

SENATE No. 2491

Senate, October 26, 2023 -- Text of the Senate Bill to increase access to disposable menstrual products (Senate, No. 2491) (being the text of Senate, No. 2481, printed as amended)

The Commonwealth of Massachusetts

**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) Every elementary and secondary public school shall provide disposable menstrual
22 products to students at no cost. The disposable menstrual products shall be made available in
23 readily accessible locations, including, but not limited to, restrooms for menstruating individuals
24 and in a manner that minimizes any stigmatization of the individual seeking such products.

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

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

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

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

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

38 “Menstruating individual”, a person who menstruates.

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