

STATE OF NEW YORK

8092

IN SENATE

January 5, 2024

Introduced by Sen. CHU -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to allowing certain non-public schools to be exempt from being required to provide menstrual products in the restrooms of school buildings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 267 of the public health law, as amended by a chap-
2 ter of the laws of 2023 amending the public health law relating to
3 providing menstrual products in non-public schools, as proposed in
4 legislative bills numbers S. 5913-A and A. 113-A, is amended to read as
5 follows:

6 § 267. Menstrual products in schools. 1. All elementary and secondary
7 public schools and non-public schools in the state serving students in
8 any grade from grade six through grade twelve shall provide menstrual
9 products in the restrooms of such school building or buildings. Such
10 products shall be provided at no charge to students.

11 2. A non-public school may be granted an exemption from the require-
12 ments of subdivision one of this section upon a demonstration sufficient
13 to the commissioner of education that the school does not serve students
14 who need such products and that menstrual products are available in a
15 manner that ensures the privacy of any student seeking them within the
16 school building or buildings, including but not limited to within any
17 gender-neutral restroom. Such exemption may be revoked should the
18 circumstances change on which the exemption is granted.

19 § 2. This act shall take effect on the same date and in the same
20 manner as a chapter of the laws of 2023 amending the public health law
21 relating to providing menstrual products in non-public schools, as
22 proposed in legislative bills numbers S. 5913-A and A. 113-A, takes
23 effect. Effective immediately, the addition, amendment and/or repeal of
24 any rule or regulation necessary for the implementation of this act on
25 its effective date are authorized to be made and completed on or before
26 such effective date.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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