

Chapter 642

(Senate Bill 625)

AN ACT concerning

Public Schools and Shelters – Homeless Girls and Women – Feminine Hygiene Products

FOR the purpose of requiring *the Department of Human Resources to make available to certain service providers, local administering agencies for certain service providers, and county boards of education certain supplies of feminine hygiene products for female residents in shelters and certain homeless female students; requiring, alternatively, if a certain contingency is met, the Department of Housing and Community Development to make available to certain service providers, local administering agencies for certain service providers, and county boards of education certain supplies of feminine hygiene products for female residents in shelters and certain homeless female students; requiring certain feminine hygiene products to be made available free to certain entities and individuals; requiring* each county board of education to make available to certain homeless female students a certain supply of feminine hygiene products in a certain manner ~~during a certain year; authorizing funds provided by the Department of Human Resources to local administering agencies for certain service providers and to certain service providers for a certain purpose to be used to purchase a certain supply of feminine hygiene products for a certain purpose; providing that certain feminine hygiene products be made available free to certain female residents in shelters;~~ defining certain terms; *making certain provisions of this Act subject to certain contingencies;* and generally relating to feminine hygiene products for homeless girls and women.

~~BY adding to~~~~Article – Education~~~~Section 7-440~~~~Annotated Code of Maryland~~~~(2014 Replacement Volume and 2016 Supplement)~~

BY adding to

Article – Human Services

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

Annotated Code of Maryland

(2007 Volume and 2016 Supplement)

BY adding toArticle – Housing and Community DevelopmentSection 4-2301 to be under the new subtitle “Subtitle 23. Homeless Women and Youth
– Feminine Hygiene Products”Annotated Code of Maryland

(2006 Volume and 2016 Supplement)

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

~~Article – Education~~

~~7-440.~~

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

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

Article – Human Services

6-439. RESERVED.

6-440. RESERVED.

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

6-441.

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

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

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

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

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

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

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

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

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

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

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

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

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

Article – Housing and Community Development

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

4-2301.

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

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

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

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

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

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

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

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

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

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

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

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter 105 of the Acts of the General Assembly of 2017. If Chapter 105 does not take effect, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly. If Section 2 of this Act takes effect, Section 1 shall be null and void without the necessity of further action by the General Assembly.

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

Approved by the Governor, May 25, 2017.