

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 1221 STATE OF NEW JERSEY 220th LEGISLATURE

DATED: DECEMBER 21, 2022

SUMMARY

- Synopsis:** Establishes program in DOE to reimburse school districts for providing menstrual products in certain public schools and requires State to pay costs.
- Type of Impact:** Annual State expenditure increase.
Annual school district expenditure and revenue increases.
- Agencies Affected:** Department of Education, local school districts.

Office of Legislative Services Estimate

Fiscal Impact	<u>Initial Year</u>	<u>Subsequent Years</u>
State Cost Increase	\$1.8 million - \$3.5 million	\$1.4 million - \$2.9 million
Local Cost Increase	\$1.8 million - \$3.5 million	\$1.4 million - \$2.9 million
Local Revenue Increase	\$1.8 million - \$3.5 million	\$1.4 million - \$2.9 million

- The Office of Legislative Services (OLS) estimates that this 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 State expenditures in each subsequent year. The expenditures would first be incurred by school districts and then reimbursed by the State. The greater costs in the first year reflect the initial purchase of menstrual product dispensers.
- Based on data from the 2020-2021 school year, under the bill, approximately 1,383 schools across the State would be required to provide free menstrual products in all school bathrooms. Total enrollment of female students in grades six through 12 in these schools approximated 354,497.

BILL DESCRIPTION

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. Any costs incurred by a school district in complying with the provisions of this bill will be borne by the State. The bill also

requires the Department of Education, in conjunction with the Department of Health, to periodically review and assess whether the needs of menstruating students are being met, and, if necessary, make recommendations regarding the expansion of access to menstrual products.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this 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 State expenditures in each subsequent year. It is likely that the expenditures related to the provision of menstrual products would first be incurred by school districts and then reimbursed by the State.

The OLS bases its estimate on information provided by the Oregon State Legislative Fiscal Office analyzing similar legislation, in which menstrual products were required to be provided in every student bathroom in each public school building. The fiscal impact statement estimated that it would cost \$1,075,000 to purchase 5,000 menstrual product dispensers, and \$4,520,000 annually for maintenance and supplies. According to information available from the Oregon Department of Education, there are approximately 561,000 students enrolled at public schools in Oregon. Consequently, the OLS is able to calculate that each menstrual product dispenser serves approximately 112 students at a cost of \$215 per dispenser, and the cost of maintenance and supplies each year is approximately \$8.06 per student.

Based on the data included in the New Jersey School Performance Reports for the 2020-2021 school year, under the bill, approximately 1,383 schools across New Jersey would be required to provide free menstrual products in at least 50 percent of female school bathrooms. Total female enrollment of students in grades six through 12 in these schools approximated 354,497. Applying the per-pupil costs calculated above, the OLS estimates that costs would range from \$1.8 million to \$3.5 million in the first year, and from \$1.4 million to \$2.9 million in each subsequent year. The range reflects variability in the proportion of female students using products and the number of bathrooms in which menstrual products are made available. 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.

Section: Education

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).