

SENATE No. 2481

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

SENATE, October 19, 2023.

The committee on Senate Ways and Means, to whom was referred the Senate Bill to increase access to disposable menstrual products (Senate, No. 1381),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2481).

For the committee,
Michael J. Rodrigues

SENATE No. 2481

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to increase access to disposable menstrual products.

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

1 SECTION 1. Chapter 23B of the General Laws is hereby amended by adding the
2 following section:-

3 Section 31. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Disposable menstrual products”, products used by a menstruating individual including,
6 but not limited to, sanitary napkins, tampons and underwear liners.

7 “Menstruating individual”, a person who menstruates.

8 (b) Any provider of temporary housing assistance, including, but not limited to, a family
9 shelter, a shelter for adults, a hotel used for emergency shelter, an emergency apartment, a
10 domestic violence shelter, a runaway and homeless youth shelter or a safe house for refugees,
11 shall provide disposable menstrual products at no cost to a menstruating individual. The

12 disposable menstrual products shall be made available in a readily accessible location and in a
13 manner that minimizes any stigmatization of the individual seeking such products.

14 SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after
15 section 3 the following section:-

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

18 “Disposable menstrual products”, products used by a menstruating individual including,
19 but not limited to, sanitary napkins, tampons and underwear liners.

20 “Menstruating individual”, a person who menstruates.

21 (b) Subject to appropriation, every primary and secondary school shall provide disposable
22 menstrual products to students at no cost. The disposable menstrual products shall be made
23 available in readily accessible locations, including, but not limited to, restrooms for menstruating
24 individuals and in a manner that minimizes any stigmatization of the individual seeking such
25 products.

26 (c) Annually, not later than March 1, the department shall report on, for the current fiscal
27 year and for anticipated spending in the next fiscal year: (i) the cost of providing disposable
28 menstrual products pursuant to this section; and (ii) any associated administrative costs of
29 providing disposable menstrual products. The report shall be sent to the clerks of the senate and
30 house of representatives, the joint committee on public health and the senate and house
31 committees on ways and means.

32 SECTION 3. Chapter 127 of the General Laws is hereby amended by adding the
33 following section:-

34 Section 172. (a) As used in this section, the following words shall have the following
35 meanings unless the context clearly requires otherwise:

36 “Administrator”, the keeper of a lockup facility under section 35 of chapter 40, the
37 superintendent of a correctional facility under chapter 125, a sheriff or special sheriff in charge
38 of a jail, house of correction or regional lockup facility under chapter 126, the colonel of state
39 police or any other official who oversees a facility used for the detention of persons arrested and
40 held in custody or serving a sentence.

41 “Disposable menstrual products”, products used by a menstruating individual including,
42 but not limited to, sanitary napkins, tampons and underwear liners.

43 “Menstruating individual”, a person who menstruates.

44 (b) The administrator shall provide disposable menstrual products to menstruating
45 individuals held or housed in the facility overseen by the administrator at no cost. The disposable
46 menstrual products shall be available in readily accessible locations and in a manner that
47 minimizes any stigmatization of the individual seeking such products.