

HOUSE BILL 891

E5

6lr2696

By: **Delegate Conaway**

Introduced and read first time: February 4, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Incarcerated Individuals – Menstrual Hygiene**

3 FOR the purpose of requiring the Patuxent Institution and each State and local correctional
4 facility to maintain records on instances of items damaged or destroyed due to visible
5 leakage of menstrual discharge under certain circumstances; prohibiting the
6 Patuxent Institution and each State and local correctional facility from subjecting
7 female incarcerated individuals to disciplinary measures for items damaged or
8 destroyed without malicious intent due to visible leakage of menstrual discharge;
9 and generally relating to incarcerated individuals and menstrual hygiene.

10 BY repealing and reenacting, with amendments,
11 Article – Correctional Services
12 Section 4–214 and 9–616
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

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

17 **Article – Correctional Services**

18 4–214.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) “Commission” means the Maryland Commission of Correctional
21 Standards.

22 (3) “Menstrual hygiene products” includes tampons and sanitary napkins
23 for use in connection with the menstrual cycle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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 incarcerated individual 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 incarcerated individual population at all times.

(c) The Commission shall establish standards regarding the proper disposal of menstrual hygiene products.

(d) (1) The Institution shall maintain records on the provisions and availability of menstrual hygiene products to incarcerated individuals.

(2) THE INSTITUTION SHALL MAINTAIN RECORDS ON THE INSTANCES OF ITEMS DAMAGED OR DESTROYED DUE TO VISIBLE LEAKAGE OF MENSTRUAL DISCHARGE FROM INCARCERATED INDIVIDUALS.

(e) The Commission shall review the Institution's policy and records relating to menstrual hygiene products during regular inspections.

(F) THE INSTITUTION MAY NOT SUBJECT A FEMALE INCARCERATED INDIVIDUAL TO DISCIPLINARY MEASURES FOR ITEMS DAMAGED OR DESTROYED WITHOUT MALICIOUS INTENT DUE TO THE VISIBLE LEAKAGE OF MENSTRUAL DISCHARGE.

9-616.

(a) (1) In this section the following words have the meanings indicated.

(2) "Commission" means the Maryland Commission on Correctional Standards.

(3) "Menstrual hygiene products" includes tampons and sanitary napkins for use in connection with the menstrual cycle.

(b) This section applies to local correctional facilities and correctional facilities in the Division of Correction.

1 (c) (1) Each correctional facility shall have a written policy and procedure in
2 place requiring menstrual hygiene products to be provided at no cost to a female
3 incarcerated individual on:

4 (i) admission to the facility;

5 (ii) a routine basis; and

6 (iii) request.

7 (2) The managing official of a correctional facility shall ensure that the
8 facility has a sufficient supply of menstrual hygiene products available to meet the needs
9 of the incarcerated individual population at all times.

10 (d) The Commission shall establish standards regarding the proper disposal of
11 menstrual hygiene products.

12 (e) (1) Each correctional facility shall maintain records on the provision and
13 availability of menstrual hygiene products to incarcerated individuals.

14 (2) EACH CORRECTIONAL FACILITY SHALL MAINTAIN RECORDS ON
15 THE INSTANCES OF ITEMS DAMAGED OR DESTROYED DUE TO VISIBLE LEAKAGE OF
16 MENSTRUAL DISCHARGE FROM INCARCERATED INDIVIDUALS.

17 (f) The Commission shall review each correctional facility's policy and records
18 relating to menstrual hygiene products during regular inspections.

19 (G) A CORRECTIONAL FACILITY MAY NOT SUBJECT A FEMALE
20 INCARCERATED INDIVIDUAL TO DISCIPLINARY MEASURES FOR ITEMS DAMAGED OR
21 DESTROYED WITHOUT MALICIOUS INTENT DUE TO THE VISIBLE LEAKAGE OF
22 MENSTRUAL DISCHARGE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2026.