

# SENATE BILL REPORT

## SB 5070

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As of January 20, 2021

**Title:** An act relating to menstrual hygiene products in school and postsecondary institution bathrooms.

**Brief Description:** Concerning menstrual products in schools.

**Sponsors:** Senators Rivers, Dhingra, Hasegawa, Keiser, Kuderer, Lias, Lovelett, Mullet, Nguyen, Pedersen and Stanford.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/20/21.

**Brief Summary of Bill**

- Requires school districts, charter schools, state-tribal compact schools, private schools, and institutions of higher education to make menstrual hygiene products available at no cost by the beginning of the 2022-23 school year.
- Specifies that these entities must bear the cost of supplying these products.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Ailey Kato (786-7434)

**Background:** State law directs the Washington State Board of Health (BOH) to adopt rules controlling public health related to environmental conditions including light, ventilation, sanitary facilities, and cleanliness in public facilities including schools.

Current rules require adequate, conveniently located toilet and hand-washing facilities for students and employees. At hand-washing facilities, soap and single-service towels must be

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provided or warm air dryers. Toilet paper must be available, conveniently located adjacent to each toilet fixture. Toilet and hand-washing facilities must be accessible for use during school hours and scheduled events.

State law defines "institutions of higher education" as:

- any public university, college, community college, or technical college operated by the state or any political subdivision; or
- any other university, college, school, or institute in the state offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council and agrees to comply with certain rules.

**Summary of Bill:** By the beginning of the 2022-23 school year, school districts, charter schools, state-tribal compact schools, and private schools must make menstrual hygiene products available at no cost in all gender-neutral bathrooms and bathrooms designated for female students located in schools serving students in grades 6-12. Institutions of higher education must also make these products available.

Menstrual hygiene products must include sanitary napkins, tampons, or similar items.

The educational entities must bear the cost of supplying these products. They may seek grants or partner with nonprofit or community-based organizations to fulfill this obligation.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill expands on the progress made with the sales tax exemption for menstrual hygiene products. Lack of access to menstrual products is a common reason menstruators skip school. School is already stressful enough and the stigma around menstruation only heightens it. Not having access to menstrual products when it is needed is uncomfortable and emotionally draining. Providing these products in schools will normalize menstruation. These products can be purchased in bulk at low costs, and some organizations will donate these products to low-income and rural schools. State funding should be provided to support this bill. This bill should be expanded to include bathrooms designated for males to include people who menstruate and use these bathrooms and would be inclusive of trans experiences. Not all schools have accessible gender-neutral bathrooms. This bill will allow students to focus on schools, not their menstrual cycles. This bill will address the inequities of access to menstrual products with dignity.

**Persons Testifying:** PRO: Senator Ann Rivers, Prime Sponsor; Sarah Freeman; Aydan Garland-Miner, PERIOD; Tristan Eddy, The Justice for Girls Coalition of Washington State; Lily Ulrich, Lake Washington High School; Ivan Shneerson, Lake Washington High School; Shira Quincoses, Lake Washington High School; Hannah Sieben, Graduate and Professional Student Senate - UW; Samantha Fakharzadeh, Washington Students Association; Sasha Conner.

**Persons Signed In To Testify But Not Testifying:** No one.