

2022 -- H 7140

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LC003782  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO HEALTH AND SAFETY-FEMININE HYGIENE PRODUCT DONATIONS  
ACT

Introduced By: Representatives Donovan, Ajello, Speakman, Fogarty, Carson, Cassar,  
McGaw, Casimiro, Alzate, and Fenton-Fung

Date Introduced: January 20, 2022

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 4.14

4 FEMININE HYGIENE PRODUCT DONATION ACT

5 **23-4.14-1. Definitions.**

6 As used in this chapter:

7 (1) "Apparently usable" means that a product meets all quality and labeling standards  
8 imposed by federal and state laws and regulations even if the product may not be readily  
9 marketable;

10 (2) "Certified nonprofit organization" has the same meaning as defined in § 19-14-1; and

11 (3) "Feminine hygiene product":

12 (i) Means a product used for a female's menstruation or other genital-tract secretions; and

13 (ii) Includes tampons and sanitary napkins.

14 **23-4.14-2. Immunity from liability for feminine hygiene product donors.**

15 (a) The good faith donor of an apparently usable feminine hygiene product to a bona fide  
16 charitable or nonprofit organization for free distribution to persons in need of the product is not  
17 subject to criminal penalty for violation of unfair trade practice laws or civil damages arising from  
18 the nature, age, packaging, or condition of an apparently usable feminine hygiene product.

1           (b) A charitable or nonprofit organization that in good faith receives an apparently usable  
2 feminine hygiene product and distributes the product to persons in need is not subject to criminal  
3 penalty for violation of unfair trade practice laws or civil damages arising from the nature, age,  
4 packaging, or condition of an apparently usable feminine hygiene product.

5           (c) Subsections (a) and (b) of this section do not apply when a good faith donor or a  
6 charitable or nonprofit organization's actions constitute gross negligence or intentional misconduct  
7 that results in injury or death to a person who uses the apparently usable feminine hygiene product.

8           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY-FEMININE HYGIENE PRODUCT DONATIONS  
ACT

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- 1 This act would provide for immunity provisions for persons involved in donating feminine
- 2 hygiene products to charitable or nonprofit organizations.
- 3 This act would take effect upon passage.

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