

BRIEF

State Actions to Increase Access to Menstrual Products

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Increasing access to menstrual products is a growing area of interest among state legislators.

States passed over 60 related bills in the last eight years, 30 of which within the last two years. At least 30 states and the District of Columbia have laws easing access to menstrual supplies. Menstrual products are hygiene materials used to catch blood flow during the menstrual cycle and are typically needed from puberty until menopause. Examples of menstrual products commonly used include tampons and sanitary napkins, but in certain cases can also extend to include menstrual cups, discs, sponges, underwear or other products designed for menstrual hygiene.

When women and girls lack access to adequate menstrual products, they may improvise supplies or use their period products for longer than recommended. The [American Medical Association](#) describes the risk of such practices as potentially leading to vaginal and urinary tract infections, severe reproductive health conditions and toxic shock syndrome. A [study](#) of individuals experiencing homelessness reported women creating makeshift menstrual products using old clothing or forgoing food or medication to afford period supplies.

The cost of menstrual supplies can be a barrier to access for many women and girls. Period poverty can impact participation in school or force women to choose between menstrual products and basic necessities. A [survey](#) of low-income women in St. Louis found that 64% had experienced difficulty affording menstrual products and 46% struggled to buy both food and menstrual products over the previous 12 months. Another [study](#) found that 64% of female high school students reported not being able to afford period products when needed at least once in the school year and 34% reported missing school due to a lack of menstrual supplies.



State Action

State approaches to increasing access to safe and affordable menstrual products include requiring schools, correctional facilities or homeless shelters to provide supplies at no cost to the individual and exempting menstrual products from added sales tax to increase affordability.

To increase access to menstrual products, some states have passed laws requiring period products to be provided at no cost in schools, correctional facilities and homeless shelters. At least 12 states and the District of Columbia provide free menstrual products in schools,

at least 24 states and the District of Columbia provide free menstrual products in correctional facilities and at least three states provide free menstrual products in homeless shelters.

Since 2020, 10 states and the District of Columbia passed bills either creating or expanding requirements to provide free menstrual products in public schools. For example, Delaware passed [HB 20](#) in 2021 requiring all public and charter schools with students in grades six to 12 to provide free menstrual products in 50% of female bathrooms. In 2022, Utah passed [HB 162](#) providing period products free of charge to students in each female or unisex restroom within an elementary, middle, junior or high school. Alabama passed [HB 50](#) creating a grant program to provide menstrual products to female students in grades five through 12 through a female school counselor, female nurse or female teacher in certain schools. Alabama appropriated \$200,000 in its 2022 education budget to fund the program.

Four states, including [Alabama](#), [Arizona](#), [Mississippi](#) and [North Carolina](#) have passed bills within the last two years requiring free menstrual products be accessible within correctional facilities. Arizona passed [SB 1849](#) in 2021 providing menstrual products, including tampons, sanitary napkins, menstrual sponges and menstrual cups, to female inmates free of charge upon request. That same year, Mississippi passed [HB 196](#), the “Dignity for Incarcerated Women Act,” ensuring sufficient personal hygiene products are available at each facility for all incarcerated women.

[Illinois](#), [Maryland](#) and [New York](#) require period supplies be available at no cost in homeless shelters. For example, New York passed [S 6572](#) in December 2021 and [S 7697](#) in February 2022 to provide menstrual products at no cost to individuals receiving temporary housing assistance and receiving temporary shelter, respectively.

To address the potential financial barriers to purchasing menstrual products, some states have passed legislation exempting menstrual hygiene supplies from state sales tax. Menstrual products are commonly classified as a nonessential good and subject to sales tax, which ranges from 4% to 10% of the price of the product. At least 21 states have eliminated sales tax on period supplies, including [Colorado](#), [Iowa](#) and [Nebraska](#) which passed bills exempting sales tax within the last year. New Mexico passed [HB 163](#) in March 2022 allowing retailers to deduct the tax on the products from gross receipts and governmental gross receipts rather than removing the sales tax from period products directly. The bill also requires that the New Mexico legislature evaluate the effectiveness and total number of taxpayers that claim the exemption in 2023.

In 2021, Illinois passed [HB 155](#) which allows recipients of benefits provided under the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), to use their benefits to purchase menstrual products. However, under current federal policy, menstrual supplies are not eligible purchases under SNAP or WIC.

Federal Action

Congress passed two laws related to increasing access to menstrual products. In 2018, Congress passed [S 756](#), also known as the First Step Act, requiring that all federal prisons make tampons and sanitary napkins available free of charge. [The Coronavirus Aid, Relief, and Economic Security Act \(CARES\) Act](#), signed into law in 2020, allows menstrual products to be paid for with pre-tax dollars using a Flexible Savings Account or Health Savings Account.

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