

As Reported by the House Government Oversight Committee

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H. B. No. 29

Representatives Humphrey, John

Cosponsors: Representatives Deeter, White, A., McNally, Denson, Rader, Brent, Upchurch, Ray, Brennan, Sigrist, Piccolantonio, Grim, Synenberg, Robinson, Lett, Lawson-Rowe, White, E., Somani, Sims, Brewer, Tims, Hall, D., Jarrells, Baker, Miller, J., Williams, Mohamed, Gross, Russo

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:

(a) Riots or inmate uprisings;

<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
<u>(2) Establishes proper methods of storing, administering, and disposing of feminine hygiene products;</u>	41 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) Except when the county correctional facility is 51
experiencing an emergency, no county correctional facility 52
housing female inmates shall deny inmates access to feminine 53
hygiene products. 54

(F) Except when the county correctional facility is 55
experiencing an emergency, each county correctional facility 56
housing female inmates shall provide inmates experiencing 57
menstruation a minimum of one shower per day with access to hot 58
water for washing, regardless of whether the inmates are 59
separated from the general population for disciplinary status. 60

Sec. 753.321. (A) As used in this section: 61

(1) "Emergency" has the same meaning as in section 341.261 62
of the Revised Code. 63

(2) "Female" means of or denoting the sex that can bear 64
offspring or produce eggs and has XX chromosomes, distinguished 65
biologically by the production of gametes or ova that can be 66
fertilized by male gametes. 67

(3) "Feminine hygiene products" means tampons and sanitary 68
napkins that are used for the menstrual cycle. 69

(4) "Municipal correctional facility" means a municipal 70

jail, municipal workhouse, minimum security jail, joint city and 71
county workhouse, municipal-county correctional center, 72
multicounty-municipal correctional center, municipal-county jail 73
or workhouse, or multicounty-municipal jail or workhouse. 74

(B) Each municipal correctional facility housing female 75
inmates shall provide inmates experiencing a menstrual cycle 76
with an adequate supply based on individualized need, in 77
perpetuity and without reprimand, of feminine hygiene products 78
in a variety of sizes at no cost to the inmates. 79

(C) Each municipal correctional facility housing female 80
inmates shall have a written policy and procedure in place that 81
does all of the following: 82

(1) Protects inmates from the denial of feminine hygiene 83
products based on race, sex, income status, degree of charge, 84
disability status, or any other type of discriminatory identity; 85

(2) Establishes proper methods of storing, administering, 86
and disposing of feminine hygiene products; 87

(3) Establishes sanitary and safe procedures for hand 88
washing and cleaning of surfaces between restrooms and the 89
designated area for disposal bins. 90

(D) Each municipal correctional facility housing female 91
inmates shall provide a separate disposal container with a lid 92
in a safe, designated area for use by inmates experiencing a 93
menstrual cycle within the facility to dispose of used, soiled, 94
or damaged feminine hygiene products. 95

(E) Except when the municipal correctional facility is 96
experiencing an emergency, no municipal correctional facility 97
housing female inmates shall deny inmates access to feminine 98
hygiene products. 99

(F) Except when the municipal correctional facility is 100
experiencing an emergency, each municipal correctional facility 101
housing female inmates shall provide inmates experiencing 102
menstruation a minimum of one shower per day with access to hot 103
water for washing, regardless of whether the inmates are 104
separated from the general population for disciplinary status. 105

Sec. 5120.631. (A) As used in this section: 106

(1) "Emergency" has the same meaning as in section 341.261 107
of the Revised Code. 108

(2) "Female" means of or denoting the sex that can bear 109
offspring or produce eggs and has XX chromosomes, distinguished 110
biologically by the production of gametes or ova that can be 111
fertilized by male gametes. 112

(3) "Feminine hygiene products" means tampons and sanitary 113
napkins that are used for the menstrual cycle. 114

(4) "State correctional institution" has the same meaning 115
as in section 2967.01 of the Revised Code. 116

(B) Each state correctional institution housing female 117
inmates shall provide inmates experiencing a menstrual cycle 118
with an adequate supply based on individualized need, in 119
perpetuity and without reprimand, of feminine hygiene products 120
in a variety of sizes at no cost to the inmates. 121

(C) Each state correctional institution housing female 122
inmates shall have a written policy and procedure in place that 123
does all of the following: 124

(1) Protects inmates from the denial of feminine hygiene 125
products based on race, sex, income status, degree of charge, 126
disability status, or any other type of discriminatory identity; 127

<u>(2) Establishes proper methods of storing, administering,</u>	128
<u>and disposing of feminine hygiene products;</u>	129
<u>(3) Establishes sanitary and safe procedures for hand</u>	130
<u>washing and cleaning of surfaces between restrooms and the</u>	131
<u>designated area for disposal bins.</u>	132
<u>(D) Each state correctional institution housing female</u>	133
<u>inmates shall provide a separate disposal container with a lid</u>	134
<u>in a safe, designated area for use by inmates experiencing a</u>	135
<u>menstrual cycle within the institution to dispose of used,</u>	136
<u>soiled, or damaged feminine hygiene products.</u>	137
<u>(E) Except when the state correctional institution is</u>	138
<u>experiencing an emergency, no state correctional institution</u>	139
<u>housing female inmates shall deny inmates access to feminine</u>	140
<u>hygiene products.</u>	141
<u>(F) Except when the state correctional institution is</u>	142
<u>experiencing an emergency, each state correctional institution</u>	143
<u>housing female inmates shall provide inmates experiencing</u>	144
<u>menstruation a minimum of one shower per day with access to hot</u>	145
<u>water for washing, regardless of whether the inmates are</u>	146
<u>separated from the general population for disciplinary status.</u>	147