

SENATE No. 125

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a diaper benefits pilot program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/22/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/26/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/26/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/26/2021</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	<i>3/4/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/5/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/8/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/24/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/24/2021</i>

SENATE No. 125

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 125) of Joan B. Lovely, Christina A. Minicucci, Kay Khan, James J. O'Day and other members of the General Court for legislation to establish a diaper benefits pilot program. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 65 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing a diaper benefits pilot program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting, after section 2J, the following new section:-

3 Section 2K. (a) As used in this section, the following words shall have the following
4 meanings unless context clearly requires otherwise:

5 “Commissioner,” the commissioner of the department of public health.

6 “Department,” the department of public health.

7 “Fund,” the diaper benefits trust fund.

8 “Organization,” an entity, including but not limited to, that acts in whole or in part as a
9 diaper bank, diaper distribution organization, food bank or food pantry.

10 “Pilot program,” an organization or organizations receiving funds from the department to
11 provide diapers to low-income families with diaper-wearing infants and children. Organizations
12 may collaborate to maximize distribution in their respective regions.

13 (b) There shall be established and set up on the books of the commonwealth a fund to
14 address diaper insufficiency that shall be administered by the commissioner. The fund shall be
15 credited with: (i) revenue from appropriations or other money authorized by the general court
16 and specifically designated to the fund; (ii) interest earned on such revenues; and (iii) funds from
17 public and private sources such as gifts, grants and donations to further the pilot program.
18 Amounts credited to the fund shall not be subject to further appropriation, and any money
19 remaining in the fund at the end of the fiscal year shall not revert to the General Fund.

20 (c) The department shall distribute resources from the fund by issuing a request for
21 proposal through which an organization or organizations may apply. Funds received shall be
22 used for one or more of the following purposes: (i) acquiring diapers, (ii) storing diapers, (iii)
23 distributing diapers, (iv) organizing diaper drives, or (v) marketing the pilot program.

24 The department shall grant funds based on the demonstrated capacity and need of the
25 applicant. The department shall fund up to 12 applicants no more than 2 of which shall be from
26 the western region of the commonwealth; no more than 2 of which shall be from the central
27 region of the commonwealth; no more than 2 of which shall be from the eastern region of the
28 commonwealth; no more than 2 of which shall be from the southeastern region of the

29 commonwealth; no more than 2 of which shall be from Cape Cod or the Islands; and no more
30 than 2 of which shall be from the Merrimack valley.

31 Amounts received from private sources shall be approved by the commissioner of the
32 department and subject to review before being deposited in the fund to ensure that pledged funds
33 are not accompanied by conditions, explicit or implicit, on distributing diapers.

34 (d) Not later than one year after the implementation of each pilot program said
35 department shall provide a report to the joint committee on children, families and persons with
36 disabilities and to the house and senate committees on ways and means. The report shall include,
37 but not be limited to: (i) the number of children receiving diapers through the pilot program; (ii)
38 the number of households receiving diapers through the pilot program; (iii) the number of
39 diapers distributed through the pilot program to families in each region; (iv) an explanation of
40 the organization's distribution process and allocation determination; (v) the sources and the
41 amounts remaining in the fund; (vi) if and how the pilot program were able to leverage additional
42 support; (vii) the amounts distributed and the purpose of expenditures from the fund; and (viii)
43 the advisability of expanding the pilot program.