

By: Representatives Bell (65th), Anthony

To: Public Health and Human  
Services; Education

## HOUSE BILL NO. 1219

1 AN ACT TO CREATE THE "MCELROY-BROWN HYGIENE AND MENSTRUAL  
2 CARE ACCESS ACT" FOR THE PURPOSE OF ENSURING ALL STUDENTS IN  
3 PUBLIC MIDDLE AND HIGH SCHOOLS ACROSS MISSISSIPPI HAVE ACCESS TO  
4 FREE AND ADEQUATE MENSTRUAL PRODUCT; TO AMEND SECTION 37-11-83,  
5 MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITION OF CERTAIN  
6 TERMINOLOGY; TO PROVIDE THAT THE PROGRAM'S IMPLEMENTATION SHALL BE  
7 SUBJECT TO APPROPRIATION OF FUNDING FOR ITS INTENDED PURPOSES; TO  
8 STIPULATE CERTAIN REQUIREMENTS RELATED TO ACCESS TO FEMININE  
9 HYGIENE AND MENSTRUAL PRODUCTS, AS WELL AS EDUCATIONAL COMPONENTS  
10 OF THE PROGRAM TO ENSURE PRIVACY; TO REQUIRE THE STATE DEPARTMENT  
11 OF EDUCATION TO ESTABLISH A COMMITTEE TO OVERSEE THE DISTRIBUTION  
12 OF FUNDS, MONITOR THE EFFECTIVENESS OF THE PROGRAM AND ENSURE  
13 EQUITABLE ACCESS TO MENSTRUAL CARE ACROSS DISTRICTS AND SUBMIT A  
14 LEGISLATIVE REPORT OF ITS FINDINGS; AND FOR RELATED PURPOSES.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

16 **SECTION 1.** This act shall be known as the "McElroy-Brown  
17 Hygiene and Menstrual Care Access Act."

18 **SECTION 2.** The purpose of this act is to ensure that all  
19 students in public middle and high schools across Mississippi have  
20 access to free and adequate menstrual products, promoting health,  
21 dignity, and equity. This initiative aims to eliminate period  
22 poverty, reduce absenteeism, and create a supportive school  
23 environment for all students.



24           **SECTION 3.** Section 37-11-83, Mississippi Code of 1972, is  
25 amended as follows:

26           37-11-83. (1) As used in this section the following terms  
27 shall have the meaning ascribed herein:

28           (a) "Feminine hygiene products" means pads,  
29 tampons \* \* \*, menstrual cups, panty liners, sanitary  
30 napkins \* \* \* as well as any other products commonly used in  
31 connection with the menstrual cycle and menstrual care.

32           (b) "School building" means any facility:

33           (i) That is owned or leased by the school district  
34 or charter school or over which the local school board or charter  
35 school governing board has care, custody and control; and

36           (ii) In which there is a public school serving  
37 students in Grade 6 through Grade 12.

38           (c) "Hygiene and menstrual care access program" refers  
39 to any school program designed to distribute feminine hygiene and  
40 menstrual products to students at no cost.

41           (2) School districts are authorized to make feminine hygiene  
42 products available, at no cost to students, in the bathrooms or  
43 offices of the school nurse in school buildings.

44           **SECTION 4.** (1) Subject to appropriation for such purposes:

45           (a) The implementation of hygiene and menstrual care  
46 access programs in all public schools in Mississippi for students  
47 in Grade 6-8 shall become effective immediately upon passage of



48 this act, to provide free menstrual products to all female  
49 students;

50 (b) Feminine hygiene and menstrual products shall be  
51 made available in easily accessible locations within each school,  
52 including, but not limited to:

53 (i) Restrooms;  
54 (ii) Nurse's offices;  
55 (iii) Health centers; and  
56 (iv) Designated areas where students can request  
57 products confidentially;

58 (c) Each school shall offer a variety of feminine  
59 hygiene and menstrual products necessary to meet the diverse needs  
60 of students; and

61 (d) The distribution process shall be designed to  
62 ensure confidentiality and ease of access, particularly for  
63 students who may feel uncomfortable asking for feminine hygiene  
64 and menstrual products.

65 (2) (a) The State Department of Education shall allocate  
66 funds to support the implementation and operation of the  
67 McElroy-Brown Hygiene and Menstrual Care Access Program in public  
68 middle and high schools, subject to the availability of funds, as  
69 follows:

70 (i) For the initial fiscal year following the  
71 passage of this act, an appropriation of Two million Dollars



(\$2,000,000.00) shall be made to support the purchase and distribution of menstrual products;

(ii) For each subsequent fiscal year, funding will be allocated based on student enrollment figures, with an estimated annual allocation of Two million Five Hundred Thousand Dollars (\$2,500,000.00); and

(iii) Schools may request additional funding based on demonstrated need, especially in areas with higher rates of student enrollment or higher demand for products.

(b) Schools are encouraged to seek additional funding through partnerships with local nonprofits, businesses and foundations, including organizations focused on menstrual equity, to supplement state funding.

(c) The department shall establish a committee to oversee the distribution of funds, monitor the effectiveness of the program, and ensure equitable access to menstrual care across districts. This committee shall submit an annual report to the Legislature detailing the allocation of funds, the number of students served, and any recommendations for program improvement.

(3) (a) For the first year of the program, the State Department of Education may designate a group of pilot schools, not to exceed twenty-five (25) in total to participate in the program to evaluate effectiveness and determine logistical needs before statewide implementation.



(b) By the beginning of the 2026-2027 school year, all public middle and high schools in Mississippi shall be fully compliant with the requirements of the McElroy-Brown Hygiene and Menstrual Care Access Program.

**SECTION 5.** (1) The State Department of Education shall provide training for school personnel, including administrators, teachers, and staff, on the importance of hygiene and menstrual care access and the proper distribution of feminine hygiene and menstrual products.

(2) Each high school shall implement an educational component that informs students about menstrual health, hygiene, and the availability of feminine hygiene and menstrual care products. This educational component may be incorporated into health classes, advisory periods or provided through student councils and health organizations.

**SECTION 6.** (1) By October 31 of each year, all school districts shall submit a report to the State Department of Education that includes:

(a) The number of students who utilized the hygiene and menstrual care access program;

(b) The amount of menstrual products distributed;

(c) Any barriers or challenges encountered in providing the program; and

(d) Suggestions for improving the accessibility and efficiency of the program.



122           (2) The department shall conduct an annual evaluation of the  
123 hygiene and menstrual care access program and submit a report to  
124 the Legislature by January 15 each year, with findings and  
125 recommendations for program expansion or improvement.

126           **SECTION 7.** If any provision of this act or the application  
127 thereof to any person or circumstance is held invalid, the  
128 invalidity shall not affect other provisions or applications of  
129 the act that can be given effect without the invalid provision,  
130 and to this end the provisions of this act are severable.

131           **SECTION 8.** This act shall take effect and be in force from  
132 and after July 1, 2025.

