

Assembly Bill No. 230

CHAPTER 421

An act to amend, repeal, and add Section 35292.6 of the Education Code, relating to menstrual products.

[Approved by Governor October 8, 2023. Filed with Secretary of State October 8, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 230, Reyes. Menstrual products: Menstrual Equity for All Act of 2021.

Existing law, the Menstrual Equity for All Act of 2021, requires a public school, as provided, maintaining any combination of classes from grades 6 to 12, inclusive, to stock the school's restrooms with an adequate supply of free menstrual products, as defined, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom, at all times, and to post a certain notice, on or before the start of the 2022–23 school year, as prescribed.

This bill would extend these requirements, commencing on or before the start of the 2024–25 school year, to instead apply to public schools maintaining any combination of classes from grades 3 to 12, inclusive. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) California has made great strides in increasing access to menstrual products by enacting legislation that addresses period equity.

(2) The Menstrual Equity for All Act of 2021 requires schools serving any of grades 6 to 12, inclusive, to stock restrooms with free and accessible menstrual products.

(3) There are over 2,400 schools that serve younger pupils in grades 3 to 5, inclusive, that are not required to stock free menstrual products in

school restrooms, missing a population of pupils that may start their periods early.

(4) The Girl Scout Troop 76 of San Geronio Council have tackled menstrual equity through their Silver Award Project by destigmatizing periods and by providing emergency menstrual kits to young pupils in need.

(5) The Silver Award is one of the highest awards that a girl scout can earn and it requires the girl scout to identify a need in the community and engage in 50 hours of community service.

(6) Through this work, the Girl Scout Troop 76 of San Geronio Council realized that there was a greater need related to the lack of access to menstrual products to young pupils and have advocated to increase access to menstrual products through legislation.

(7) When pupils do not have access to menstrual products, they may miss school or are less engaged in the classroom, which can have a long-lasting impact on their learning.

(8) Ensuring young pupils have access to menstrual products is crucial to their educational development and success.

(b) It is the intent of the Legislature to promote period equity through adequate access to menstrual products in schools also serving grades 3 to 5, inclusive.

SEC. 2. Section 35292.6 of the Education Code is amended to read:

35292.6. (a) On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.

SEC. 3. Section 35292.6 is added to the Education Code, to read:

35292.6. (a) On or before the start of the 2024–25 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 3 to 12, inclusive, shall stock the school’s restrooms at all times with an adequate supply of menstrual products, available and accessible, free of

cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom.

(b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.

(c) A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

(d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.

(e) This section shall become operative on July 1, 2024.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.