PRINTER'S NO. 827

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 851 Session of 2023

INTRODUCED BY PARKER, HILL-EVANS, MADDEN, HOHENSTEIN, DALEY, BOROWSKI, MAYES, BULLOCK, PROBST, ISAACSON, CEPEDA-FREYTIZ, SHUSTERMAN, STEELE, T. DAVIS, KINSEY, GUENST, CONKLIN, CIRESI, SANCHEZ, MALAGARI, SCHLOSSBERG, BURGOS, KHAN, D. WILLIAMS, HANBIDGE AND INNAMORATO, APRIL 10, 2023

REFERRED TO COMMITTEE ON EDUCATION, APRIL 10, 2023

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in school health services, providing for Menstrual Hygiene Products Accessibility Grant Program; and making an appropriation.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 1426. Menstrual Hygiene Products Accessibility Grant Program.--(a) The Menstrual Hygiene Products Accessibility Grant Program is established.

(b) A grant recipient shall:

(1) Use the grant award to acquire and distribute menstrual hygiene products at no expense to students, including installing and maintaining a dispensing machine or disposal receptacle for

menstrual hygiene products.

(2) Ensure that menstrual hygiene products are accessible to a student regardless of the student's gender identity.

(c) A public school entity shall be eligible to receive a grant under the program if the public school entity has fifty percent or more students enrolled who are eligible for free or reduced-cost lunch under 42 U.S.C. Ch. 13 (relating to school lunch programs).

(d) The department shall develop annual grant application forms for eligible public school entities that seek a grant under the program. At a minimum, the forms shall contain the following information:

(1) The number of students enrolled at the eligible public school entity.

(2) The number of restrooms, including gender-neutral restrooms, on the property of the eligible public school entity.

(e) The following shall apply:

(1) The department shall implement and administer the program and award grants to eligible public school entities that apply in an amount that is proportionate to the number of students and restrooms as provided in the eligible public school entity's application.

(2) The department may promulgate rules and regulations necessary to implement the program.

(f) After review of the information provided in each eligible public school entity's submitted application form, the department shall determine whether to award money from the program to the eligible public school entity and, if so, the amount of the program money awarded.

(g) The following shall apply:

(1) Within one year of being awarded a grant, each eligible public school entity that received a grant shall submit a report to the department. The report shall include information concerning the amount of money spent on the acquisition and distribution of menstrual hygiene products and the amount of money spent on the installation and maintenance of a dispensing machine or disposal receptacle for menstrual hygiene products.

(2) Within one year of receiving reports from eligible public school entities that received a grant, the department shall submit a summarized report of the information received under paragraph (1) to the Education Committee of the Senate and the Education Committee of the House of Representatives.

(h) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Department" means the Department of Education of the Commonwealth.

"Program" means the Menstrual Hygiene Products Accessibility Grant Program established under subsection (a).

"Menstrual hygiene products" means tampons, sanitary napkins or pads, pantyliners and similar menstrual hygiene products.

"Public school entity" means any public school, including a school district, charter school, regional charter school, intermediate unit or area career and technical school operating within this Commonwealth.

Section 2. The sum of $100,000 is appropriated from the General Fund to the Department of Education for the Menstrual Hygiene Products Accessibility Grant Program.

Section 3. This act shall take effect in 60 days.