

HOUSE BILL 588

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HB 757/21 – HGO

2lr0860

By: Delegates Bagnall, Bartlett, Boyce, Davis, Henson, D. Jones, Lehman, Ruth, and Terrasa Terrasa, Pendergrass, Pena-Melnyk, Belcastro, Bhandari, Carr, Cullison, Hill, Johnson, Kelly, Kerr, Landis, R. Lewis, Rosenberg, and K. Young

Introduced and read first time: January 31, 2022
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 7, 2022

CHAPTER _____

1 AN ACT concerning

2 ~~Local Health Departments and~~ Community Action Agencies – Provision of
3 Feminine Hygiene Products

4 FOR the purpose of requiring ~~local health departments and~~ certain community action
5 agencies, in collaboration with appropriate local health departments, to make
6 available to certain women feminine hygiene products in a certain amount, subject
7 to the availability of certain funding; and generally relating to ~~local health~~
8 ~~departments and~~ community action agencies and feminine hygiene products.

9 BY adding to

10 Article – ~~Health – General Housing and Community Development~~
11 Section ~~3–501~~ to be under the new subtitle “Subtitle 5. Feminine Hygiene Products
12 in Local Health Departments” 8–107.1
13 Annotated Code of Maryland
14 (2019 Replacement Volume and 2021 Supplement)

15 ~~BY repealing and reenacting, with amendments,~~
16 ~~Article – Housing and Community Development~~
17 ~~Section 8–107~~
18 ~~Annotated Code of Maryland~~
19 ~~(2019 Replacement Volume and 2021 Supplement)~~

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.



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

~~Article – Health – General~~

~~SUBTITLE 5. FEMININE HYGIENE PRODUCTS IN LOCAL HEALTH DEPARTMENTS.~~

~~§ 501.~~

~~(A) IN THIS SECTION, “FEMININE HYGIENE PRODUCTS” MEANS TAMPONS
AND SANITARY NAPKINS FOR USE IN CONNECTION WITH THE MENSTRUAL CYCLE.~~

~~(B) A LOCAL HEALTH DEPARTMENT SHALL MAKE AVAILABLE AT THE LOCAL
HEALTH DEPARTMENT FEMININE HYGIENE PRODUCTS:~~

~~(1) TO ANY WOMAN WHO IS ENROLLED IN THE MARYLAND MEDICAL
ASSISTANCE PROGRAM; AND~~

~~(2) IN AN AMOUNT SUFFICIENT TO MEET THE NEEDS OF THE WOMAN
OBTAINING THE FEMININE HYGIENE PRODUCTS.~~

~~(C) A LOCAL HEALTH DEPARTMENT MAY NOT REQUIRE PAYMENT FOR THE
FEMININE HYGIENE PRODUCTS MADE AVAILABLE UNDER SUBSECTION (B) OF THIS
SECTION.~~

~~(D) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL
FUNDING IN AN AMOUNT ESTIMATED TO BE SUFFICIENT FOR PROVIDING FEMININE
HYGIENE PRODUCTS AS REQUIRED UNDER THIS SECTION.~~

Article – Housing and Community Development

~~§ 107.~~

~~(a) A community action agency shall plan systematically for an effective
community action program, and in doing so shall:~~

~~(1) evaluate information on the causes and problems of poverty in the
community;~~

~~(2) assess the use and impact of current financial assistance; and~~

~~(3) establish priorities among projects, activities, and target areas to
achieve the best and most efficient use of resources.~~

~~(b) A community action agency shall:~~

1 ~~(1) encourage subsidiary boards, councils, and agencies engaged in projects~~
2 ~~related to a community action program to plan for, secure, and administer available~~
3 ~~financial assistance on a cooperative basis; and~~

4 ~~(2) provide technical and organizational assistance to the subsidiary~~
5 ~~boards, councils, and agencies.~~

6 ~~(e) A community action agency shall actively supplement local efforts to combat~~
7 ~~poverty by:~~

8 ~~(1) focusing resources on the most needy;~~

9 ~~(2) providing employment opportunities for low-income persons;~~

10 ~~(3) closing service gaps; and~~

11 ~~(4) enabling low-income persons to participate in community action~~
12 ~~programs and projects.~~

13 ~~(d) A community action agency shall initiate and sponsor community projects to~~
14 ~~help meet the needs of low-income persons with particular emphasis on:~~

15 ~~(1) establishing a pool of resources to serve a variety of community action~~
16 ~~programs;~~

17 ~~(2) developing versatile approaches and services; and~~

18 ~~(3) implementing stopgap measures pending the expansion or modification~~
19 ~~of community action programs.~~

20 ~~(e) A community action agency shall:~~

21 ~~(1) establish procedures for community residents to:~~

22 ~~(i) influence the character of their community action programs; and~~

23 ~~(ii) participate regularly in implementing those programs; and~~

24 ~~(2) provide the necessary technical and advisory support to enable~~
25 ~~low-income persons and community groups to secure public and private financial~~
26 ~~assistance for themselves.~~

27 ~~(f) A community action agency shall join with and encourage business, labor, and~~
28 ~~other private or public officials and organizations to support community action programs~~
29 ~~that:~~

1 ~~(1) use private resources and capabilities for new employment~~
 2 ~~opportunities;~~

3 ~~(2) stimulate investments that measurably reduce poverty in areas of~~
 4 ~~concentrated poverty; and~~

5 ~~(3) provide residents in those areas with methods to work with private~~
 6 ~~organizations, firms, and institutions to seek solutions to problems of common concern.~~

7 8-107.1.

8 ~~(C) (1) (A) A COMMUNITY ACTION AGENCY~~ SUBJECT TO THE
 9 APPROPRIATION OF FUNDING IN ACCORDANCE WITH SUBSECTION (C) OF THIS
 10 SECTION, DURING FISCAL YEARS 2024, 2025, AND 2026, SOUTHERN MARYLAND
 11 TRI-COUNTY COMMUNITY ACTION COMMITTEE, INC., UNITED COMMUNITIES
 12 AGAINST POVERTY, INC., AND COMMUNITY ASSISTANCE NETWORK, INC., IN
 13 COLLABORATION WITH THE APPROPRIATE LOCAL HEALTH DEPARTMENT, SHALL
 14 MAKE AVAILABLE AT THE AGENCY FEMININE HYGIENE PRODUCTS, AS DEFINED IN §
 15 4-2401 OF THIS ARTICLE, IN AN AMOUNT SUFFICIENT TO MEET THE NEEDS OF THE
 16 WOMAN OBTAINING THE FEMININE HYGIENE PRODUCTS.

17 ~~(2) (B) A COMMUNITY ACTION AGENCY~~ SOUTHERN MARYLAND
 18 TRI-COUNTY COMMUNITY ACTION COMMITTEE, INC., UNITED COMMUNITIES
 19 AGAINST POVERTY, INC., AND COMMUNITY ASSISTANCE NETWORK, INC. MAY NOT
 20 REQUIRE PAYMENT FOR THE FEMININE HYGIENE PRODUCTS MADE AVAILABLE
 21 UNDER ~~PARAGRAPH (1)~~ SUBSECTION (A) OF THIS ~~SUBSECTION~~ SECTION.

22 ~~(3) (C) THE~~ FOR FISCAL YEARS 2024, 2025, AND 2026, THE
 23 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FUNDING IN AN AMOUNT
 24 ESTIMATED TO BE SUFFICIENT FOR PROVIDING FEMININE HYGIENE PRODUCTS AS
 25 REQUIRED UNDER THIS SUBSECTION.

26 (D) ON OR BEFORE DECEMBER 1, 2026, THE DEPARTMENT SHALL REPORT
 27 TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE
 28 GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THIS SECTION AND ANY
 29 FINDINGS AND RECOMMENDATIONS.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 31 October 1, 2022. It shall remain effective for a period of 5 years and, at the end of September
 32 30, 2027, this Act, with no further action required by the General Assembly, shall be
 33 abrogated and of no further force and effect.