



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4178

Introduced 10/19/2021, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.63
105 ILCS 5/34-18.56

Amends the School Code. Specifies that menstrual hygiene products shall be made available in all bathrooms (rather than in bathrooms) of every school building that are open for student use in grades 4 through 12 during the regular school day. Provides that the school employee or third-party contractor who is responsible for ordering, stocking, and replenishing the supply of toilet tissue and paper towels in school bathrooms shall be responsible for ordering, stocking, and replenishing the supply of menstrual hygiene products in the bathrooms. Effective immediately.

LRB102 20905 CMG 29789 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 10-20.63 and 34-18.56 as follows:

6 (105 ILCS 5/10-20.63)

7 Sec. 10-20.63. Availability of menstrual hygiene products.

8 (a) The General Assembly finds the following:

9 (1) Menstrual hygiene products are a health care
10 necessity and not an item that can be foregone or
11 substituted easily.

12 (2) Access to menstrual hygiene products is a serious
13 and ongoing need in this State.

14 (3) When students do not have access to affordable
15 menstrual hygiene products, they may miss multiple days of
16 school every month.

17 (4) When students have access to quality menstrual
18 hygiene products, they are able to continue with their
19 daily lives with minimal interruption.

20 (b) In this Section:

21 "Menstrual hygiene products" means tampons and sanitary
22 napkins for use in connection with the menstrual cycle.

23 "School building" means any facility (i) that is owned or

1 leased by a school district or over which the school board has
2 care, custody, and control and (ii) in which there is a public
3 school serving students in grades 6 through 12.

4 (c) A school district shall make menstrual hygiene
5 products available, at no cost to students, in all bathrooms
6 of every school building that are open for student use in
7 grades 4 through 12 during the regular school day.

8 (d) The school employee or third-party contractor who is
9 responsible for ordering, stocking, and replenishing the
10 supply of toilet tissue and paper towels in school bathrooms
11 shall be responsible for ordering, stocking, and replenishing
12 the supply of menstrual hygiene products in bathrooms to meet
13 the requirements of subsection (c).

14 (Source: P.A. 102-340, eff. 8-13-21.)

15 (105 ILCS 5/34-18.56)

16 Sec. 34-18.56. Availability of menstrual hygiene products.

17 (a) The General Assembly finds the following:

18 (1) Menstrual hygiene products are a health care
19 necessity and not an item that can be foregone or
20 substituted easily.

21 (2) Access to menstrual hygiene products is a serious
22 and ongoing need in this State.

23 (3) When students do not have access to affordable
24 menstrual hygiene products, they may miss multiple days of
25 school every month.

1 (4) When students have access to quality menstrual
2 hygiene products, they are able to continue with their
3 daily lives with minimal interruption.

4 (b) In this Section:

5 "Menstrual hygiene products" means tampons and sanitary
6 napkins for use in connection with the menstrual cycle.

7 "School building" means any facility (i) that is owned or
8 leased by the school district or over which the board has care,
9 custody, and control and (ii) in which there is a public school
10 serving students in grades 6 through 12.

11 (c) The school district shall make menstrual hygiene
12 products available, at no cost to students, in all bathrooms
13 of every school building that are open for student use in
14 grades 4 through 12 during the regular school day.

15 (d) The school employee or third-party contractor who is
16 responsible for ordering, stocking, and replenishing the
17 supply of toilet tissue and paper towels in school bathrooms
18 shall be responsible for ordering, stocking, and replenishing
19 the supply of menstrual hygiene products in bathrooms to meet
20 the requirements of subsection (c).

21 (Source: P.A. 102-340, eff. 8-13-21.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.