

HOUSE BILL 797

E4

8lr1869
CF SB 598

By: **Delegates Queen, Dumais, Ali, Anderson, Angel, Atterbeary, Barkley, Barron, Carozza, Carr, Clippinger, Cullison, Davis, Fennell, Fraser-Hidalgo, Frick, Gibson, Gilchrist, Gutierrez, Hayes, Hettleman, Hill, Hixson, Holmes, Jalisi, Kaiser, Kelly, Kittleman, Korman, Kramer, Krimm, Lam, J. Lewis, R. Lewis, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena-Melnyk, Platt, Rey, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Tarlau, Turner, Valderrama, Valentino-Smith, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, West, Wilkins, Wilson, K. Young, and P. Young**

Introduced and read first time: February 1, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Inmates – Menstrual Hygiene Products**

3 FOR the purpose of requiring each local correctional facility and each correctional facility
4 in the Division of Correction to have a written policy and procedure in place requiring
5 menstrual hygiene products to be provided at no cost to a certain inmate at certain
6 times; requiring the managing official of a correctional facility to ensure that the
7 correctional facility has a sufficient supply of menstrual hygiene products to meet
8 the needs of the inmate population at all times; requiring the Maryland Commission
9 on Correctional Standards to establish standards regarding the proper disposal of
10 menstrual hygiene products; requiring each correctional facility to maintain records
11 on the provision and availability of menstrual hygiene products to inmates; requiring
12 the Commission to review each correctional facility's policy records relating to
13 menstrual hygiene products at certain times; defining certain terms; and generally
14 relating to menstrual hygiene products for inmates.

15 BY adding to
16 Article – Correctional Services
17 Section 9–616
18 Annotated Code of Maryland
19 (2017 Replacement Volume)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Correctional Services

2 9-616.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.5 (2) “COMMISSION” MEANS THE MARYLAND COMMISSION ON
6 CORRECTIONAL STANDARDS.7 (3) “MENSTRUAL HYGIENE PRODUCTS” INCLUDES TAMPONS AND
8 SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.9 (B) THIS SECTION APPLIES TO LOCAL CORRECTIONAL FACILITIES AND
10 CORRECTIONAL FACILITIES IN THE DIVISION OF CORRECTION.11 (C) (1) EACH CORRECTIONAL FACILITY SHALL HAVE A WRITTEN POLICY
12 AND PROCEDURE IN PLACE REQUIRING MENSTRUAL HYGIENE PRODUCTS TO BE
13 PROVIDED AT NO COST TO A FEMALE INMATE ON:

14 (I) ADMISSION TO THE FACILITY;

15 (II) A ROUTINE BASIS; AND

16 (III) REQUEST.

17 (2) THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY SHALL
18 ENSURE THAT THE FACILITY HAS A SUFFICIENT SUPPLY OF MENSTRUAL HYGIENE
19 PRODUCTS AVAILABLE TO MEET THE NEEDS OF THE INMATE POPULATION AT ALL
20 TIMES.21 (D) THE COMMISSION SHALL ESTABLISH STANDARDS REGARDING THE
22 PROPER DISPOSAL OF MENSTRUAL HYGIENE PRODUCTS.23 (E) EACH CORRECTIONAL FACILITY SHALL MAINTAIN RECORDS ON THE
24 PROVISION AND AVAILABILITY OF MENSTRUAL HYGIENE PRODUCTS TO INMATES.25 (F) THE COMMISSION SHALL REVIEW EACH CORRECTIONAL FACILITY’S
26 POLICY AND RECORDS RELATING TO MENSTRUAL HYGIENE PRODUCTS DURING
27 REGULAR INSPECTIONS.28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2018.