

SENATE No. 2730

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, February 28, 2022.

The committee on Senate Ways and Means, to whom was referred the Senate Bill to increase access to disposable menstrual products in prisons, homeless shelters, and public schools (Senate, No. 1445) (also based on Senate, No. 2016),- reports, recommending that the same ought to pass with an amendment substituting a new draft entitled "An Act to increase access to disposable menstrual products" (Senate, No. 2730).

For the committee,
Michael J. Rodrigues

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to increase access to disposable menstrual products.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 23B of the General Laws is hereby amended by adding the
2 following section:-

3 Section 31. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Disposable menstrual products”, products used by a menstruating individual including,
6 but not limited to, sanitary napkins, tampons and underwear liners.

7 “Menstruating individual”, a person who menstruates.

8 (b) Any provider of temporary housing assistance, including, but not be limited to, a
9 family shelter, a shelter for adults, a hotel used for emergency shelter, an emergency apartment, a
10 domestic violence shelter, a runaway and homeless youth shelter or a safe house for refugees,
11 shall provide disposable menstrual products at no cost to a menstruating individual. The

12 disposable menstrual products shall be available in a convenient manner that does not stigmatize
13 the individual seeking such products.

14 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
15 section 3 the following section:-

16 Section 3A. (a) As used in this section, the following words shall have the following
17 meanings unless the context clearly requires otherwise:-

18 “Disposable menstrual products”, products used by a menstruating individual including,
19 but not limited to, sanitary napkins, tampons and underwear liners.

20 “Menstruating individual”, a person who menstruates.

21 (b) Subject to appropriation, every primary and secondary school shall provide disposable
22 menstrual products at no cost to students. The disposable menstrual products shall be available in
23 a convenient manner that does not stigmatize the individual seeking such products, including, but
24 not limited to, in restrooms for menstruating individuals.

25 (c) Annually, not later than March 1, the department shall report on, for the current fiscal
26 year and for anticipated spending in the next fiscal year: (i) the cost of providing disposable
27 menstrual products pursuant to this section; and (ii) any associated administrative costs of
28 providing disposable menstrual products. The report shall be sent to the clerks of the senate and
29 house of representatives, the joint committee on public health and the senate and house
30 committees on ways and means.

31 SECTION 3. Chapter 127 of the General Laws is hereby amended by adding the
32 following section:-

33 Section 170. (a) As used in this section, the following words shall have the following
34 meanings unless the context clearly requires otherwise:

35 “Administrator”, the keeper of a lock-up facility under chapter 40, the superintendent of a
36 correctional facility under chapter 125, a sheriff or special sheriff in charge of a jail, house of
37 correction or regional lock-up facility under chapter 126, the colonel of state police and any other
38 official who oversees a facility used for the detention of persons arrested and held in custody or
39 serving a sentence.

40 “Disposable menstrual products”, products used by a menstruating individual including,
41 but not limited to, sanitary napkins, tampons and underwear liners.

42 “Menstruating individual”, a person who menstruates.

43 (b) The administrator shall provide disposable menstrual products to menstruating
44 individuals held or housed in the facility overseen by the administrator at no cost. The disposable
45 menstrual products shall be available in a convenient manner that does not stigmatize the
46 individual seeking such products.