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## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Humphrey

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### SUMMARY

- Requires county and municipal correctional facilities and state correctional institutions to provide inmates experiencing a menstrual cycle with an adequate supply of feminine hygiene products at no cost to the inmates.
- Requires county and municipal correctional facilities and state correctional institutions to have a policy that allows access to feminine hygiene products while providing sanitary disposal methods.
- Requires county and municipal correctional facilities and state correctional institutions to provide a designated area with containers for disposal of feminine hygiene products.
- Prohibits county and municipal correctional facilities or state correctional institutions from denying inmates the use of showering or bathing facilities while experiencing menstruation.

### DETAILED ANALYSIS

#### Providing feminine hygiene products

The bill requires that each county and municipal correctional facility and state correctional institution provide inmates experiencing a menstrual cycle an adequate supply based on individualized need, in perpetuity and without reprimand, of feminine hygiene products in a variety of sizes at no cost to the inmates.<sup>1</sup> The bill defines “county correctional facility,” “municipal correctional facility,” “state correctional institution,” and “feminine hygiene products” for purposes of its provisions (see “**Definitions**” below).

<sup>1</sup> R.C. 341.261(B), 753.321(B), and 5120.631(B).

## Policy for access to and disposing of feminine hygiene products

The bill requires that each county and municipal correctional facility and state correctional institution have a written policy and procedure that protects inmates from being denied feminine hygiene products based on their race, sex, gender identity, income status, degree of charge, disability status, or any other discriminatory identity.<sup>2</sup> The policy must also establish proper methods for storing, administering, and disposing of feminine hygiene products and safe and sanitary procedures for hand washing and cleaning surfaces between restrooms and the designated areas for disposal bins.<sup>3</sup>

## Designated area for disposal and access to bathing facilities

The bill requires that each county and municipal correctional facility and state correctional institution provide a separate disposal container with a lid in a safe, designated area for inmates experiencing a menstrual cycle. The container's purpose would be to dispose of used, soiled, or damaged feminine hygiene products.<sup>4</sup> The bill also requires that each county and municipal correctional facility and state correctional institution must allow inmates experiencing menstruation the use of showering or bathing facilities regardless of whether the inmates are separated from the general population for degree of charge or disciplinary reasons.<sup>5</sup>

## Definitions

As used in the bill:

**“County correctional facility”** means a county jail, county workhouse, minimum security jail, joint city and county workhouse, municipal-county correctional center, multicounty-municipal correctional center, municipal-county jail or workhouse, or multicounty-municipal jail or workhouse.<sup>6</sup>

**“Municipal correctional facility”** means a municipal jail, municipal workhouse, minimum security jail, joint city and county workhouse, municipal-county correctional center, multicounty-municipal correctional center, municipal-county jail or workhouse, or multicounty-municipal jail or workhouse.<sup>7</sup>

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<sup>2</sup> R.C. 341.261(C)(1), 753.321(C)(1), and 5120.631(C)(1).

<sup>3</sup> R.C. 341.261(C)(2) and (3), 753.321(C)(2) and (3), and 5120.631(C)(2) and (3).

<sup>4</sup> R.C. 341.261(D), 753.321(D), and 5120.631(D).

<sup>5</sup> R.C. 341.261(E), 753.321(E), and 5120.631(E).

<sup>6</sup> R.C. 341.261(A)(1).

<sup>7</sup> R.C. 753.321(A)(2)

**“State correctional institution”** means any institution or facility that is operated by the department of rehabilitation and correction and that is used for the custody, care, or treatment of criminal, delinquent, or psychologically or psychiatrically disturbed offenders.<sup>8</sup>

**“Feminine hygiene products”** means tampons and sanitary napkins that are used for the menstrual cycle.<sup>9</sup>

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## HISTORY

Action	Date
Introduced	02-15-23

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<sup>8</sup> R.C. 5120.631(A)(2) and 2961.01, not in the bill.

<sup>9</sup> R.C. 341.261(A)(2), 753.321(A)(1), and 5120.631(A)(1).