

HB 129-FN-LOCAL - AS INTRODUCED

2023 SESSION

23-0154

10/05

HOUSE BILL ***129-FN-LOCAL***

AN ACT relative to menstrual hygiene products in schools.

SPONSORS: Rep. Edwards, Rock. 31

COMMITTEE: Finance

ANALYSIS

This bill requires the department of education to fund the cost of school districts providing menstrual hygiene products. The bill also allows school districts to receive funds for providing menstrual hygiene products during previous school years.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to menstrual hygiene products in schools.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Districts; Menstrual Hygiene Products. Amend RSA 189:16-a to read as follows:

2 189:16-a Menstrual Hygiene Products.

3 I. The school district shall make menstrual hygiene products available at no cost in all
4 gender neutral bathrooms and bathrooms designated for females located in public middle and high
5 schools.

6 II. Menstrual hygiene products shall include sanitary napkins and tampons.

7 III. The ~~[school district]~~ **department of education** shall bear the cost of supplying
8 menstrual hygiene products **as provided in paragraph IV**. A school district may seek **additional**
9 **funds and** grants or partner with **the department of education or** a nonprofit or community-
10 based organization to fulfill this obligation.

11 **IV. The department of education shall fund the local acquisition of menstrual**
12 **hygiene products at a rate of \$15 per school year for every enrolled female having passed**
13 **her 12th birthday. The program shall be applicable to the 2023-24 school year and each**
14 **school year thereafter.**

15 **V. School districts may take appropriate action to preclude or prevent vandalism**
16 **and/or theft of product to assure adequate supply and to protect taxpayer costs.**

17 **VI. The department of education shall adopt rules for a funding request form and**
18 **process prior to the start of the 2023-24 school year.**

19 2 Funding Requests for Previous School Years. School districts may request on a one-time
20 basis, on a form provided by the commissioner of education, \$5 per each school year for every
21 enrolled female having passed her 12th birthday to compensate for the cost of the mandate under
22 RSA 189:16-a for the 2019-2020, 2020-21, 2021-22, and 2022-23 school years. Payments shall be
23 from funds of the department of education.

24 3 Effective Date. This act shall take effect August 1, 2023.

**HB 129-FN-LOCAL- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to menstrual hygiene products in schools.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$1,482,500	\$630,000	\$630,000
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

LOCAL:

Revenue	\$0	\$1,482,500	\$630,000	\$630,000
Expenditures	\$0	\$0	\$0	\$0

METHODOLOGY:

This bill requires the Department of Education fund the local acquisition of menstrual hygiene products at a rate of \$15 per school year for every enrolled female having passed her 12th birthday, beginning in the 2023-2024 school year and each year thereafter. Additionally, this bill allows school districts to request funds for providing menstrual hygiene products during the 2019-2020, 2020-2021, 2021-2022, and 2022-2023 school years on a one-time basis, at the rate of \$5 per school year for every enrolled female who has passed her 12th birthday.

The Department has provided the following assumptions and cost estimates:

- The enrollment in public middle and high schools is approximately 84,000, with the assumption that 42,000 are female. At the rate of \$15 per female, the cost could be estimated at \$630,000 (42,000 students x \$15) per year beginning in 2023-2024.
- The total middle and high school enrollment in 2019-2020, 2020-2021, 2021-2022, and 2022-2023 is approximately 85,250 per year, with the assumption that 42,625 are female. At the rate of \$5 per female, the one-time cost of funding the prior school years could be estimated at \$852,500 (42,625 students x 4 years x \$5). It is assumed this would be expended in FY 2024.

Ultimately, this bill will increase state general fund expenditures and local school district revenue by \$1,482,500 in FY 2024 and \$630,000 in FY 2025 and each year thereafter.

It should be noted there are no funds appropriated for the purpose of this bill.

AGENCIES CONTACTED:

Department of Education