

2022 -- H 7140 SUBSTITUTE A

LC003782/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO HEALTH AND SAFETY -- FEMININE HYGIENE PRODUCT DONATION 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) "Feminine hygiene product":

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

12 (ii) Includes tampons and sanitary napkins.

13 (3) "Person" means an individual and does not mean an association of individuals or a legal
14 entity.

15 **23-4.14-2. Immunity from liability for feminine hygiene product donors.**

16 (a) Any person who donates in good faith an apparently usable feminine hygiene product
17 to a bona fide charitable or nonprofit organization for free distribution to persons in need of the
18 product is not subject to criminal penalty for violation of unfair trade practice laws or civil damages

1 arising from the nature, age, packaging, or condition of an apparently usable feminine hygiene
2 product.

3 (b) Subsection (a) of this section shall not apply when a person's good faith actions
4 constitute gross negligence or intentional misconduct that results in injury or death to a person who
5 uses the apparently usable feminine hygiene product.

6 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 DONATION
ACT

- 1 This act would allow feminine hygiene products to be donated by people to nonprofit
- 2 charities.
- 3 This act would take effect upon passage.

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