

[First Reprint]

ASSEMBLY, No. 1935

STATE OF NEW JERSEY
220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

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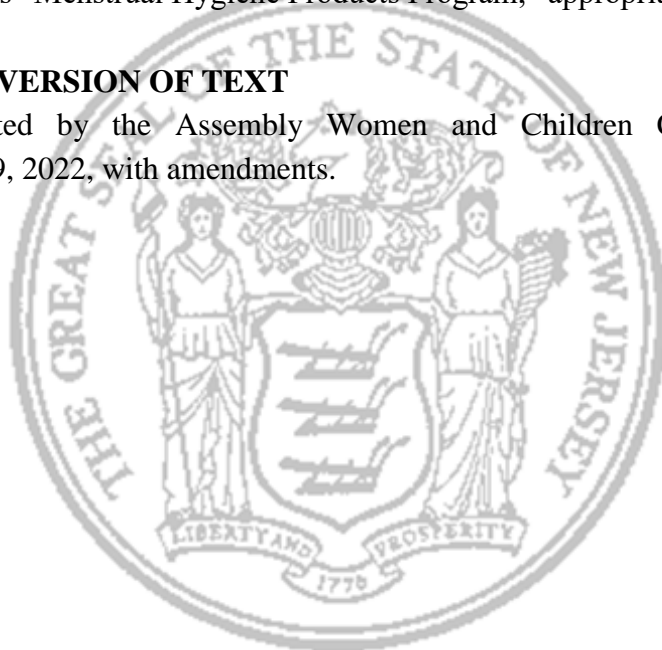
**Assemblywomen Speight, Jaffer, Murphy, Assemblyman Stanley,
Assemblywomen Pintor Marin, Reynolds-Jackson, Lopez, Mosquera,
Eulner and Piperno**

SYNOPSIS

Establishes “Menstrual Hygiene Products Program,” appropriates \$200,000.

CURRENT VERSION OF TEXT

As reported by the Assembly Women and Children Committee on September 29, 2022, with amendments.



(Sponsorship Updated As Of: 2/27/2023)

1 AN ACT establishing the “Menstrual Hygiene Products Program,”
2 supplementing Title 4 of the Revised Statutes, and making an
3 appropriation.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. For the purposes of this act:

9 "Department" means the Department of Agriculture.

10 ¹["Federal WIC program" means the Special Supplemental
11 Nutrition Program for Women, Infants and Children, established
12 pursuant to the federal "Child Nutrition Act of 1966," Pub.L.89-642
13 (42 U.S.C. s.1771 et seq.).]¹

14 “Menstrual hygiene products” mean tampons and sanitary napkins
15 for use in connection with the menstrual cycle.

16 ¹["New Jersey Supplementary Food Stamp Program" means the
17 State level food stamp program, established pursuant to P.L.1998, c.32
18 (C.44:10-79 et seq.), which applies to non-citizens who were rendered
19 ineligible for federal food stamp program assistance by section 402 of
20 the federal "Personal Responsibility and Work Opportunity
21 Reconciliation Act of 1996," Pub.L.104-193 (8 U.S.C. s.1612).]¹

22 "Secretary" means the Secretary of Agriculture.

23 ¹["Supplemental Nutrition Assistance Program" means the
24 supplemental nutrition assistance program, established pursuant to the
25 federal "Food and Nutrition Act of 2008," Pub.L.88-525 (7 U.S.C.
26 s.2011 et seq.).

27 "Work First New Jersey" means the Work First New Jersey
28 temporary public assistance program, established pursuant to
29 P.L.1997, c.38 (C.44:10-55 et seq.) in accordance with authorization
30 received under Title IV of the federal "Personal Responsibility and
31 Work Opportunity Reconciliation Act of 1996," Pub.L.104-193 (8
32 U.S.C. s.1601 et seq.).]¹

33 b. In order to promote and facilitate improved access to menstrual
34 hygiene products to low-income residents of the State, the
35 ¹[Department] department, in consultation with the Department of
36 Human Services and the Department of Health,¹ shall develop and
37 ¹[assist in the implementation of a menstrual hygiene products
38 program, to be known as] implement¹ the “Menstrual Hygiene
39 Products Program¹.”¹ ¹[No] , no¹ later than six months after the
40 effective date of ¹[P.L. , c. (C.) (pending before the
41 Legislature as this bill), the Department of Agriculture, in consultation
42 with the Department of Human Services and the Department of Health
43 and Senior Services, shall develop and implement a Menstrual
44 Hygiene Products Program] this act¹.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AWC committee amendments adopted September 29, 2022.

- 1 c. The department shall identify, on its Internet website, the food
2 pantries participating in the program, and the times during which each
3 food pantry will be accessible for community residents to obtain
4 menstrual hygiene products.
- 5 d. Under the program, the ¹["Department of Agriculture"]
6 department¹ shall award annual grants to food pantries for the
7 purchase of menstrual hygiene products. ¹["Any costs incurred by a
8 food pantry in providing an adequate supply of menstrual hygiene
9 products shall be borne by the State."]¹
- 10 e. ¹["An eligible individual is one who is currently enrolled as a
11 participant in:
- 12 (1) the Supplemental Nutrition Assistance Program;
 - 13 (2) the federal WIC program;
 - 14 (3) the New Jersey Supplementary Food Stamp Program;
 - 15 (4) the Work First New Jersey program; or
 - 16 (5) any other federal or State level nutrition or income assistance
17 program now or hereafter established by law.
- 18 f.]¹ As a part of the Menstrual Hygiene Products Program, the
19 ¹["Department of Agriculture"] department¹ shall be authorized to:
- 20 (1) coordinate and encourage partnerships between the participating
21 food pantries and pharmacies or other retail stores as deemed
22 necessary to better enable and ensure the prompt or efficient delivery
23 of menstrual hygiene products;
 - 24 (2) take appropriate actions to encourage participation in the
25 initiative;
 - 26 (3) develop educational and informational materials for distribution
27 to low-income individuals, which may incorporate information
28 pertaining to the importance of proper menstrual hygiene products, or
29 any other topic that is relevant to the work of the initiative; and
 - 30 (4) ¹pursuant to the "Administrative Procedure Act," P.L.1968,
31 c.410 (C.52:14B-1 et seq.),¹ take such other actions, including but not
32 limited to adopting rules and regulations ¹["pursuant to the
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
34 seq.)"]¹, ¹on its own,¹ that the secretary deems necessary or appropriate
35 to implement the provisions of this act¹].
- 36 g. The secretary]¹, ¹and any additional rules and regulations that
37 are necessary to implement the provisions of this act¹ in consultation
38 with the Department of Human Services and the Department of Health
39 ¹["and Senior Services shall, pursuant to the "Administrative Procedure
40 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), promulgate rules and
41 regulations to effectuate the purposes of P.L. , c. (C.) (pending
42 before the Legislature as this bill)]¹.
- 43
- 44 2. a. There is appropriated to the Department of Agriculture
45 \$200,000 from the General Fund to support the Menstrual Hygiene
46 Product Program established pursuant to section 1 of this act.
- 47 b. Each food pantry may apply for a grant of up to \$10,000
48 each year:

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- 1 3. This act shall take effect immediately.