



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

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**Final Fiscal Note**

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**Drafting Number:** LLS 21-0980 **Date:** August 16, 2021  
**Prime Sponsors:** Sen. Winter **Bill Status:** Signed into Law  
Rep. Herod; Titone **Fiscal Analyst:** Anna Gerstle | 303-866-4375  
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**Bill Topic:** **FREE MENSTRUAL HYGIENE PRODUCTS TO STUDENTS**

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**Summary of Fiscal Impact:**

|   |   |
|---|---|
| <input checked="" type="checkbox"/> State Revenue     | <input type="checkbox"/> TABOR Refund               |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government           |
| <input type="checkbox"/> State Transfer               | <input checked="" type="checkbox"/> School District |

The bill creates the Menstrual Hygiene Product Accessibility Grant Program in the Colorado Department of Education. The bill increases state expenditures and revenue and workload for some school districts on an ongoing basis.

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**Appropriation Summary:** In FY 2021-22, the bill includes an appropriation of \$100,000 to the Colorado Department of Education.

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**Fiscal Note Status:** This fiscal note reflects the enacted bill.

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**Table 1**  
**State Fiscal Impacts Under SB21-255**

|                     |              | <b>Budget Year<br/>FY 2021-22</b> | <b>Out Year<br/>FY 2022-23</b> |
|---------------------|--------------|-----------------------------------|--------------------------------|
| <b>Revenue</b>      |              | -                                 | -                              |
| <b>Expenditures</b> | General Fund | \$100,000                         | \$100,000                      |
| <b>Transfers</b>    |              | -                                 | -                              |
| <b>TABOR Refund</b> |              | -                                 | -                              |

## **Summary of Legislation**

The bill creates the Menstrual Hygiene Products Accessibility Grant Program in the Colorado Department of Education (CDE) to provide menstrual hygiene products at no cost to students. To be eligible, at least 50 percent of a local education provider's students must be eligible for free or reduced-price lunch. The Colorado School for the Deaf and Blind and approved facility schools are also eligible for the program.

CDE must implement the grant program and award grants in an amount that is proportionate to the number of students and restrooms. By October 1, 2022, and October 1, 2023, each local education provider must report to CDE on how the money is spent; and by January 2, 2023 and January 2, 2024, CDE must submit a summary report to the education committees of the General Assembly. CDE may accept gifts, grants, and donations for the program.

## **State Revenue**

The bill potentially increases state revenue from gifts, grants, or donations; however, no sources have been identified at this time. Gifts, grants, and donations are exempt from TABOR revenue limits.

## **State Expenditures**

The bill is estimated to increase state expenditures by \$100,000 per year beginning in FY 2021-22, to be awarded as grants to local education providers. The actual funding amount for the program is at the discretion of the General Assembly. The bill will also increase workload for CDE to implement the grant program. Because the funding will be allocated proportionally to any local education provider that applies, CDE does not require new staffing to implement the program and fulfill reporting requirements and will accomplish the work within current resources.

## **School District**

The bill increases revenue and workload for any school district that applies for and receives a grant.

## **Effective Date**

The bill was signed into law by the Governor on July 6, 2021, and takes effect September 7, 2021, assuming no referendum petition is filed.

## **State Appropriations**

In FY 2021-22, the bill requires and includes a General Fund appropriation of \$100,000 to the Colorado Department of Education.

**State and Local Government Contacts**

Education