

SB 209 - AS AMENDED BY THE SENATE

03/09/2023 0654s

2023 SESSION

23-1016

04/08

SENATE BILL

209

AN ACT

relative to providing menstrual hygiene products at no cost to individuals who biologically menstruate in state and county correctional facilities.

SPONSORS:

Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5; Sen. Chandley, Dist 11; Sen. Perkins Kwoka, Dist 21; Sen. D'Allesandro, Dist 20; Sen. Rosenwald, Dist 13; Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Rep. Simpson, Rock. 33; Rep. Read, Rock. 10; Rep. Harriott-Gathright, Hills. 10

COMMITTEE:

Executive Departments and Administration

ANALYSIS

This bill requires menstrual hygiene products to be provided at no cost to individuals in state and county correctional facilities who biologically menstruate.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to providing menstrual hygiene products at no cost to individuals who biologically menstruate in state and county correctional facilities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; County Departments of Correction; Care and Custody of Individuals Who
2 Biologically Menstruate. Amend RSA 30-B by inserting after section 26 the following new
3 subdivision:

Care and Custody of Individuals Who Biologically Menstruate

5 30-B:27 Provision of Menstrual Hygiene Products. The superintendent of each county
6 correctional facility shall provide sufficient menstrual hygiene products to individuals who are in the
7 custody of the county who biologically menstruate, at no cost to such persons. Sufficiency shall be
8 considered, at minimum, a combination of 20 standard issue menstrual hygiene products per
9 individual's menstrual cycle. An individual may request additional menstrual hygiene products
10 based exclusively on their cycle at no cost at the discretion of the superintendent. The number of
11 menstrual hygiene products kept in a cell shall not be excessive so as not to create safety or security
12 issues and shall only be used for the intended purpose. As used in this section, "menstrual hygiene
13 products" means tampons, menstrual pads, sanitary napkins, and pantiliner.

14 2 New Section; Care and Custody of Female Convicts; Provision of Menstrual Hygiene Products.
15 Amend RSA 622 by inserting after section 37 the following new section:

16 622:37-a Provision of Menstrual Hygiene Products. The superintendent of each county
17 correctional facility and any facility listed in RSA 169-B:14, I(c) or (e) shall provide sufficient
18 menstrual hygiene products to individuals who are in the custody of the state who biologically
19 menstruate, at no cost to such persons. Sufficiency shall be considered, at minimum, a combination
20 of 20 standard issue menstrual hygiene products per individual's menstrual cycle. An individual
21 may request additional menstrual hygiene products based exclusively on their cycle at no cost at the
22 discretion of the commissioner, or designee. The number of menstrual hygiene products kept in a
23 cell shall not be excessive so as not to create safety or security issues and shall only be used for the
24 intended purpose. As used in this section, "menstrual hygiene products" means tampons, menstrual
25 pads, sanitary napkins, and pantliners.

26 3 Effective Date. This act shall take effect August 1, 2023.