
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 956 Session of
2019

INTRODUCED BY COLLETT, BARTOLOTTA, TARTAGLIONE, L. WILLIAMS,
MUTH, BOSCOLA, SCHWANK, IOVINO, KEARNEY, SANTARSIERO, STREET,
HUGHES, FONTANA, COSTA, LEACH, A. WILLIAMS, HAYWOOD, FARNESE,
DINNIMAN, BREWSTER AND BLAKE, NOVEMBER 25, 2019

REFERRED TO HEALTH AND HUMAN SERVICES, NOVEMBER 25, 2019

AN ACT

1 Providing for the provision of disposable menstrual products.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Menstrual
6 Equity Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "College." Any of the following:

12 (1) A community college as defined under section 1901-A
13 of the act of March 10, 1949 (P.L.30, No.14), known as the
14 Public School Code of 1949.

15 (2) A State-related institution as defined under section
16 1502-A of the Public School Code of 1949.

1 (3) A university under the jurisdiction of the State
2 System of Higher Education under Article XX-A of the Public
3 School Code of 1949.

4 "Correctional facility." A correctional institution as
5 defined under 61 Pa.C.S. § 5905(e) (relating to healthy birth
6 for incarcerated women). The term includes a privately owned
7 facility which has contracted with the Commonwealth, a county or
8 a municipality to house an inmate for purposes of carrying out a
9 sentence under the laws of this Commonwealth and operates within
10 the geographic boundaries of this Commonwealth.

11 "Disposable menstrual product." A product used by an
12 individual for use in connection with the menstrual cycle,
13 including, but not limited to, sanitary napkins, tampons, liners
14 and other similar products.

15 "School entity." As defined under section 121 of the Public
16 School Code of 1949.

17 Section 3. Provision of disposable menstrual products.

18 The following entities shall provide disposable menstrual
19 products at no cost and make the disposable menstrual products
20 available in restroom facilities in a convenient manner that
21 does not stigmatize any individuals seeking the disposable
22 menstrual products:

23 (1) A provider of temporary housing assistance located
24 in this Commonwealth, which shall include, but not be limited
25 to, shelters designated to provide temporary living
26 arrangements, including hotels or motels paid for by Federal,
27 State or local government programs for low-income individuals
28 or by charitable organizations, congregate shelters and
29 transitional housing or a provider of temporary housing
30 assistance that otherwise receives funding under the Federal

1 Emergency Food and Shelter Grant Program authorized by the
2 McKinney-Vento Homeless Assistance Act (Public Law 100-77,
3 101 Stat. 482).

4 (2) A school entity.

5 (3) A college.

6 (4) A department or agency of the Commonwealth which
7 operates an office or facility open to the public to provide
8 assistance with unemployment compensation, food and housing
9 assistance, housing financing, temporary guardianship or
10 custodianship, probation and parole or library services.

11 (5) A correctional facility.

12 Section 4. Rules and regulations.

13 (a) Regulatory authority.--The following secretaries shall
14 promulgate temporary and permanent regulations in accordance
15 with this section:

16 (1) The Secretary of Human Services shall promulgate
17 rules and regulations necessary to implement and enforce
18 section 3(1), (4) and (5).

19 (2) The Secretary of Education shall promulgate rules
20 and regulations necessary to implement and enforce section
21 3(2) and (3).

22 (3) The Secretary of Labor and Industry shall promulgate
23 rules and regulations necessary to implement and enforce
24 section 3(4).

25 (4) The Secretary of Corrections shall promulgate rules
26 and regulations necessary to implement and enforce section
27 3(5).

28 (b) Temporary regulations.--The secretaries listed in
29 subsection (a) may promulgate temporary regulations that shall
30 expire not later than two years following the publication of the

1 temporary regulations. Each secretary may promulgate temporary
2 regulations not subject to:

3 (1) Sections 201, 202, 203, 204 and 205 of the act of
4 July 31, 1968 (P.L.769, No.240), referred to as the
5 Commonwealth Documents Law.

6 (2) Sections 204(b) and 301(10) of the act of October
7 15, 1980 (P.L.950, No.164), known as the Commonwealth
8 Attorneys Act.

9 (3) The act of June 25, 1982 (P.L.633, No.181), known as
10 the Regulatory Review Act.

11 (c) Expiration.--Each secretary's authority to adopt
12 temporary regulations under subsection (b) shall expire two
13 years after the effective date of this section. Regulations
14 adopted after this period shall be promulgated as provided by
15 law.

16 (d) Publication.--Each secretary shall shall begin
17 transmitting the temporary regulations to the Legislative
18 Reference Bureau for publication in the Pennsylvania Bulletin no
19 later than six months after the effective date of this section.
20 Section 5. Effective date.

21 This act shall take effect as follows:

22 (1) Section 3 shall take effect July 1, 2020.

23 (2) The remainder of this act shall take effect
24 immediately.