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FISCAL IMPACT REPORT

SPONSOR Trujillo/Ortez/Garratt/Lujan/Serrato LAST UPDATED _____
ORIGINAL DATE 1/29/23
BILL _____
SHORT TITLE Menstrual Products in School Bathrooms NUMBER House Bill 134
ANALYST Helms

APPROPRIATION* (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
	\$3,000.0	Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

No Response Received From
Public Education Department (PED)

SUMMARY

Synopsis of House Bill 134

House Bill 134 (HB134) would require the Public Education Department to provide menstrual products in school bathrooms at no cost to students and provides a \$3 million appropriation beginning in FY24. The appropriation includes purchase and installation of menstrual product dispensers and the products (defined as sanitary pads and tampons) themselves.

FISCAL IMPLICATIONS

The bill makes a recurring appropriation of \$3 million to cover the cost of menstrual products and dispensers in every women's and gender-neutral bathroom and at least one men's bathroom at every middle school, junior high school, secondary school, and high school; and in at least one women's, men's, and gender-neutral bathroom in every public elementary school.

LFC analysis has shown districts and charter schools have cash balances that have grown from \$273 million in FY19 to over \$525 million by FY22. If legislators decide to prioritize the need for menstrual products in schools and create a requirement for menstrual products to be provided at no cost to students in school bathrooms under PED's authority, it is possible schools would already have sufficient funds to pay for required menstrual products without an additional distribution from PED.

The greatest initial cost of free menstrual products in schools is the dispensers themselves. Massachusetts school districts estimate the cost of products per relevant student per year is close to \$5 to \$7. It is possible after an initial appropriation of \$3 million, costs in subsequent years would be much lower.

SIGNIFICANT ISSUES

Ten states (California, Illinois, Hawaii, Delaware, Maine, New York, Utah, Virginia, Nevada, and Washington) currently mandate some form of free menstrual products in their schools. Alabama schools also participate in a grant program providing free menstrual products.

While nationally 20 percent of teenagers have had difficulty affording menstrual products, a study from BMC women's health shows this rises to 25 percent for Hispanic teenagers. The study also shows nearly 25 percent of teenagers who menstruate have missed class because of lacking a menstrual product. This could be due to affordability of menstrual products, living in rural areas where menstrual products are difficult to access independently or without anticipation, overall lack of transportation to access menstrual products, or forgetting to bring menstrual products to school. Any of these factors disproportionately impact a female student's ability to attend school or be at best capacity at school when menstruating.

Limited evidence shows access to menstrual products in schools may increase attendance. New York City schools saw attendance rise by 2.5 percent after free menstrual products were provided.

ADMINISTRATIVE IMPLICATIONS

The law is not clear if schools are expected to supplement funds if their distribution from PED for menstrual products was fully expended, and PED would need to develop guidelines for those potential circumstances. Menstrual product distribution will require additional oversight from PED and a system of supervision at the individual school level, as well.

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