

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0980.03 Jacob Baus x2173

SENATE BILL 21-255

SENATE SPONSORSHIP

Winter,

HOUSE SPONSORSHIP

Herod and Titone,

Senate Committees
Education

House Committees

A BILL FOR AN ACT

101 **CONCERNING PROVIDING MENSTRUAL HYGIENE PRODUCTS AT NO**
102 **EXPENSE TO STUDENTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates in the department of education the menstrual hygiene products accessibility grant program to provide awards to eligible local education providers in order to provide menstrual hygiene products at no expense to students.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 22-2-146** as
3 follows:

4 **22-2-146. Menstrual hygiene products accessibility grant**
5 **program - eligibility - rules - report - definitions.** (1) THERE IS
6 CREATED IN THE DEPARTMENT THE MENSTRUAL HYGIENE PRODUCTS
7 ACCESSIBILITY GRANT PROGRAM IN ORDER TO PROVIDE MENSTRUAL
8 HYGIENE PRODUCTS AT NO EXPENSE TO STUDENTS. A GRANT RECIPIENT
9 SHALL ENSURE THAT MENSTRUAL HYGIENE PRODUCTS ARE ACCESSIBLE TO
10 A STUDENT REGARDLESS OF THE STUDENT'S GENDER IDENTITY.

11 (2) A GRANT RECIPIENT SHALL USE THE AWARD TO ACQUIRE AND
12 DISTRIBUTE MENSTRUAL HYGIENE PRODUCTS AT NO EXPENSE TO STUDENTS
13 OR INSTALL AND MAINTAIN A DISPENSING MACHINE OR DISPOSAL
14 RECEPTACLE FOR MENSTRUAL HYGIENE PRODUCTS.

15 (3) A LOCAL EDUCATION PROVIDER IS ELIGIBLE TO RECEIVE A
16 GRANT IF IT HAS FIFTY PERCENT OR MORE STUDENTS ENROLLED WHO ARE
17 ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE FEDERAL
18 "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC.
19 1751 ET SEQ.

20 (4) TO RECEIVE A GRANT, AN ELIGIBLE LOCAL EDUCATION
21 PROVIDER MUST SUBMIT AN APPLICATION TO THE DEPARTMENT BY A DATE
22 SPECIFIED BY THE DEPARTMENT. THE ELIGIBLE LOCAL EDUCATION
23 PROVIDER MUST INCLUDE DATA IN ITS APPLICATION CONCERNING THE
24 NUMBER OF STUDENTS ENROLLED AT THE ELIGIBLE LOCAL EDUCATION
25 PROVIDER AND THE NUMBER OF RESTROOMS, INCLUDING
26 GENDER-NEUTRAL RESTROOMS, ON THE PROPERTY OF THE ELIGIBLE LOCAL
27 EDUCATION PROVIDER.

1 (5) THE DEPARTMENT SHALL IMPLEMENT AND ADMINISTER THE
2 GRANT PROGRAM, AND SHALL AWARD A GRANT TO A LOCAL EDUCATION
3 PROVIDER THAT APPLIES IN AN AMOUNT THAT IS PROPORTIONATE TO THE
4 NUMBERS OF STUDENTS AND RESTROOMS AS PROVIDED IN ITS
5 APPLICATION. THE STATE BOARD MAY PROMULGATE RULES AS NECESSARY
6 TO IMPLEMENT THE GRANT PROGRAM.

7 (6) (a) ON OR BEFORE OCTOBER 1, 2022, AND ON OR BEFORE
8 OCTOBER 1, 2023, EACH LOCAL EDUCATION PROVIDER THAT RECEIVED A
9 GRANT PURSUANT TO THIS SECTION SHALL SUBMIT A REPORT TO THE
10 DEPARTMENT. THE REPORT MUST INCLUDE INFORMATION CONCERNING
11 THE AMOUNT OF MONEY SPENT ON THE ACQUISITION AND DISTRIBUTION OF
12 MENSTRUAL HYGIENE PRODUCTS AND THE AMOUNT OF MONEY SPENT ON
13 THE INSTALLATION AND MAINTENANCE OF A DISPENSING MACHINE OR
14 DISPOSAL RECEPTACLE FOR MENSTRUAL HYGIENE PRODUCTS.

15 (b) ON OR BEFORE JANUARY 2, 2023, AND ON OR BEFORE JANUARY
16 2, 2024, THE DEPARTMENT SHALL SUBMIT A SUMMARIZED REPORT OF THE
17 INFORMATION RECEIVED PURSUANT TO SUBSECTION (6)(a) OF THIS
18 SECTION TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF
19 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

20 (7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
21 REQUIRES:

22 (a) "GRANT PROGRAM" MEANS THE MENSTRUAL HYGIENE
23 PRODUCTS ACCESSIBILITY GRANT PROGRAM CREATED AND EXISTING
24 PURSUANT TO THIS SECTION.

25 (b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
26 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
27 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY

1 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
2 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
3 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT
4 OPERATES ONE OR MORE PUBLIC SCHOOLS.

5 (c) "MENSTRUAL HYGIENE PRODUCTS" MEANS TAMPONS,
6 MENSTRUAL PADS, AND PANTILINERS.

7 **SECTION 2. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2022 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.