S T A T E O F N E W Y O R K

10239

I N A S S E M B L Y

May 17, 2016

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to feminine hygiene product access in schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 2507 to read as follows:

S 2507. FEMININE HYGIENE PRODUCT ACCESS IN SCHOOLS. 1. THE COMMISSIONER SHALL ESTABLISH A DEMONSTRATION PROGRAM TO PROVIDE FREE FEMININE HYGIENE PRODUCTS IN FIFTEEN LOW INCOME AREAS THROUGHOUT THE STATE IN ACCORDANCE WITH THIS SECTION. THE COMMISSIONER MAY UTILIZE PUBLIC-PRIVATE PARTNERSHIPS TO PROVIDE SUCH FEMININE HYGIENE PRODUCTS OR FUNDING THEREFOR.

2. THE COMMISSIONER SHALL IDENTIFY FIFTEEN MUNICIPALITIES, OUTSIDE OF A CITY WITH A POPULATION OF ONE MILLION OR MORE, THAT HAVE THE HIGHEST CHILD POVERTY RATES IN THE STATE. THE COMMISSIONER SHALL USE THE MOST UP-TO-DATE CENSUS DATA AVAILABLE IN SELECTING SUCH MUNICIPALITIES.

3. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION, SHALL WORK WITH SCHOOL DISTRICTS IN THE MUNICIPALITIES IDENTIFIED IN ACCORDANCE WITH SUBDIVISION TWO OF THIS SECTION TO PROVIDE FREE FEMININE HYGIENE PRODUCTS TO BE ACCESSIBLE TO ALL MIDDLE AND HIGH SCHOOL STUDENTS IN EACH DISTRICT. SUCH AMOUNT MAY BE ADJUSTED FROM TIME TO TIME BASED ON UTILIZATION. THE COMMISSIONER, THE COMMISSIONER OF EDUCATION AND THE SCHOOL DISTRICTS SHALL WORK TO ENSURE THAT SUCH PRODUCTS SHALL BE AVAILABLE IN A CONVENIENT MANNER THAT DOES NOT STIGMATIZE ANY STUDENT SEEKING SUCH PRODUCTS.

4. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION, SHALL REPORT TO THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE WITHIN FIFTEEN MONTHS OF THE IMPLEMENTATION OF SUCH DEMONSTRATION PROGRAM, AND ANNUALLY THEREAFTER, THE FOLLOWING INFORMATION:

(A) THE TOTAL COST TO THE STATE OF THE PROGRAM;

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

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(B) THE TOTAL PRIVATE CONTRIBUTION, IF ANY, INCLUDING A BREAKDOWN OF MONETARY AND PRODUCT DONATION;

(C) THE TOTAL NUMBER OF FEMININE HYGIENE PRODUCTS PROVIDED TO SCHOOL DISTRICTS, AND AN ASSESSMENT OF WHETHER OR NOT SUCH AMOUNT WAS ADEQUATE TO SERVE THE FEMALE STUDENTS IN SUCH DISTRICTS; AND

(D) ANY OTHER INFORMATION THE COMMISSIONER DEEMS NECESSARY.

S 2. This act shall take effect immediately.