#### As Introduced

# 136th General Assembly

# **Regular Session**

H. B. No. 29

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# 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

То	enact sections 341.261, 753.321, and 5120.631 of	1
	the Revised Code regarding inmates' access to	2
	feminine hygiene products and showers by	3
	municipal and county correctional facilities and	4
	state correctional institutions.	_

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

<b>Section 1.</b> That sections 341.261, 753.321, and 5120.631 of	6
the Revised Code be enacted to read as follows:	7
Sec. 341.261. (A) As used in this section:	8
(1) "County correctional facility" means a county jail,	9
county workhouse, minimum security jail, joint city and county	10
workhouse, municipal-county correctional center, multicounty-	11
municipal correctional center, municipal-county jail or	12
workhouse, or multicounty-municipal jail or workhouse.	13
(2) "Emergency" includes any of the following:	14
(a) Riots or inmate uprisings;	15

(b) Escapes or attempted escapes;	16
(c) Staff shortages or strikes;	17
(d) Outbreaks of contagious diseases;	18
(e) Incidents of suicide or self-harm;	19
(f) Gang-related violence or conflicts within the inmate	20
population;	21
(g) Natural disasters;	22
(h) Hostage situations.	23
(3) "Female" means of or denoting the sex that can bear	24
offspring or produce eggs and has XX chromosomes, distinguished	25
biologically by the production of gametes or ova that can be	26
fertilized by male gametes.	27
(4) "Feminine hygiene products" means tampons and sanitary	28
napkins that are used for the menstrual cycle.	29
(B) Each county correctional facility housing female	30
inmates shall provide inmates experiencing a menstrual cycle	31
with an adequate supply based on individualized need, in	32
perpetuity and without reprimand, of feminine hygiene products	33
in a variety of sizes at no cost to the inmates.	34
(C) Each county correctional facility housing female	35
inmates shall have a written policy and procedure in place that	36
does all of the following:	37
(1) Protects inmates from the denial of feminine hygiene	38
products based on race, sex, income status, degree of charge,	39
disability status, or any other type of discriminatory identity;	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	4 4
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	8.9
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

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