



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-5379/2  
KRP:kjf&amn

## 2021 SENATE BILL 832

January 6, 2022 - Introduced by Senators AGARD, L. TAYLOR, SMITH, ROYS, RINGHAND and LARSON, cosponsored by Representatives POPE, VINING, SHELTON, SPREITZER, HESSELBEIN, HEBL, B. MEYERS, ANDRACA, CONSIDINE, SUBECK, EMERSON, STUBBS, HAYWOOD, SNODGRASS, L. MYERS and SINICKI. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1     **AN ACT** *to amend* 121.91 (7); and *to create* 118.40 (2r) (b) 2. m., 118.40 (2x) (b)  
2             2. m., 118.60 (6m) (e), 119.23 (6m) (e), 121.02 (1) (im) and 121.91 (4) (m) of the  
3             statutes; **relating to:** the provision of feminine hygiene products in school  
4             buildings and a school district revenue limit adjustment for costs of providing  
5             those products.

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### *Analysis by the Legislative Reference Bureau*

This bill requires each school district, operator of an independent charter school, and governing body of a private school participating in a parental choice program to provide free tampons and sanitary napkins in women's restroom facilities in buildings owned, leased, or occupied by the school board, operator, or governing body.

The bill creates a revenue limit adjustment for a school district that incurs costs to comply with the bill. Current law generally limits the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue allowed per pupil in the previous school year plus a per pupil increase, if any, as provided by law. However, current law also includes several adjustments to the general revenue limit.

Under the bill, if a school board adopts a resolution, the school district's revenue limit is increased by the amount the school district spends in a school year to make tampons and sanitary napkins available in school buildings.

**SENATE BILL 832**

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 118.40 (2r) (b) 2. m. of the statutes is created to read:

2           118.40 **(2r)** (b) 2. m. A requirement that the charter school governing board  
3           make tampons and sanitary napkins available at no charge in all of the women's  
4           restroom facilities in any building in which direct instruction is provided to pupils  
5           enrolled in the charter school that is owned, leased, or occupied by the charter school  
6           governing board for the operation of the charter school.

7           **SECTION 2.** 118.40 (2x) (b) 2. m. of the statutes is created to read:

8           118.40 **(2x)** (b) 2. m. A requirement that the charter school governing board  
9           make tampons and sanitary napkins available at no charge in all of the women's  
10          restroom facilities in any building in which direct instruction is provided to pupils  
11          enrolled in the charter school that is owned, leased, or occupied by the charter school  
12          governing board for the operation of the charter school.

13          **SECTION 3.** 118.60 (6m) (e) of the statutes is created to read:

14          118.60 **(6m)** (e) Make tampons and sanitary napkins available at no charge in  
15          all of the women's restroom facilities in any building in which direct instruction is  
16          provided to pupils enrolled in the private school that is owned, leased, or occupied  
17          by the governing body of the private school.

18          **SECTION 4.** 119.23 (6m) (e) of the statutes is created to read:

19          119.23 **(6m)** (e) Make tampons and sanitary napkins available at no charge in  
20          all of the women's restroom facilities in any building in which direct instruction is

**SENATE BILL 832**

1 provided to pupils enrolled in the private school that is owned, leased, or occupied  
2 by the governing body of the private school.

3 **SECTION 5.** 121.02 (1) (im) of the statutes is created to read:

4 121.02 (1) (im) Ensure that, in any building owned, leased, or occupied by the  
5 the school board, tampons and sanitary napkins are available in all of the women's  
6 restroom facilities at no charge.

7 **SECTION 6.** 121.91 (4) (m) of the statutes is created to read:

8 121.91 (4) (m) 1. If a school board adopts a resolution to do so, the limit  
9 otherwise applicable to a school district under sub. (2m) in any school year is  
10 increased by the amount spent by the school district in that school year to make  
11 tampons and sanitary napkins available as required under s. 121.02 (1) (im).

12 2. Any additional revenue received by a school district under this paragraph  
13 shall not be included in the base for determining the school district's limit under sub.  
14 (2m) for the following school year.

15 **SECTION 7.** 121.91 (7) of the statutes is amended to read:

16 121.91 (7) Except as provided in subs. (4) (f) 2. and ~~(n)~~ (m) to (qe) and (8), if an  
17 excess revenue is approved under sub. (3) for a recurring purpose or allowed under  
18 sub. (4), the excess revenue shall be included in the base for determining the limit  
19 for the next school year for purposes of this section. If an excess revenue is approved  
20 under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included  
21 in the base for determining the limit for the next school year for purposes of this  
22 section.

23 **SECTION 8. Initial applicability.**

