the Department of Health, periodically review and assess whether the provision of free menstrual products meets the needs of menstruating students. If necessary, the department will make recommendations regarding the expansion of access to menstrual products to students in grades below grade six.

Any costs incurred by a school district in complying with the provisions of this bill will be borne by the State. For purposes of this bill, “menstrual products” mean tampons and sanitary napkins for use in connection with the menstrual cycle.

### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- stipulate that menstrual products are to be made available in at least 50 percent of female and gender-neutral bathrooms;
- require that the Department of Education, in conjunction with the Department of Health, periodically review and assess whether the provision of free menstrual products meets the needs of menstruating students. If necessary, the department will make recommendations regarding the expansion of access to menstrual products to students in grades below grade six; and
- include a Findings and Declarations section to provide background on how a lack of access to menstrual products in schools affects student absentee rates and overall educational outcomes.

**FISCAL IMPACT:**

The Office of Legislative Services (OLS) estimates that the bill would lead to a \$1.8 million to \$3.5 million increase in State expenditures in the first full school year following enactment and a \$1.4 million to \$2.9 million increase in each subsequent year to provide menstrual products free of charge in at least 50 percent of female school bathrooms in certain public schools. The costs would likely be incurred initially by school districts and then reimbursed by the State. Due to the limited availability of information, the OLS is unable to estimate any additional costs associated with providing menstrual products in gender-neutral bathrooms. The OLS estimates that the review and assessment of the implementation of the bill by the Department of Education, in conjunction with the Department of Health, will lead to an indeterminate, and likely marginal, increase in State expenditures.