

## HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3294

By JOINT COMMITTEE ON WAYS AND MEANS

June 23

1 On page 2 of the printed A-engrossed bill, delete lines 8 through 45.

2 On page 3, delete lines 1 through 5 and insert:

3 “(A) For school districts, public charter schools and education service districts and subject to  
4 subparagraph (B) of this paragraph, distributions from amounts available under ORS 327.008 (18) to  
5 be made based on the average daily membership, as defined in ORS 327.006, of the district or school;

6 “(B) For education service districts, distributions to be made as provided by subparagraph (A)  
7 of this paragraph may not exceed 7.5 percent of the amounts available for distribution under ORS  
8 327.008 (18);

9 “(C) For community colleges, distributions from the Community College Support Fund to be  
10 made based on the full-time equivalent student enrollment of the community college; and

11 “(D) For public universities, distributions from a public university support fund established by  
12 the commission by rule.

13 “**SECTION 2.** Section 1 of this 2021 Act is amended to read:

14 “**Sec. 1.** (1) As used in this section:

15 “(a) ‘Public education provider’ means:

16 “(A) A school district;

17 “(B) A public charter school;

18 “(C) An education service district;

19 “(D) A community college; or

20 “(E) A public university listed in ORS 352.002.

21 “(b) ‘Public school building’ means a building used by a public education provider to provide  
22 educational services to students.

23 “(c) ‘Student bathroom’ means a bathroom that is accessible by students, including a gender-  
24 neutral bathroom, a bathroom designated for females and a bathroom designated for males.

25 “[~~(2)(a)~~] **(2)** Each public education provider shall ensure that both tampons and sanitary pads  
26 are available at no cost to students through dispensers located in [~~at least two~~] **every** student  
27 [~~bathrooms~~] **bathroom** of every public school building.

28 “[~~(b) Notwithstanding paragraph (a) of this subsection, if a public school building has only one~~  
29 ~~student bathroom, both tampons and sanitary pads must be available at no cost to students through~~  
30 ~~dispensers located in that bathroom.~~]

31 “(3) A public education provider, and any employee of a public education provider, is not liable  
32 in a criminal action or for civil damages as a result of a student’s use of a tampon or sanitary pad  
33 made available under this section.

34 “(4) The State Board of Education and the Higher Education Coordinating Commission shall  
35 adopt any rules necessary for the administration of this section. Rules adopted by the board and

1 commission shall provide for:

2 “(a) The number of dispensers required in each student bathroom;

3 “(b) The types of products available in each student bathroom; and

4 “(c) Payments to public education providers for costs incurred under this section, including:

5 “(A) For school districts, public charter schools and education service districts and subject to  
6 subparagraph (B) of this paragraph, distributions from amounts available under ORS 327.008 (18) to  
7 be made based on the average daily membership, as defined in ORS 327.006, of the district or school;

8 “(B) For education service districts, distributions to be made as provided by subparagraph (A)  
9 of this paragraph may not exceed 7.5 percent of the amounts available for distribution under ORS  
10 327.008 (18);

11 “(C) For community colleges, distributions from the Community College Support Fund to be  
12 made based on the full-time equivalent student enrollment of the community college; and

13 “(D) For public universities, distributions from a public university support fund established by  
14 the commission by rule.”.

15 On page 4, line 39, delete “\$\_\_\_\_\_” and insert “\$5,595,000”.

16 After line 42, insert:

17 “**SECTION 6. In addition to and not in lieu of any other appropriation, there is appro-**  
18 **priated to the Department of Education, for the biennium beginning July 1, 2021, out of the**  
19 **General Fund, the amount of \$137,483, for the purpose of section 1 of this 2021 Act.”.**

20 In line 43, delete “6” and insert “7”.

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