

CHAPTER 303

AN ACT concerning feminine hygiene products and emergency shelters for the homeless and supplementing P.L.1985, c.48 (C.55:13C-1 et seq.).

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

C.55:13C-2.5 Short title.

1. This act shall be known and may be cited as the “New Jersey Feminine Hygiene Products for the Homeless Act.”

C.55:13C-2.6 Findings, declarations.

2. The Legislature finds and declares that:

a. Period inequity is a chronic problem due to the fact that the cost of feminine hygiene products, including sales tax, is the same for women of all socioeconomic groups;

b. This unfortunately leads to hardships and disparities relative to feminine hygiene and women’s health in underserved communities, including for people with disabilities, minorities, and people experiencing homelessness;

c. Women typically have their menstrual cycles every 28 days starting in their pre-teen years and lasting through menopause, which means they need to buy feminine hygiene products every month of the year over the span of several decades;

d. The average menstrual cycle can last from between five to seven days, often requiring the purchase of multiple packages of feminine hygiene products for one cycle;

e. The combination of these factors can lead to astronomical, recurring costs for women in their menstruating years;

f. New Jersey has exempted feminine hygiene products, such as sanitary napkins and tampons, from the tax imposed under the Sales and Use Tax Act. In doing so, the State has recognized that it is financially burdensome for women to continue to purchase these products;

g. Many women and girls within New Jersey find themselves in need of temporary housing assistance within emergency shelters for the homeless, and the Department of Community Affairs, in conjunction with the Departments of Human Services and Health, has recognized this growing need by creating the Homelessness Prevention Program and the Homelessness Prevention and Rapid Re-Housing Program;

h. Women and girls who find themselves homeless still need feminine hygiene and sanitation products to the same extent as all other women;

i. Women and girls experiencing homelessness should not be burdened with the costs of feminine hygiene products while already experiencing financial and economic hardships resulting in them being unable to afford basic shelter; and

j. It is therefore necessary and important to create this “New Jersey Feminine Hygiene Products for the Homeless Act” to combat period inequity and assist women and girls residing in emergency shelters for the homeless.

C.55:13C-2.7 Emergency shelter for the homeless serving female residents, feminine hygiene products, free of charge, subject to fund availability.

3. Each emergency shelter for the homeless that serves female residents shall, subject to the availability of funds in the shelter’s general budget, make feminine hygiene products, including, but not limited to, sanitary napkins, tampons, and panty liners, available free of charge to females residing in the emergency shelter for the homeless. A homeless shelter’s obligation to satisfy the requirement of this section is contingent upon the availability of additional funds in the homeless shelter’s budget that would permit the homeless shelter to

both purchase feminine hygiene products as required by this section and continue its normal course of operations.

4. The Department of Community Affairs shall adopt rules and regulations, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to implement the provisions of this act.

5. This act shall take effect on the 30th day following enactment.

Approved January 16, 2024.