

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3294 - 2

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Reviewed by: Doug Wilson
Date: 04/07/2021

Measure Description:

Requires every public education provider to provide certain feminine hygiene products at no cost to students.

Government Unit(s) Affected:

Community Colleges, Public Universities, Higher Education Coordinating Commission (HECC), Department of Education (ODE), School Districts

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2021-23 Biennium	2023-25 Biennium
General Fund	\$137,483	\$121,635
Other Funds	5,595,000	9,040,000
Total Funds	\$5,732,483	\$9,161,635
Positions	1	1
FTE	0.50	0.50

Analysis: The measure requires school districts, charter schools, Education Service Districts (ESDs), community colleges, and public universities to stock menstrual products in two student bathrooms in each facility for the first year of the biennium and every bathroom in the second year. The Other Funds in this program are a distribution or carve-out from the State School Fund (SSF) and identified as Grants-in-Aid for the Oregon Department of Education. The measure has a blank amount for the distribution from the SSF. This fiscal assumes that the State School Fund is not increased to cover the amount of the distribution.

The Oregon Department of Education has estimated that the initial set-up of dispenser will cost \$1,075,000 for 5,000 dispensers and ongoing maintenance and supplies will cost \$4,520,000 per year or \$9,040,000 per biennia. LFO assumes the increase in the second year of the biennium reflects the increase in the number of bathrooms the requirement applies to at each school in the second year. ODE will also need one Operations and Policy Analyst 3 (0.50 FTE) for rule writing, program development and implementation, grant payment processing, providing technical support, and compliance checks. ODE costs also include costs of technical assistance to school districts.

The public universities estimate installing dispensers will cost \$431,279 and ongoing supplies will cost \$517,680 per biennia. These costs would come out of the public university support fund. Community Colleges anticipate \$96,150 in one-time costs and \$709,438 in recurring biennial costs. These costs would come out of the Community College Support Fund. LFO notes that the amount required for community colleges and public universities are to be funded from their respective support funds, but it is unclear whether the amount is to be deducted from the support funds and paid to colleges and universities as a separate payment by the Higher

Education Coordinating Commission. This fiscal assumes that the two support funds are not increased to cover the costs of the meeting the requirements of the bill.

This measure warrants a subsequent referral to the Joint Committee on Ways and Means for consideration of its budgetary impact on the State's General Fund and State School Fund. Further clarification may be necessary for the distributions from the public university support fund and the community college support fund.