

SENATE, No. 1464

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Co-Sponsored by:

Senator Gopal

SYNOPSIS

“Madalyn’s Law”; requires school districts to incorporate age-appropriate instruction on toxic shock syndrome and requires installation of signage in certain women’s rooms to enhance public awareness of toxic shock syndrome.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/6/2021)

1 **AN ACT** concerning toxic shock syndrome and supplementing Title
2 18A of the New Jersey Statutes and Title 26 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. This act shall be known and may be cited as “Madalyn’s
9 Law.”

10
11 2. Beginning with the 2020-2021 school year, each school
12 district shall incorporate instruction on toxic shock syndrome in
13 grades 4 through 12 as part of the district’s implementation of the
14 New Jersey Student Learning Standards for Comprehensive Health
15 and Physical Education. The instruction shall include information
16 on the causes and symptoms of toxic shock syndrome and the ways
17 in which a student may reduce the risk for developing the
18 syndrome. The Commissioner of Education shall provide school
19 districts with age-appropriate sample learning activities and
20 resources designed to implement this requirement.

21
22 3. a. The owner of a group A or M occupancy that maintains a
23 restroom that is open to the public and available for use by women,
24 and that includes two or more toilets, shall ensure the installation
25 and maintenance of a sign in the restroom alerting women to the
26 warning signs, causes, and dangers of toxic shock syndrome. The
27 sign shall be installed on or near a tampon dispenser, if one exists in
28 the restroom, or in a prominent location of the restroom. The sign
29 shall be installed on or before the first day of the sixth month next
30 following the adoption of rules and regulations pursuant to
31 subsection c. of this section.

32 b. The owner of a group A or M occupancy who violates the
33 provisions of this section shall be liable for a penalty of not more
34 than \$100 for each violation to be collected in a summary
35 proceeding pursuant to the "Penalty Enforcement Law of 1999,"
36 P.L.1999, c.274 (C.2A:58-10 et seq.). The municipal court and the
37 Superior Court shall have jurisdiction of proceedings for the
38 enforcement of the penalties provided by this subsection.

39 c. The Commissioner of Health shall promulgate rules and
40 regulations pursuant to the “Administrative Procedure Act,”
41 P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the
42 purposes of this section. The rules and regulations shall include,
43 but not be limited to, standards for the placement, appearance, and
44 wording of the required signage, and the frequency and criteria of
45 public access that shall cause a space to be designated as open to
46 the public.

47 d. As used in this section, “group A or M occupancy” means an
48 Assembly Group A occupancy or a Mercantile Group M occupancy,

1 as defined in chapter 3 of the 2015 New Jersey International
2 Building Code or its successor, with the exception of an occupancy
3 located within an elementary school that does not include grades
4 above grade 5.

5
6 4. The Commissioner of Health shall prepare and make
7 available on the Internet website of the Department of Health
8 informational literature concerning the signs, causes, and dangers of
9 toxic shock syndrome.

10
11 5. This act shall take effect immediately.

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14 STATEMENT

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16 This bill requires each school district, beginning in the 2020-
17 2021 school year, to incorporate instruction on toxic shock
18 syndrome in grades 4 through 12 as part of the district's
19 implementation of the New Jersey Student Learning Standards for
20 Comprehensive Health and Physical Education. The bill directs the
21 Commissioner of Education to provide school districts with age-
22 appropriate sample learning activities and resources designed to
23 implement this requirement.

24 This bill would also require the owner of a group A or M
25 occupancy, that maintains a public restroom available for use by
26 women, to ensure the installation and maintenance of a sign in the
27 restroom alerting women to the warning signs, causes, and dangers
28 of toxic shock syndrome. This requirement would only apply to
29 restrooms that include two or more toilets.

30 The bill would require the Department of Health to adopt rules
31 and regulations to effectuate the purposes of the bill. The bill
32 would require the toxic shock syndrome signs to be installed in the
33 necessary restrooms on or before the first day of the sixth month
34 following the adoption of rules and regulations by the department.
35 Failure to comply with the provisions of this bill would result in
36 liability for a penalty of not more than \$100 for each violation.

37 Under the bill, "group A or M occupancy" means an Assembly
38 Group A occupancy or a Mercantile Group M occupancy, as
39 defined in chapter 3 of the 2015 New Jersey International Building
40 Code. Under the bill, locations within elementary schools that do
41 not include grades above grade 5 are excluded from the "group A or
42 M occupancy" definition.

43 This bill is intended to enhance public awareness of toxic shock
44 syndrome, a potentially serious illness that can develop quickly.
45 Anyone can contract toxic shock syndrome, but women using
46 tampons and similar devices have a higher risk. Early symptoms
47 may include a low fever, muscle aches, chills, fatigue, and
48 headaches. As toxic shock syndrome progresses, symptoms may

1 include a high fever, vomiting, rashes, redness of the eyes, lips and
2 tongue, low blood pressure, and mental confusion. Toxic shock
3 syndrome is generally treated with antibiotics.

4 Additionally, the bill directs the Department of Health to prepare
5 and make available on its website informational literature
6 concerning the signs, causes, and dangers of toxic shock syndrome.

7 This bill is named in honor of Madalyn “Maddy” Massabni, who
8 tragically passed away on March 30, 2017 just days after
9 contracting Toxic Shock Syndrome. Maddy was a 2016 graduate of
10 Rumson-Fair Haven Regional High School and was just beginning
11 her academic career at Lynn University in Florida.