

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 588

(Delegate Bagnall, *et al.*)

Health and Government Operations

Finance and Budget and Taxation

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**Community Action Agencies - Provision of Feminine Hygiene Products**

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This bill requires, in collaboration with the appropriate local health department (LHD), three community action agencies (CAAs) – the Southern Maryland Tri-County Community Action Committee, Inc., United Communities Against Poverty, Inc., and the Community Assistance Network, Inc. – to make feminine hygiene products available, at no cost, in an amount sufficient to meet the needs of the woman obtaining the products. Subject to the appropriation of funding, this requirement applies only in fiscal 2024 through 2026. In those years, the Governor must include in the annual budget bill an amount estimated to be sufficient for providing feminine hygiene products as required under the bill. By December 1, 2026, the Department of Housing and Community Development (DHCD) must report to the General Assembly on the implementation of the bill and any findings and recommendations. **The bill terminates September 30, 2027.**

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**Fiscal Summary**

**State Effect:** DHCD can submit the required report using existing budgeted resources. DHCD general fund expenditures increase by an indeterminate amount in FY 2024 through 2026 to the extent the Governor provides funding for the bill. Revenues are not affected.

**Local Effect:** Although LHDs must collaborate with CAAs, local finances are not materially impacted.

**Small Business Effect:** None.

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## Analysis

### Current Law:

#### *Community Action Agencies*

A CAA is defined as (1) a governmental unit in a political subdivision; (2) a governmental unit created by a combination of political subdivisions; (3) an agency designated as a CAA under federal law; or (4) a private, nonprofit organization that meets requirements for designation. A CAA must (1) encourage subsidiary boards, councils, and agencies engaged in projects related to a community action program to plan for, secure, and administer available financial assistance on a cooperative basis; (2) provide technical and organizational assistance; (3) actively supplement local efforts to combat poverty, as specified; (4) initiate and sponsor community projects to help meet the needs of low-income persons with emphasis on specified elements; (5) establish procedures for community residents to influence the character of their community action programs and participate regularly in implementing those programs; (6) provide the necessary technical and advisory support to enable low-income persons and community groups to secure public and private financial assistance for themselves; and (7) join with and encourage business, labor, and other private or public officials and organizations to support specified community action programs.

A total of 17 CAAs provide services in all 23 Maryland counties and Baltimore City. DHCD is authorized to provide financial assistance to CAAs in accordance with distribution standards set by the federal government. Primarily through CAAs, the federal Community Services Block Grant (CSBG) provides a range of direct services designed to assist low-income individuals and families to attain the skills, knowledge, and motivation needed to achieve self-sufficiency. CAAs allocate CSBG funding based on identified community needs.

#### *Feminine Hygiene Products for Homeless Women, Children, and Youth*

Chapters 641 and 642 of 2017 require DHCD to make available a supply of feminine hygiene products sufficient to meet the needs of (1) female residents in homeless shelters and (2) qualifying female students in schools who are determined to be homeless children or youth. The feminine hygiene products must be made available for free to service providers, local administering agencies for service providers, and female residents in shelters. DHCD must also make available to local boards of education a free supply of feminine hygiene products sufficient to meet the needs during the normal school year of female students who are determined to be homeless children or youth under the federal McKinney-Vento Homeless Assistance Act. Each local board of education, through school nurses, must make the products available to qualifying female students in schools.

**State Expenditures:** Although the bill specifies that, in fiscal 2024 through 2026, the Governor must include in the annual budget bill funding in an amount estimated to be sufficient for providing feminine hygiene products as required, the bill’s language does not meet the requirements necessary to establish a mandated appropriation. Generally, any legislation mandating funding of a program must include either an exact dollar figure or a funding formula that makes it possible to compute the level of funding required.

To the extent the Governor provides discretionary funding for the bill, general fund expenditures increase by an indeterminate amount in fiscal 2024 through 2026, presumably to be issued as grants from DHCD to the three CAAs specified under the bill.

**Additional Comments:** The Southern Maryland Tri-County Community Action Committee, Inc. is a nonprofit CAA serving residents of Calvert, Charles, and St. Mary’s counties. United Communities Against Poverty, Inc. is a nonprofit CAA serving Prince George’s County. The Community Assistance Network, Inc. is a nonprofit CAA serving Baltimore County.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Association of County Health Officers; Maryland Department of Health; Department of Housing and Community Development; Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2022  
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