



House of Representatives

General Assembly

File No. 468

February Session, 2022

Substitute House Bill No. 5272

House of Representatives, April 13, 2022

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING MENSTRUAL PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-69e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 Correctional staff at York Correctional Institution shall, upon request,
4 provide an inmate at the institution with [feminine hygiene] menstrual
5 products as soon as practicable. Correctional staff shall provide such
6 [feminine hygiene] menstrual products for free, [and] in a quantity that
7 is appropriate to the health care needs of the inmate and, on and after
8 September 1, 2022, in a manner that does not stigmatize any inmate
9 seeking such products, pursuant to guidelines established by the
10 Commissioner of Public Health under section 7 of this act. To carry out
11 the provisions of this section, the Department of Correction may (1)
12 accept donations of menstrual products and grants from any source for
13 the purpose of purchasing such products, and (2) partner with a
14 nonprofit or community-based organization. For purposes of this
15 section, ["feminine hygiene products"] "menstrual products" means
16 tampons and sanitary napkins.

17 Sec. 2. (NEW) (*Effective July 1, 2022*) On and after September 1, 2022,

18 each local and regional board of education shall provide free menstrual
19 products, as defined in section 18-69e of the general statutes, as
20 amended by this act, in restrooms that are accessible to students in each
21 school under the jurisdiction of such boards and in a manner that does
22 not stigmatize any student seeking such products, pursuant to
23 guidelines established by the Commissioner of Public Health under
24 section 7 of this act. To carry out the provisions of this section, the local
25 and regional boards of education may (1) accept donations of menstrual
26 products and grants from any source for the purpose of purchasing such
27 products, and (2) partner with a nonprofit or community-based
28 organization.

29 Sec. 3. (NEW) (*Effective July 1, 2022*) On and after September 1, 2022,
30 each public institution of higher education, as defined in section 10a-173
31 of the general statutes, shall provide free menstrual products, as defined
32 in section 18-69e of the general statutes, as amended by this act, in no
33 fewer than one designated and accessible central location on each
34 campus of the institution and in a manner that does not stigmatize any
35 student seeking such products, pursuant to guidelines established by
36 the Department of Public Health under section 7 of this act. Each public
37 institution of higher education shall post notice of such location on its
38 Internet web site. To carry out the provisions of this section, each public
39 institution of higher education may (1) accept donations of menstrual
40 products and grants from any source for the purpose of purchasing such
41 products, and (2) partner with a nonprofit or community-based
42 organization.

43 Sec. 4. Section 8-359a of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective July 1, 2022*):

45 (a) The Commissioner of Housing may, upon application of any
46 public or private organization or agency, make grants, within available
47 appropriations, to develop and maintain programs for homeless
48 individuals including programs for emergency shelter services,
49 transitional housing services, on-site social services for available
50 permanent housing and for the prevention of homelessness.

51 (b) Each shelter receiving a grant pursuant to this section (1) shall
52 provide decent, safe and sanitary shelter for residents of the shelter,
53 including, but not limited to, through the provision, on and after
54 September 1, 2022, of free menstrual products, as defined in section 18-
55 69e, as amended by this act, in each restroom of such shelter that is
56 accessible to its residents and in a manner that does not stigmatize any
57 resident seeking such products, pursuant to guidelines established by
58 the Commissioner of Public Health under section 7 of this act; (2) shall
59 not suspend or expel a resident without good cause; (3) shall, in the case
60 of a resident who is listed on the registry of sexual offenders maintained
61 pursuant to chapter 969, provide verification of such person's residence
62 at the shelter to a law enforcement officer upon the request of such
63 officer; and (4) shall provide a grievance procedure by which residents
64 can obtain review of grievances, including grievances concerning
65 suspension or expulsion from the shelter. No shelter serving homeless
66 families may admit a person who is listed on the registry of sexual
67 offenders maintained pursuant to chapter 969. The Commissioner of
68 Housing shall adopt regulations, in accordance with the provisions of
69 chapter 54, establishing (A) minimum standards for shelter grievance
70 procedures and rules concerning the suspension and expulsion of
71 shelter residents, and (B) standards for the review and approval of the
72 operating policies of shelters receiving a grant under this section. Shelter
73 operating policies shall establish a procedure for the release of
74 information concerning a resident who is listed on the registry of sexual
75 offenders maintained pursuant to chapter 969 to a law enforcement
76 officer in accordance with this subsection. To carry out the provisions of
77 subdivision (1) of this subsection, each shelter may (i) accept donations
78 of menstrual products and grants from any source for the purpose of
79 purchasing such products, and (ii) partner with a nonprofit or
80 community-based organization.

81 Sec. 5. (NEW) (*Effective July 1, 2022*) On and after September 1, 2022,
82 each emergency shelter operated by a domestic violence agency, as
83 defined in section 52-146k of the general statutes, shall provide free
84 menstrual products, as defined in section 18-69e of the general statutes,
85 as amended by this act, in each restroom of the shelter that is accessible

86 to its residents and in a manner that does not stigmatize any resident
 87 seeking such products, pursuant to guidelines established by the
 88 Commissioner of Public Health under section 7 of this act. To carry out
 89 the provisions of this section, each shelter may (1) accept donations of
 90 menstrual products and grants from any source for the purpose of
 91 purchasing such products, and (2) partner with a nonprofit or
 92 community-based organization.

93 Sec. 6. Subdivision (122) of section 12-412 of the 2022 supplement to
 94 the general statutes is repealed and the following is substituted in lieu
 95 thereof (*Effective from passage*):

96 (122) Sales of [feminine hygiene] menstrual products.

97 Sec. 7. (NEW) (*Effective from passage*) On or before July 1, 2022, the
 98 Commissioner of Public Health shall establish guidelines regarding the
 99 manner in which menstrual products may be provided pursuant to
 100 section 8-359a of the general statutes, as amended by this act, section 18-
 101 69e of the general statutes, as amended by this act, and sections 2, 3 and
 102 5 of this act, without stigmatizing the person who requests such
 103 products. The commissioner shall post such guidelines on the
 104 Department of Public Health's Internet web site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	18-69e
Sec. 2	<i>July 1, 2022</i>	New section
Sec. 3	<i>July 1, 2022</i>	New section
Sec. 4	<i>July 1, 2022</i>	8-359a
Sec. 5	<i>July 1, 2022</i>	New section
Sec. 6	<i>from passage</i>	12-412(122)
Sec. 7	<i>from passage</i>	New section

PH Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Board of Regents for Higher Education	Various - Cost	Less than 10,000	Less than 10,000
UConn; UConn Health Ctr.	Various - Cost	Minimal	Minimal

Note: Various=Various

Municipal Impact:

Municipalities	Effect	FY 23 \$	FY 24 \$
Local and Regional School Districts	STATE MANDATE ¹ - Cost	See Below	See Below

Explanation

The bill requires the distribution of free menstrual products in various settings, which results in annual costs to local and regional boards of education and to the higher education constituent units, beginning in FY 23.

Section 2 requires local and regional boards of education to offer free menstrual products, which results in annual costs beginning in FY 23. Most local and regional school districts currently offer free menstrual products through the nurse's office, with annual costs ranging from approximately \$250 to \$1,000. If local and regional school districts are required to install dispensers in restrooms, this would result

¹ State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

in additional costs. It is estimated that on average a dispenser costs between \$200-\$400. The overall cost to the districts would be dependent upon any additional product they would have to purchase and the number of total dispensers installed. If any donations or grants are available to meet the bill's requirements, the costs to the districts may be lower.

Section 3 requires each public college or university to offer free menstrual products at one location per campus, which results in annual costs to the constituent units beginning in FY 23. The costs to the University of Connecticut (UConn) and UConn Health Center are anticipated to be minimal, based on a temporary pilot at two UConn campuses. An annual cost of less than \$10,000 to the Board of Regents (BOR) across all institutions is expected, provided the bill's provisions are implemented through a dispenser method or a single location that is not a campus food pantry. Most of the 16 BOR institutions with student campuses currently offer free menstrual products in at least one such location, with annual costs at a few ranging from approximately \$250 to \$1,000. If any donations or grants are available to meet the bill's requirements, the costs to the constituent units may be lower.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5272

AN ACT CONCERNING MENSTRUAL PRODUCTS.

SUMMARY

This bill requires certain government agencies and public and private organizations to provide free menstrual products (i.e., tampons and sanitary napkins) to the individuals they serve without stigmatizing them. (The term "stigmatizing" is not defined in the bill.)

The bill requires the Department of Public Health (DPH) commissioner, by July 1, 2022, to (1) establish guidelines for the agencies and organizations on how to do this and (2) post the guidelines on the department's website.

It also specifically allows the Department of Correction DOC, local and regional boards of education, public institutions of higher education, and homeless and domestic violence shelters to (1) accept donations of menstrual products and grants from any source to purchase menstrual products and (2) partner with a nonprofit or community-based organization to carry out the bill's requirements.

The bill also makes a technical change by replacing the term "feminine hygiene" with the term "menstrual" throughout the statutes that address these products.

EFFECTIVE DATE: July 1, 2022, except the provisions on the DPH guidelines and the technical change are effective upon passage.

PROVISION OF FREE MENSTRUAL PRODUCTS

By September 1, 2022, the bill requires the following agencies and organizations to provide free menstrual products:

1. as is currently law, York Correctional Institution, to inmates

upon request;

2. local and regional boards of education, in restrooms that are accessible to students, beginning with the 2022-2023 school year;
3. public higher education institutions, in at least one designated and accessible central location on each campus and they must post notice of the location on their websites;
4. public or private homeless shelters that receive grants from the housing commissioner, in each restroom that is accessible to residents; and
5. domestic violence emergency shelters, in each restroom that is accessible to residents.

BACKGROUND

Related Bill

SB 2 (§§ 11-17), reported favorably by the Children's Committee, contains similar provisions.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 20 Nay 9 (03/25/2022)