

HOUSE BILL 757

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By: **Delegate Bagnall**

Introduced and read first time: January 29, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Local Health Departments and Community Action Agencies – Feminine Hygiene**
3 **Products**

4 FOR the purpose of requiring local health departments and community action agencies to
5 make available to certain women feminine hygiene products in a certain amount;
6 prohibiting local health departments and community action agencies from requiring
7 payment for certain feminine hygiene products; defining a certain term; and
8 generally relating to local health departments and community action agencies and
9 feminine hygiene products.

10 BY adding to

11 Article – Health – General

12 Section 3–501 to be under the new subtitle “Subtitle 5. Feminine Hygiene Products
13 in Local Health Departments”

14 Annotated Code of Maryland

15 (2019 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Housing and Community Development

18 Section 8–107

19 Annotated Code of Maryland

20 (2019 Replacement Volume and 2020 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That the Laws of Maryland read as follows:

23 **Article – Health – General**

24 **SUBTITLE 5. FEMININE HYGIENE PRODUCTS IN LOCAL HEALTH DEPARTMENTS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-501.**

2 (A) IN THIS SECTION, "FEMININE HYGIENE PRODUCTS" MEANS TAMPONS
3 AND SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.

4 (B) A LOCAL HEALTH DEPARTMENT SHALL MAKE AVAILABLE AT THE LOCAL
5 HEALTH DEPARTMENT FEMININE HYGIENE PRODUCTS:

6 (1) TO ANY WOMAN WHO IS ENROLLED IN THE MARYLAND MEDICAL
7 ASSISTANCE PROGRAM; AND

8 (2) IN AN AMOUNT SUFFICIENT TO MEET THE NEEDS OF THE WOMAN
9 OBTAINING THE FEMININE HYGIENE PRODUCTS.

10 (C) A LOCAL HEALTH DEPARTMENT MAY NOT REQUIRE PAYMENT FOR THE
11 FEMININE HYGIENE PRODUCTS MADE AVAILABLE UNDER SUBSECTION (B) OF THIS
12 SECTION.

13 **Article – Housing and Community Development**

14 8-107.

15 (a) A community action agency shall plan systematically for an effective
16 community action program, and in doing so shall:

17 (1) evaluate information on the causes and problems of poverty in the
18 community;

19 (2) assess the use and impact of current financial assistance; and

20 (3) establish priorities among projects, activities, and target areas to
21 achieve the best and most efficient use of resources.

22 (b) A community action agency shall:

23 (1) encourage subsidiary boards, councils, and agencies engaged in projects
24 related to a community action program to plan for, secure, and administer available
25 financial assistance on a cooperative basis; and

26 (2) provide technical and organizational assistance to the subsidiary
27 boards, councils, and agencies.

28 (c) A community action agency shall actively supplement local efforts to combat
29 poverty by:

30 (1) focusing resources on the most needy;

1 (2) providing employment opportunities for low-income persons;

2 (3) closing service gaps; and

3 (4) enabling low-income persons to participate in community action
4 programs and projects.

5 (d) A community action agency shall initiate and sponsor community projects to
6 help meet the needs of low-income persons with particular emphasis on:

7 (1) establishing a pool of resources to serve a variety of community action
8 programs;

9 (2) developing versatile approaches and services; and

10 (3) implementing stopgap measures pending the expansion or modification
11 of community action programs.

12 (e) A community action agency shall:

13 (1) establish procedures for community residents to:

14 (i) influence the character of their community action programs; and

15 (ii) participate regularly in implementing those programs; and

16 (2) provide the necessary technical and advisory support to enable
17 low-income persons and community groups to secure public and private financial
18 assistance for themselves.

19 (f) A community action agency shall join with and encourage business, labor, and
20 other private or public officials and organizations to support community action programs
21 that:

22 (1) use private resources and capabilities for new employment
23 opportunities;

24 (2) stimulate investments that measurably reduce poverty in areas of
25 concentrated poverty; and

26 (3) provide residents in those areas with methods to work with private
27 organizations, firms, and institutions to seek solutions to problems of common concern.

28 **(G) (1) A COMMUNITY ACTION AGENCY SHALL MAKE AVAILABLE AT THE**
29 **AGENCY FEMININE HYGIENE PRODUCTS, AS DEFINED IN § 4-2401 OF THIS ARTICLE,**

1 IN AN AMOUNT SUFFICIENT TO MEET THE NEEDS OF THE WOMAN OBTAINING THE
2 FEMININE HYGIENE PRODUCTS.

3 **(2)** A COMMUNITY ACTION AGENCY MAY NOT REQUIRE PAYMENT FOR
4 THE FEMININE HYGIENE PRODUCTS MADE AVAILABLE UNDER PARAGRAPH (1) OF
5 THIS SUBSECTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2021.