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H.B. 29  
136<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Reps. Humphrey and John

Shalanda Plowden, Attorney

### SUMMARY

- Prohibits county and municipal correctional facilities and state correctional institutions housing female inmates from denying inmates access to feminine hygiene products, except when experiencing an emergency.
- Requires county and municipal correctional facilities and state correctional institutions housing female inmates 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 housing female inmates 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 housing female inmates to provide a designated area with containers for disposal of feminine hygiene products.
- Requires county and municipal correctional facilities and state correctional institutions housing female inmates to provide inmates experiencing menstruation a minimum of one shower per day with access to hot water for washing, except when experiencing an emergency.

### DETAILED ANALYSIS

#### Providing feminine hygiene products

The bill requires that each county and municipal correctional facility and state correctional institution housing female inmates 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.<sup>1</sup> The bill prohibits such a county or municipal correctional facility or state correctional institution from denying inmates access to feminine hygiene products, unless the facility or institution is experiencing an “emergency”.<sup>2</sup> The bill defines “county correctional facility,” “municipal correctional facility,” “state correctional institution,” “emergency,” “female,” and “feminine hygiene products” for purposes of its provisions (see “**Definitions**,” below).

## **Access to and disposal of feminine hygiene products**

The bill requires that each county and municipal correctional facility and state correctional institution housing female inmates provide a separate disposal container with a lid in a safe, designated area for inmates experiencing a menstrual cycle within the facility. The container’s purpose is to dispose of used, soiled, or damaged feminine hygiene products.<sup>3</sup> The bill also requires that each such 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 race, sex, income status, degree of charge, disability status, or any other type of discriminatory identity.<sup>4</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 of surfaces between restrooms and the designated areas for disposal bins.<sup>5</sup>

## **Access to shower**

The bill requires that each county and municipal correctional facility and state correctional institution that houses female inmates provide inmates experiencing menstruation a minimum of one shower per day with access to hot water for washing, regardless of whether the inmates are separated from the general population for disciplinary status, unless the facility or institution is experiencing an emergency.<sup>6</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>7</sup>

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

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

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

<sup>4</sup> R.C. 341.261(C)(1), 753.321(C)(1), and 5120.631(C)(1).

<sup>5</sup> R.C. 341.261(C)(2) and (3), 753.321(C)(2) and (3), and 5120.631(C)(2) and (3).

<sup>6</sup> R.C. 341.261(F), 753.321(F), and 5120.631(F).

<sup>7</sup> R.C. 341.261(A)(1).

**“Emergency”** includes: (1) riots or inmate uprisings, (2) escapes or attempted escapes, (3) staff shortages or strikes, (4) outbreaks of contagious diseases, (5) incidents of suicide or self-harm, (6) gang-related violence or conflicts within the inmate population, (7) natural disasters, or (8) hostage situations.<sup>8</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>9</sup>

**“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>10</sup>

**“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.<sup>11</sup>

**“Feminine hygiene products”** means tampons and sanitary napkins that are used for the menstrual cycle.<sup>12</sup>

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## HISTORY

Action	Date
Introduced	01-28-25

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<sup>8</sup> R.C. 341.261(A)(2), 753.321(A)(1), and 5120.631(A)(1).

<sup>9</sup> R.C. 753.321(A)(4).

<sup>10</sup> R.C. 5120.631(A)(4) and 2967.01, not in the bill.

<sup>11</sup> R.C. 341.261(A)(3), 752.321(A)(2), and 5120.631(A)(2).

<sup>12</sup> R.C. 341.261(A)(4), 753.321(A)(3), and 5120.631(A)(3).