

[Third Reprint]

SENATE, No. 1221

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

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SYNOPSIS

Establishes program in DOE to reimburse school districts for providing menstrual products in certain public schools and requires State to pay costs.

CURRENT VERSION OF TEXT

As reported by the Assembly Women and Children Committee on May 11, 2023, with amendments.

(Sponsorship Updated As Of: 6/30/2023)

1 AN ACT concerning the provision of ¹[feminine hygiene]
2 menstrual¹ products in public schools and supplementing chapter
3 33 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 ²1. The Legislature finds and declares that:

9 a. New Jersey recognizes that access to menstrual products is
10 vital for ensuring the health, dignity, and full participation of all
11 New Jerseyans in public life.

12 b. A lack of access to menstrual products during the school day
13 has a direct impact on a student’s academic performance and affects
14 the student’s overall educational outcomes.

15 c. Students lacking access to menstrual products experience
16 higher rates of absences and are less able to focus and engage in the
17 classroom when they are present. Absenteeism can lead to
18 significant performance gaps and is linked to social disengagement,
19 feelings of alienation, and adverse outcomes, even well into
20 adulthood.

21 d. Expanding student access to menstrual products can result in
22 increased attendance rates. A pilot program at a New York City
23 high school saw a 2.4 percent increase in attendance in the
24 participating school and subsequently, the state of New York
25 enacted legislation providing free menstrual products to students.

26 e. By providing students with free access to menstrual products,
27 the State can help reduce disparities in education and ensure that
28 students are given the resources and educational access needed to
29 meet their full potential.

30 f. It is the intent of the Legislature that this act provide for the
31 health, dignity, and safety of menstruating students at every
32 socioeconomic level, as well as to help normalize menstruation
33 among all.²

34
35 ²[1.] ²2. a. As used in this section, ¹[“feminine hygiene”
36 “menstrual”¹ products” mean tampons and sanitary napkins for use
37 in connection with the menstrual cycle.

38 b. A school district shall ensure that students in each school
39 educating students in grades ²[6] ²six through 12, or any
40 combination thereof, have direct access to ¹[feminine hygiene]
41 menstrual¹ products in ¹[all of the] at least 50 percent of female¹
42 and gender-neutral² school bathrooms ³, if applicable,³ free of
43 charge.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted June 2, 2022.

²Senate SBA committee amendments adopted December 5, 2022.

³Assembly AWC committee amendments adopted May 11, 2023.

1 c. Any costs incurred by a school district in providing an
2 adequate supply of ¹[[feminine hygiene] menstrual¹ products to
3 meet the needs of its students shall be borne by the State.

4 ²d. The Department of Education, in conjunction with the
5 Department of Health, shall periodically review and assess whether
6 the provision of free menstrual products pursuant to this act meets
7 the needs of menstruating students, and, if necessary, shall make
8 recommendations regarding the expansion of access to menstrual
9 products to students in grades below grade six.²

10
11 ²[2.] 3.² This act shall take effect in the first full school year
12 following the date of enactment.