SENATE DOCKET, NO. 1747 FILED ON: 2/18/2021

# 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: | |
|---|---|---|
| *Joan B. Lovely* | *Second Essex* | |
| *Christina A. Minicucci* | *14th Essex* | *2/22/2021* |
| *Kay Khan* | *11th Middlesex* | *2/26/2021* |
| *James J. O'Day* | *14th Worcester* | *2/26/2021* |
| *Steven G. Xiarhos* | *5th Barnstable* | *2/26/2021* |
| *Mark C. Montigny* | *Second Bristol and Plymouth* | *3/4/2021* |
| *Joanne M. Comerford* | *Hampshire, Franklin and Worcester* | *3/5/2021* |
| *Michael O. Moore* | *Second Worcester* | *3/8/2021* |
| *Elizabeth A. Malia* | *11th Suffolk* | *3/15/2021* |
| *Rebecca L. Rausch* | *Norfolk, Bristol and Middlesex* | *3/24/2021* |
| *Bruce E. Tarr* | *First Essex and Middlesex* | *3/24/2021* |
| *Julian Cyr* | *Cape and Islands* | *4/15/2021* |
| *Sal N. DiDomenico* | *Middlesex and Suffolk* | *7/26/2021* |
| *Adam J. Scanlon* | *14th Bristol* | *7/26/2021* |

SENATE DOCKET, NO. 1747 FILED ON: 2/18/2021

# 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:*

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

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

"Commissioner," the commissioner of the department of public health.

"Department," the department of public health.

"Fund," the diaper benefits trust fund.

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

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

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

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

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

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

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

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