

HOUSE BILL 1067

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(7lr1479)

ENROLLED BILL

— Appropriations/Finance —

Introduced by **Delegates A. Miller, Dumais, Gutierrez, Morales, Queen, and K. Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Shelter Services for Homeless Women~~ Public Schools and Shelters – Homeless
3 Girls and Women – Feminine Hygiene Products

4 FOR the purpose of requiring the Department of Human Resources to make available to
5 certain service providers, local administering agencies for certain service providers
6 ~~and to certain service providers a certain supply of feminine hygiene products for a~~
7 ~~certain purpose; providing that certain feminine hygiene products be made available~~
8 ~~to certain entities and to female residents in shelters for free, and county boards of~~
9 education certain supplies of feminine hygiene products for female residents in
10 shelters and certain homeless female students; requiring, alternatively, if a certain
11 contingency is met, the Department of Housing and Community Development to make
12 available to certain service providers, local administering agencies for certain service
13 providers, and county boards of education certain supplies of feminine hygiene
14 products for female residents in shelters and certain homeless female students;

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.

Italics indicate opposite chamber/conference committee amendments.



1 requiring certain feminine hygiene products to be made available free to certain
 2 entities and individuals; requiring each county board of education to make available
 3 to certain homeless female students a certain supply of feminine hygiene products in
 4 a certain manner; defining certain terms; making certain provisions of this Act
 5 subject to certain contingencies; and generally relating to feminine hygiene products
 6 ~~and shelter services~~ for homeless girls and women.

7 BY adding to

8 Article – Human Services

9 Section 6–441 to be under the new part “Part V. Homeless Women and Youth –
 10 Feminine Hygiene Products”

11 Annotated Code of Maryland

12 (2007 Volume and 2016 Supplement)

13 BY adding to

14 Article – Housing and Community Development

15 Section 4–2301 to be under the new subtitle “Subtitle 23. Homeless Women and Youth
 16 – Feminine Hygiene Products”

17 Annotated Code of Maryland

18 (2006 Volume and 2016 Supplement)

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

21 **Article – Human Services**

22 **6–439. RESERVED.**

23 **6–440. RESERVED.**

24 **PART V. HOMELESS WOMEN AND YOUTH – FEMININE HYGIENE PRODUCTS.**

25 **6–441.**

26 **(A) (1) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**
 27 **INDICATED.**

28 **(2) “FEMININE HYGIENE PRODUCTS” MEANS TAMPONS AND**
 29 **SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.**

30 **(3) “LOCAL ADMINISTERING AGENCY” MEANS THE AGENCY**
 31 **DESIGNATED BY THE DEPARTMENT OR A LOCAL GOVERNMENT TO MANAGE THE**
 32 **PROGRAMS FOR TRANSITIONAL HOUSING SERVICES, INCLUDING THE HOMELESS**
 33 **WOMEN – CRISIS SHELTER HOME PROGRAM, AND TO PROVIDE A SERVICE**
 34 **DIRECTLY OR BY CONTRACT WITH A SERVICE PROVIDER.**

1 (4) "SERVICE PROVIDER" MEANS A PUBLIC OR PRIVATE NONPROFIT
 2 THAT CONTRACTS WITH THE DEPARTMENT OR A LOCAL ADMINISTERING AGENCY TO
 3 PROVIDE SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

4 (B) (1) THE DEPARTMENT SHALL MAKE AVAILABLE TO:

5 (I) SERVICE PROVIDERS AND LOCAL ADMINISTERING
 6 AGENCIES FOR SERVICE PROVIDERS AND TO SERVICE PROVIDERS A SUPPLY OF
 7 FEMININE HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS OF FEMALE
 8 RESIDENTS IN SHELTERS; AND

9 (II) COUNTY BOARDS OF EDUCATION A SUPPLY OF FEMININE
 10 HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS DURING THE NORMAL
 11 SCHOOL YEAR OF FEMALE STUDENTS WHO ARE DETERMINED TO BE HOMELESS
 12 CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS
 13 ASSISTANCE ACT.

14 (2) THE FEMININE HYGIENE PRODUCTS PROVIDED UNDER
 15 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE AVAILABLE FREE TO:

16 (I) SERVICE PROVIDERS, LOCAL ADMINISTERING AGENCIES
 17 FOR SERVICE PROVIDERS, TO SERVICE PROVIDERS, AND TO FEMALE RESIDENTS IN
 18 SHELTERS FOR FREE; AND

19 (II) COUNTY BOARDS OF EDUCATION AND QUALIFYING FEMALE
 20 STUDENTS IN SCHOOLS.

21 (C) EACH COUNTY BOARD OF EDUCATION, THROUGH SCHOOL NURSES,
 22 SHALL MAKE AVAILABLE TO FEMALE STUDENTS WHO ARE DETERMINED TO BE
 23 HOMELESS CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO
 24 HOMELESS ASSISTANCE ACT A FREE SUPPLY OF FEMININE HYGIENE PRODUCTS, AS
 25 PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

26 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
 27 ~~October 1, 2017.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 29 as follows:

30 Article – Housing and Community Development

31 SUBTITLE 23. HOMELESS WOMEN AND YOUTH – FEMININE HYGIENE PRODUCTS.

32 4-2301.

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

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

5 (3) “LOCAL ADMINISTERING AGENCY” MEANS THE AGENCY
6 DESIGNATED BY THE DEPARTMENT OR A LOCAL GOVERNMENT TO MANAGE THE
7 PROGRAMS FOR TRANSITIONAL HOUSING SERVICES, INCLUDING THE HOMELESS
8 WOMEN – CRISIS SHELTER HOME PROGRAM, AND TO PROVIDE A SERVICE DIRECTLY
9 OR BY CONTRACT WITH A SERVICE PROVIDER.

10 (4) “SERVICE PROVIDER” MEANS A PUBLIC OR PRIVATE NONPROFIT
11 THAT CONTRACTS WITH THE DEPARTMENT OR A LOCAL ADMINISTERING AGENCY TO
12 PROVIDE SHELTER SERVICES FOR HOMELESS INDIVIDUALS.

13 (B) (1) THE DEPARTMENT SHALL MAKE AVAILABLE TO:

14 (I) SERVICE PROVIDERS AND LOCAL ADMINISTERING AGENCIES
15 FOR SERVICE PROVIDERS A SUPPLY OF FEMININE HYGIENE PRODUCTS SUFFICIENT
16 TO MEET THE NEEDS OF FEMALE RESIDENTS IN SHELTERS; AND

17 (II) COUNTY BOARDS OF EDUCATION A SUPPLY OF FEMININE
18 HYGIENE PRODUCTS SUFFICIENT TO MEET THE NEEDS DURING THE NORMAL
19 SCHOOL YEAR OF FEMALE STUDENTS WHO ARE DETERMINED TO BE HOMELESS
20 CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO HOMELESS
21 ASSISTANCE ACT.

22 (2) THE FEMININE HYGIENE PRODUCTS PROVIDED UNDER
23 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE AVAILABLE FREE TO:

24 (I) SERVICE PROVIDERS, LOCAL ADMINISTERING AGENCIES
25 FOR SERVICE PROVIDERS, AND FEMALE RESIDENTS IN SHELTERS; AND

26 (II) COUNTY BOARDS OF EDUCATION AND QUALIFYING FEMALE
27 STUDENTS IN SCHOOLS.

28 (C) EACH COUNTY BOARD OF EDUCATION, THROUGH SCHOOL NURSES,
29 SHALL MAKE AVAILABLE TO FEMALE STUDENTS WHO ARE DETERMINED TO BE
30 HOMELESS CHILDREN OR YOUTH UNDER THE FEDERAL MCKINNEY-VENTO
31 HOMELESS ASSISTANCE ACT A FREE SUPPLY OF FEMININE HYGIENE PRODUCTS, AS
32 PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
2 effect on the taking effect of Chapter (H.B. 134) of the Acts of the General Assembly of
3 2017. If Chapter (H.B. 134) does not take effect, Section 2 of this Act shall be null and
4 void without the necessity of further action by the General Assembly. If Section 2 of this Act
5 takes effect, Section 1 shall be null and void without the necessity of further action by the
6 General Assembly.

7 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions of
8 Section 3 of this Act, this Act shall take effect July 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.