

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 1087
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH50030-Nifa-6C

Short Title: Menstrual Equity for All. (Public)

Sponsors: Representatives von Haefen, Dahle, Hawkins, and Alston (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ACHIEVE MENSTRUAL EQUITY BY EXEMPTING CERTAIN FEMININE
3 HYGIENE PRODUCTS FROM SALES TAX AND TO CREATE A RECURRING FUND
4 FOR THE FEMININE HYGIENE PRODUCTS GRANT PROGRAM.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 105-164.3 is amended by adding two new subdivisions to read:

7 "(88) Feminine hygiene products. – Tampons, panty liners, menstrual cups, sanitary
8 napkins, and other similar tangible personal property designed for feminine
9 hygiene in connection with the human menstrual cycle but does not include
10 "grooming and hygiene products."

11 ...

12 "(94) Grooming and hygiene products. – Soaps and cleaning solutions, shampoo,
13 toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens,
14 regardless of whether the items meet the definition of "over-the-counter
15 drugs."

16 **SECTION 2.** G.S. 105-164.13 is amended by adding a new subdivision to read:

17 "(74) Feminine hygiene products."

18 **SECTION 3.** Article 25B of Chapter 115C of the General Statutes reads as rewritten:

19 "Article 25B.

20 ~~"Mental Health Needs of Student.~~Students.

21 ...

22 **"§ 115C-377. Feminine Hygiene Products Grant Program.**

23 (a) Program; Purpose. – The Department of Public Instruction shall establish the
24 Feminine Hygiene Products Grant Program (Program) to enable public school units to provide
25 students with feminine hygiene products at no charge to the student to (i) support the student's
26 continued attendance at school during their menstrual cycle, (ii) provide hygiene products to
27 students who cannot afford them, and (iii) make funds available to public school units for
28 purchasing the products.

29 (b) Grants. – To the extent funds are made available for the Program, the Department of
30 Public Instruction shall award public school units grants of up to five thousand dollars (\$5,000)
31 on a first-come, first-served basis. No public school unit shall receive more than one grant per
32 year.

33 (c) Reporting. – No later than March 15, 2023, and every year thereafter that funds are
34 made available for the Program, the Department shall report to the Joint Legislative Education
35 Oversight Committee on the public school units receiving grants under the Program, the specific



1 feminine hygiene products purchased with the grant funds, and the impact of the Program on
2 student health and well-being."

3 **SECTION 4.** Section 6(d) of S.L. 2018-32, as amended by Section 1(f) of S.L.
4 2020-7, reads as rewritten:

5 **"SECTION 6.(d)** Applicability of Specific Statutes. – The local board of education with an
6 approved renewal school system plan shall be subject to the following Articles and sections of
7 Chapter 115C of the General Statutes:

8 ...

9 (16a) Article 25B, ~~Mental~~ Health Needs of Students.

10 "

11 **SECTION 5.** There is appropriated from the General Fund to the Department of
12 Public Instruction the sum of five hundred thousand dollars (\$500,000) in recurring funds for the
13 2022-2023 fiscal year pursuant to G.S. 115C-377 to fund the Feminine Hygiene Products Grant
14 Program established pursuant to this act.

15 **SECTION 6.** Sections 1 and 2 of this act become effective July 1, 2022, and apply
16 to sales made on or after that date. The remainder of this act becomes effective July 1, 2022.