

Chapter 725

(House Bill 588)

AN ACT concerning

Local Health Departments and Community Action Agencies - Provision of Feminine Hygiene Products

FOR the purpose of requiring ~~local health departments and~~ certain community action agencies, in collaboration with appropriate local health departments, to make available to certain women feminine hygiene products in a certain amount, subject to the availability of certain funding; and generally relating to ~~local health departments and~~ community action agencies and feminine hygiene products.

BY adding to

Article - ~~Health - General~~ Housing and Community Development

Section ~~3-501 to be under the new subtitle "Subtitle 5. Feminine Hygiene Products in Local Health Departments"~~ 8-107.1

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article - Housing and Community Development~~

~~Section 8-107~~

~~Annotated Code of Maryland~~

~~(2019 Replacement Volume and 2021 Supplement)~~

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

~~Article - Health - General~~

~~SUBTITLE 5. FEMININE HYGIENE PRODUCTS IN LOCAL HEALTH DEPARTMENTS.~~

~~3-501.~~

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

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

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

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

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

~~(D) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FUNDING IN AN AMOUNT ESTIMATED TO BE SUFFICIENT FOR PROVIDING FEMININE HYGIENE PRODUCTS AS REQUIRED UNDER THIS SECTION.~~

Article – Housing and Community Development

~~§ 107.~~

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

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

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

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

~~(b) A community action agency shall:~~

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

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

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

~~(1) focusing resources on the most needy;~~

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

~~(3) closing service gaps; and~~

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

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

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

~~(2) developing versatile approaches and services; and~~

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

~~(e) A community action agency shall:~~

~~(1) establish procedures for community residents to:~~

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

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

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

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

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

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

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

8-107.1.

(G) (1) (A) A COMMUNITY ACTION AGENCY SUBJECT TO THE APPROPRIATION OF FUNDING IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, DURING FISCAL YEARS 2024, 2025, AND 2026, SOUTHERN MARYLAND TRI-COUNTY COMMUNITY ACTION COMMITTEE, INC., UNITED COMMUNITIES AGAINST POVERTY, INC., AND COMMUNITY ASSISTANCE NETWORK, INC., IN

COLLABORATION WITH THE APPROPRIATE LOCAL HEALTH DEPARTMENT, SHALL MAKE AVAILABLE AT THE AGENCY FEMININE HYGIENE PRODUCTS, AS DEFINED IN § 4-2401 OF THIS ARTICLE, IN AN AMOUNT SUFFICIENT TO MEET THE NEEDS OF THE WOMAN OBTAINING THE FEMININE HYGIENE PRODUCTS.

~~(2)~~ (B) ~~A COMMUNITY ACTION AGENCY~~ SOUTHERN MARYLAND TRI-COUNTY COMMUNITY ACTION COMMITTEE, INC., UNITED COMMUNITIES AGAINST POVERTY, INC., AND COMMUNITY ASSISTANCE NETWORK, INC. MAY NOT REQUIRE PAYMENT FOR THE FEMININE HYGIENE PRODUCTS MADE AVAILABLE UNDER ~~PARAGRAPH (1)~~ SUBSECTION (A) OF THIS SUBSECTION SECTION.

~~(3)~~ (C) ~~THE~~ FOR FISCAL YEARS 2024, 2025, AND 2026, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FUNDING IN AN AMOUNT ESTIMATED TO BE SUFFICIENT FOR PROVIDING FEMININE HYGIENE PRODUCTS AS REQUIRED UNDER THIS SUBSECTION.

(D) ON OR BEFORE DECEMBER 1, 2026, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THIS SECTION AND ANY FINDINGS AND RECOMMENDATIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022. It shall remain effective for a period of 5 years and, at the end of September 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.