

As Passed by the House

135th General Assembly

Regular Session

2023-2024

Sub. H. B. No. 30

Representative Humphrey

Cosponsors: Representatives Russo, Jarrells, Brent, Grim, Weinstein, Forhan, Miller, A., Abdullahi, Brennan, Baker, Denson, Blackshear, Miranda, Upchurch, Liston, McNally, Brewer, Dell'Aquila, Demetriou, Dobos, Isaacsohn, John, Johnson, Lorenz, Manning, Miller, J., Mohamed, Piccolantonio, Sims, Skindell, Somani, Sweeney, Thomas, C., White, Whitted, Willis

A BILL

To enact sections 341.261, 753.321, and 5120.631 of
the Revised Code regarding inmates' access to
feminine hygiene products and showers by
municipal and county correctional facilities and
state correctional institutions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 341.261, 753.321, and 5120.631 of
the Revised Code be enacted to read as follows:

Sec. 341.261. (A) As used in this section:

(1) "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.

(2) "Emergency" includes any of the following:

<u>(a) Riots or inmate uprisings;</u>	15
<u>(b) Escapes or attempted escapes;</u>	16
<u>(c) Staff shortages or strikes;</u>	17
<u>(d) Outbreaks of contagious diseases;</u>	18
<u>(e) Incidents of suicide or self-harm;</u>	19
<u>(f) Gang-related violence or conflicts within the inmate population;</u>	20 21
<u>(g) Natural disasters;</u>	22
<u>(h) Hostage situations.</u>	23
<u>(3) "Female" means of or denoting the sex that can bear offspring or produce eggs and has XX chromosomes, distinguished biologically by the production of gametes or ova that can be fertilized by male gametes.</u>	24 25 26 27
<u>(4) "Feminine hygiene products" means tampons and sanitary napkins that are used for the menstrual cycle.</u>	28 29
<u>(B) Each county correctional facility housing female inmates shall provide inmates experiencing a menstrual cycle with 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.</u>	30 31 32 33 34
<u>(C) Each county correctional facility housing female inmates shall have a written policy and procedure in place that does all of the following:</u>	35 36 37
<u>(1) Protects inmates from the denial of feminine hygiene products based on race, sex, income status, degree of charge, disability status, or any other type of discriminatory identity;</u>	38 39 40

(2) Establishes proper methods of storing, administering, 41
and disposing of feminine hygiene products; 42

(3) Establishes sanitary and safe procedures for hand 43
washing and cleaning of surfaces between restrooms and the 44
designated area for disposal bins. 45

(D) Each county correctional facility housing female 46
inmates shall provide a separate disposal container with a lid 47
in a safe, designated area for use by inmates experiencing a 48
menstrual cycle within the facility to dispose of used, soiled, 49
or damaged feminine hygiene products. 50

(E) No county correctional facility housing female inmates 51
shall deny inmates access to feminine hygiene products. 52

(F) Except when the county correctional facility is 53
experiencing an emergency, each county correctional facility 54
housing female inmates shall provide inmates experiencing 55
menstruation a minimum of one shower per day with access to hot 56
water for washing, regardless of whether the inmates are 57
separated from the general population for disciplinary status. 58

Sec. 753.321. (A) As used in this section: 59

(1) "Emergency" has the same meaning as in section 341.261 60
of the Revised Code. 61

(2) "Female" means of or denoting the sex that can bear 62
offspring or produce eggs and has XX chromosomes, distinguished 63
biologically by the production of gametes or ova that can be 64
fertilized by male gametes. 65

(3) "Feminine hygiene products" means tampons and sanitary 66
napkins that are used for the menstrual cycle. 67

(4) "Municipal correctional facility" means a municipal 68

jail, municipal workhouse, minimum security jail, joint city and 69
county workhouse, municipal-county correctional center, 70
multicounty-municipal correctional center, municipal-county jail 71
or workhouse, or multicounty-municipal jail or workhouse. 72

(B) Each municipal correctional facility housing female 73
inmates shall provide inmates experiencing a menstrual cycle 74
with an adequate supply based on individualized need, in 75
perpetuity and without reprimand, of feminine hygiene products 76
in a variety of sizes at no cost to the inmates. 77

(C) Each municipal correctional facility housing female 78
inmates shall have a written policy and procedure in place that 79
does all of the following: 80

(1) Protects inmates from the denial of feminine hygiene 81
products based on race, sex, income status, degree of charge, 82
disability status, or any other type of discriminatory identity; 83

(2) Establishes proper methods of storing, administering, 84
and disposing of feminine hygiene products; 85

(3) Establishes sanitary and safe procedures for hand 86
washing and cleaning of surfaces between restrooms and the 87
designated area for disposal bins. 88

(D) Each municipal correctional facility housing female 89
inmates shall provide a separate disposal container with a lid 90
in a safe, designated area for use by inmates experiencing a 91
menstrual cycle within the facility to dispose of used, soiled, 92
or damaged feminine hygiene products. 93

(E) No municipal correctional facility housing female 94
inmates shall deny inmates access to feminine hygiene products. 95

(F) Except when the municipal correctional facility is 96

experiencing an emergency, each municipal correctional facility 97
housing female inmates shall provide inmates experiencing 98
menstruation a minimum of one shower per day with access to hot 99
water for washing, regardless of whether the inmates are 100
separated from the general population for disciplinary status. 101

Sec. 5120.631. (A) As used in this section: 102

(1) "Emergency" has the same meaning as in section 341.261 103
of the Revised Code. 104

(2) "Female" means of or denoting the sex that can bear 105
offspring or produce eggs and has XX chromosomes, distinguished 106
biologically by the production of gametes or ova that can be 107
fertilized by male gametes. 108

(3) "Feminine hygiene products" means tampons and sanitary 109
napkins that are used for the menstrual cycle. 110

(4) "State correctional institution" has the same meaning 111
as in section 2967.01 of the Revised Code. 112

(B) Each state correctional institution housing female 113
inmates shall provide inmates experiencing a menstrual cycle 114
with an adequate supply based on individualized need, in 115
perpetuity and without reprimand, of feminine hygiene products 116
in a variety of sizes at no cost to the inmates. 117

(C) Each state correctional institution housing female 118
inmates shall have a written policy and procedure in place that 119
does all of the following: 120

(1) Protects inmates from the denial of feminine hygiene 121
products based on race, sex, income status, degree of charge, 122
disability status, or any other type of discriminatory identity; 123

(2) Establishes proper methods of storing, administering, 124

<u>and disposing of feminine hygiene products;</u>	125
<u>(3) Establishes sanitary and safe procedures for hand</u>	126
<u>washing and cleaning of surfaces between restrooms and the</u>	127
<u>designated area for disposal bins.</u>	128
<u>(D) Each state correctional institution housing female</u>	129
<u>inmates shall provide a separate disposal container with a lid</u>	130
<u>in a safe, designated area for use by inmates experiencing a</u>	131
<u>menstrual cycle within the institution to dispose of used,</u>	132
<u>soiled, or damaged feminine hygiene products.</u>	133
<u>(E) No state correctional institution housing female</u>	134
<u>inmates shall deny inmates access to feminine hygiene products.</u>	135
<u>(F) Except when the state correctional institution is</u>	136
<u>experiencing an emergency, each state correctional institution</u>	137
<u>housing female inmates shall provide inmates experiencing</u>	138
<u>menstruation a minimum of one shower per day with access to hot</u>	139
<u>water for washing, regardless of whether the inmates are</u>	140
<u>separated from the general population for disciplinary status.</u>	141