

SENATE BILL 625

F1, O1

(71r2184)

ENROLLED BILL

— *Finance and Education, Health, and Environmental Affairs/Ways and Means and Appropriations* —

Introduced by **Senators Benson, Currie, Madaleno, Pinsky, Robinson, and Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene**
3 **Products**

4 FOR the purpose of requiring the Department of Human Resources to make available to
5 certain service providers, local administering agencies for certain service providers,
6 and county boards of education certain supplies of feminine hygiene products for
7 female residents in shelters and certain homeless female students; requiring,
8 alternatively, if a certain contingency is met, the Department of Housing and
9 Community Development to make available to certain service providers, local
10 administering agencies for certain service providers, and county boards of education
11 certain supplies of feminine hygiene products for female residents in shelters and
12 certain homeless female students; requiring certain feminine hygiene products to be
13 made available free to certain entities and individuals; requiring each county board
14 of education to make available to certain homeless female students a certain supply

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 of feminine hygiene products in a certain manner ~~during a certain year; authorizing~~
 2 ~~funds provided by the Department of Human Resources to local administering~~
 3 ~~agencies for certain service providers and to certain service providers for a certain~~
 4 ~~purpose to be used to purchase a certain supply of feminine hygiene products for a~~
 5 ~~certain purpose; providing that certain feminine hygiene products be made available~~
 6 ~~free to certain female residents in shelters; defining certain terms; *making certain*~~
 7 ~~*provisions of this Act subject to certain contingencies;* and generally relating to~~
 8 feminine hygiene products for homeless girls and women.

9 ~~BY adding to~~

10 ~~Article – Education~~

11 ~~Section 7-440~~

12 ~~Annotated Code of Maryland~~

13 ~~(2014 Replacement Volume and 2016 Supplement)~~

14 BY adding to

15 Article – Human Services

16 Section 6-441 to be under the new part “Part V. Homeless Women
 17 *and Youth* – Feminine Hygiene Products”

18 Annotated Code of Maryland

19 (2007 Volume and 2016 Supplement)

20 BY adding to

21 Article – Housing and Community Development

22 Section 4-2301 to be under the new subtitle “Subtitle 23. Homeless Women and Youth
 23 – Feminine Hygiene Products”

24 Annotated Code of Maryland

25 (2006 Volume and 2016 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 27 That the Laws of Maryland read as follows:

28 ~~Article – Education~~

29 ~~7-440.~~

30 ~~(A) IN THIS SECTION, “FEMININE HYGIENE PRODUCTS” MEANS TAMPONS~~
 31 ~~AND SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.~~

32 ~~(B) EACH COUNTY BOARD, THROUGH SCHOOL NURSES, SHALL MAKE~~
 33 ~~AVAILABLE TO FEMALE STUDENTS WHO ARE DETERMINED TO BE HOMELESS~~
 34 ~~CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS~~
 35 ~~ASSISTANCE ACT A FREE SUPPLY OF FEMININE HYGIENE PRODUCTS SUFFICIENT TO~~
 36 ~~MEET THE NEEDS OF THE STUDENTS DURING THE NORMAL SCHOOL YEAR.~~

37 Article – Human Services

1 6-439. RESERVED.

2 6-440. RESERVED.

3 PART V. HOMELESS WOMEN AND YOUTH – FEMININE HYGIENE PRODUCTS.

4 6-441.

5 (A) (1) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) “FEMININE HYGIENE PRODUCTS” MEANS TAMPONS AND
8 SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.

9 (3) “LOCAL ADMINISTERING AGENCY” MEANS THE AGENCY
10 DESIGNATED BY THE DEPARTMENT OR A LOCAL GOVERNMENT TO MANAGE THE
11 PROGRAMS FOR TRANSITIONAL HOUSING SERVICES, INCLUDING THE HOMELESS
12 WOMEN – CRISIS SHELTER HOME PROGRAM, AND TO PROVIDE A SERVICE
13 DIRECTLY OR BY CONTRACT WITH A SERVICE PROVIDER.

14 (4) “SERVICE PROVIDER” MEANS A PUBLIC OR PRIVATE NONPROFIT
15 THAT CONTRACTS WITH THE DEPARTMENT OR A LOCAL ADMINISTERING AGENCY TO
16 PROVIDE SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

17 (B) (1) ~~FUNDS PROVIDED BY THE~~ THE DEPARTMENT SHALL MAKE
18 AVAILABLE TO:

19 (I) SERVICE PROVIDERS AND LOCAL ADMINISTERING
20 AGENCIES FOR SERVICE PROVIDERS ~~AND TO SERVICE PROVIDERS FOR PROGRAMS~~
21 ~~FOR TRANSITIONAL HOUSING SERVICES, INCLUDING THE HOMELESS WOMEN –~~
22 ~~CRISIS SHELTER HOME PROGRAM, MAY BE USED TO PURCHASE~~ A SUPPLY OF
23 FEMININE HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS OF FEMALE
24 RESIDENTS IN SHELTERS; AND

25 (II) COUNTY BOARDS OF EDUCATION A SUPPLY OF FEMININE
26 HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS DURING THE NORMAL
27 SCHOOL YEAR OF FEMALE STUDENTS WHO ARE DETERMINED TO BE HOMELESS
28 CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS
29 ASSISTANCE ACT.

30 (2) THE FEMININE HYGIENE PRODUCTS ~~PURCHASED~~ PROVIDED
31 UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE AVAILABLE FREE TO:

1 (I) SERVICE PROVIDERS, LOCAL ADMINISTERING AGENCIES
 2 FOR SERVICE PROVIDERS, AND FEMALE RESIDENTS IN SHELTERS; AND

3 (II) COUNTY BOARDS OF EDUCATION AND QUALIFYING FEMALE
 4 STUDENTS IN SCHOOLS.

5 (C) EACH COUNTY BOARD OF EDUCATION, THROUGH SCHOOL NURSES,
 6 SHALL MAKE AVAILABLE TO FEMALE STUDENTS WHO ARE DETERMINED TO BE
 7 HOMELESS CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO
 8 HOMELESS ASSISTANCE ACT A FREE SUPPLY OF FEMININE HYGIENE PRODUCTS, AS
 9 PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

10 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
 11 ~~1, 2017.~~

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 13 as follows:

14 Article – Housing and Community Development

15 SUBTITLE 23. HOMELESS WOMEN AND YOUTH – FEMININE HYGIENE
 16 PRODUCTS.

17 4-2301.

18 (A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 19 INDICATED.

20 (2) “FEMININE HYGIENE PRODUCTS” MEANS TAMPONS AND SANITARY
 21 NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.

22 (3) “LOCAL ADMINISTERING AGENCY” MEANS THE AGENCY
 23 DESIGNATED BY THE DEPARTMENT OR A LOCAL GOVERNMENT TO MANAGE THE
 24 PROGRAMS FOR TRANSITIONAL HOUSING SERVICES, INCLUDING THE HOMELESS
 25 WOMEN – CRISIS SHELTER HOME PROGRAM, AND TO PROVIDE A SERVICE DIRECTLY
 26 OR BY CONTRACT WITH A SERVICE PROVIDER.

27 (4) “SERVICE PROVIDER” MEANS A PUBLIC OR PRIVATE NONPROFIT
 28 THAT CONTRACTS WITH THE DEPARTMENT OR A LOCAL ADMINISTERING AGENCY TO
 29 PROVIDE SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

30 (B) (1) THE DEPARTMENT SHALL MAKE AVAILABLE TO:

1 (I) SERVICE PROVIDERS AND LOCAL ADMINISTERING AGENCIES
2 FOR SERVICE PROVIDERS A SUPPLY OF FEMININE HYGIENE PRODUCTS SUFFICIENT
3 TO MEET THE NEEDS OF FEMALE RESIDENTS IN SHELTERS; AND

4 (II) COUNTY BOARDS OF EDUCATION A SUPPLY OF FEMININE
5 HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS DURING THE NORMAL
6 SCHOOL YEAR OF FEMALE STUDENTS WHO ARE DETERMINED TO BE HOMELESS
7 CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS
8 ASSISTANCE ACT.

9 (2) THE FEMININE HYGIENE PRODUCTS PROVIDED UNDER
10 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE AVAILABLE FREE TO:

11 (I) SERVICE PROVIDERS, LOCAL ADMINISTERING AGENCIES
12 FOR SERVICE PROVIDERS, AND FEMALE RESIDENTS IN SHELTERS; AND

13 (II) COUNTY BOARDS OF EDUCATION AND QUALIFYING FEMALE
14 STUDENTS IN SCHOOLS.

15 (C) EACH COUNTY BOARD OF EDUCATION, THROUGH SCHOOL NURSES,
16 SHALL MAKE AVAILABLE TO FEMALE STUDENTS WHO ARE DETERMINED TO BE
17 HOMELESS CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO
18 HOMELESS ASSISTANCE ACT A FREE SUPPLY OF FEMININE HYGIENE PRODUCTS, AS
19 PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

20 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
21 effect on the taking effect of Chapter (H.B. 134) of the Acts of the General Assembly of
22 2017. If Chapter (H.B. 134) does not take effect, Section 2 of this Act shall be null and
23 void without the necessity of further action by the General Assembly. If Section 2 of this Act
24 takes effect, Section 1 shall be null and void without the necessity of further action by the
25 General Assembly.

26 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of
27 Section 3 of this Act, this Act shall take effect July 1, 2017.