As Introduced

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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

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;

(b) Escapes or attempted escapes;

(c) Staff shortages or strikes;

(d) Outbreaks of contagious diseases;

(e) Incidents of suicide or self-harm;

(f) Gang-related violence or conflicts within the inmate population;

(g) Natural disasters;

(h) Hostage situations.

(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.

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

(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.

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

(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;

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

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

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

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

(F) Except when the county correctional facility is experiencing an emergency, each county correctional facility housing female inmates shall 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.

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

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

(2) "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.

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

(4) "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.

(B) Each municipal 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.

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

(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;

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

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

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

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

(F) Except when the municipal correctional facility is experiencing an emergency, each municipal correctional facility housing female inmates shall 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.

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

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

(2) "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.

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

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

(B) Each state correctional institution 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.

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

(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;

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

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

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

(E) Except when the state correctional institution is experiencing an emergency, no state correctional institution housing female inmates shall deny inmates access to feminine hygiene products.

(F) Except when the state correctional institution is experiencing an emergency, each state correctional institution housing female inmates shall 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.