

(Reprinted with amendments adopted on May 23, 2023)

SECOND REPRINT

S.B. 161

SENATE BILL NO. 161—SENATORS SCHEIBLE, D. HARRIS, SPEARMAN, CANNIZZARO, SEEVERS GANSERT; DALY, DONATE, DONDERO LOOP, FLORES, GOICOECHEA, HANSEN, KRASNER, NEAL, NGUYEN, OHRENSCHALL, PAZINA AND STONE

FEBRUARY 15, 2023

Referred to Committee on Health and Human Services

SUMMARY—Establishes programs to facilitate the purchase of menstrual products. (BDR 38-811)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public assistance; providing for the use of benefits under certain federal programs for persons with low incomes to purchase menstrual products; authorizing the establishment of a program to assist certain recipients of public assistance in the purchase of menstrual products; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing federal law establishes the Supplemental Nutrition Assistance
2 Program, which provides assistance to certain low-income families for the purchase
3 of food. (7 U.S.C. §§ 2011 et seq.) Existing federal law also establishes the Special
4 Supplemental Nutrition Program for Women, Infants and Children, which provides,
5 through eligible local agencies, nutrition education and supplemental foods to
6 pregnant women, mothers, infants and children less than 5 years of age with low
7 household incomes. (42 U.S.C. § 1786) Existing law requires the Department of
8 Health and Human Services to administer these programs within this State. (NRS
9 422A.338) This bill requires the Department to authorize recipients of benefits
10 provided under those programs to use such benefits to purchase menstrual products:
11 (1) to the extent authorized by federal law; and (2) to the extent that federal funding
12 is available. This bill also authorizes the Department to: (1) establish and
13 administer a program to provide assistance for the purpose of purchasing menstrual
14 products to recipients of benefits provided through programs for which the Division
15 of Welfare and Supportive Services of the Department is responsible; and (2)
16 accept gifts, grants and donations for the purposes of establishing such a program.



* S B 1 6 1 R 2 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 422A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 1. *To the extent authorized by federal law and to the extent*
4 *that federal funding is available, the Department shall authorize*
5 *recipients of benefits provided under Supplemental Nutrition*
6 *Assistance or the Special Supplemental Nutrition Program for*
7 *Women, Infants and Children established by 42 U.S.C. § 1786 to*
8 *use such benefits to purchase menstrual products.*

9 2. *The Department shall take any action necessary to obtain*
10 *federal authorization and federal funding to carry out the*
11 *provisions of subsection 1, including, without limitation, applying*
12 *for any necessary federal waiver.*

13 3. *To the extent that money is available for this purpose, the*
14 *Department, through the Division, may establish and administer a*
15 *program to provide assistance for the purpose of purchasing*
16 *menstrual products to recipients of benefits provided through*
17 *programs for which the Division is responsible. The Department*
18 *may accept gifts, grants and donations from any source for the*
19 *purpose of establishing and administering such a program.*

20 4. *As used in this section, “menstrual products” includes,*
21 *without limitation, sanitary napkins, tampons or similar products*
22 *used in connection with the menstrual cycle.*

23 **Sec. 2.** 1. This section becomes effective upon passage and
24 approval.

25 2. Section 1 of this act becomes effective:

26 (a) Upon passage and approval for the purpose of performing
27 any preparatory administrative tasks that are necessary to carry out
28 the provisions of this act; and

29 (b) On January 1, 2024, for all other purposes.

