

SENATE BILL 598

E4

8lr1904
CF HB 797

By: **Senators Lee, Kelley, Astle, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Muse, Nathan-Pulliam, Norman, Peters, Pinsky, Ramirez, Ready, Robinson, Rosapepe, Salling, Smith, Young, ~~and Zucker~~ Zucker, Zirkin, and Cassilly**

Introduced and read first time: January 31, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2018

CHAPTER _____

1 AN ACT concerning

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

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

17 BY adding to
18 Article – Correctional Services
19 Section 4-214 and 9-616
20 Annotated Code of Maryland

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.



(2017 Replacement Volume)

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

Article – Correctional Services

4-214.

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

(2) “COMMISSION” MEANS THE MARYLAND COMMISSION OF CORRECTIONAL STANDARDS.

(3) “MENSTRUAL HYGIENE PRODUCTS” INCLUDES TAMPONS AND SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.

(B) (1) THE INSTITUTION SHALL HAVE A WRITTEN POLICY AND PROCEDURE IN PLACE REQUIRING MENSTRUAL HYGIENE PRODUCTS TO BE PROVIDED AT NO COST TO A FEMALE INMATE ON:

(I) ADMISSION TO THE FACILITY;

(II) A ROUTINE BASIS; AND

(III) REQUEST.

(2) THE DIRECTOR SHALL ENSURE THAT THE INSTITUTION HAS A SUFFICIENT SUPPLY OF MENSTRUAL HYGIENE PRODUCTS AVAILABLE TO MEET THE NEEDS OF THE INMATE POPULATION AT ALL TIMES.

(C) THE COMMISSION SHALL ESTABLISH STANDARDS REGARDING THE PROPER DISPOSAL OF MENSTRUAL HYGIENE PRODUCTS.

(D) THE INSTITUTION SHALL MAINTAIN RECORDS ON THE PROVISIONS AND AVAILABILITY OF MENSTRUAL HYGIENE PRODUCTS TO INMATES.

(E) THE COMMISSION SHALL REVIEW THE INSTITUTION’S POLICY AND RECORDS RELATING TO MENSTRUAL HYGIENE PRODUCTS DURING REGULAR INSPECTIONS.

9-616.

1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
2 **INDICATED.**

3 **(2) “COMMISSION” MEANS THE MARYLAND COMMISSION ON**
4 **CORRECTIONAL STANDARDS.**

5 **(3) “MENSTRUAL HYGIENE PRODUCTS” INCLUDES TAMPONS AND**
6 **SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.**

7 **(B) THIS SECTION APPLIES TO LOCAL CORRECTIONAL FACILITIES AND**
8 **CORRECTIONAL FACILITIES IN THE DIVISION OF CORRECTION.**

9 **(C) (1) EACH CORRECTIONAL FACILITY SHALL HAVE A WRITTEN POLICY**
10 **AND PROCEDURE IN PLACE REQUIRING MENSTRUAL HYGIENE PRODUCTS TO BE**
11 **PROVIDED AT NO COST TO A FEMALE INMATE ON:**

12 **(I) ADMISSION TO THE FACILITY;**

13 **(II) A ROUTINE BASIS; AND**

14 **(III) REQUEST.**

15 **(2) THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY SHALL**
16 **ENSURE THAT THE FACILITY HAS A SUFFICIENT SUPPLY OF MENSTRUAL HYGIENE**
17 **PRODUCTS AVAILABLE TO MEET THE NEEDS OF THE INMATE POPULATION AT ALL**
18 **TIMES.**

19 **(D) THE COMMISSION SHALL ESTABLISH STANDARDS REGARDING THE**
20 **PROPER DISPOSAL OF MENSTRUAL HYGIENE PRODUCTS.**

21 **(E) EACH CORRECTIONAL FACILITY SHALL MAINTAIN RECORDS ON THE**
22 **PROVISION AND AVAILABILITY OF MENSTRUAL HYGIENE PRODUCTS TO INMATES.**

23 **(F) THE COMMISSION SHALL REVIEW EACH CORRECTIONAL FACILITY’S**
24 **POLICY AND RECORDS RELATING TO MENSTRUAL HYGIENE PRODUCTS DURING**
25 **REGULAR INSPECTIONS.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2018.