



## 2023 SENATE BILL 796

December 12, 2023 - Introduced by Senators L. JOHNSON, ROYS, LARSON, HESSELBEIN, SPREITZER and WIRCH, cosponsored by Representatives DRAKE, VINING, HONG, EMERSON, RATCLIFF, CONSIDINE, MYERS, CONLEY, JOERS, MOORE OMOKUNDE, SNODGRASS, CLANCY, ORTIZ-VELEZ, OHNSTAD, JACOBSON, SHELTON, C. ANDERSON, STUBBS, J. ANDERSON, PALMERI, SUBECK and NEUBAUER. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT** *to create* 302.074 of the statutes; **relating to:** free feminine hygiene  
2             products for inmates of state correctional institutions or county jails or houses  
3             of correction.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Department of Corrections to ensure that each state correctional institution has a commissary that provides all of the following feminine hygiene products free of charge to any inmate with an active menstrual cycle: at least three brands of tampons, with at least one brand having a plastic applicator, in appropriate absorbencies for varying levels of menstrual flow; at least three brands of menstrual pads in appropriate absorbencies for varying levels of menstrual flow; and at least one brand of reusable menstrual cup. The department must also ensure that the state correctional institution has the means to sanitize inmate menstrual cups on an as-needed basis.

The bill requires the sheriff to ensure that each county jail or house of correction has a commissary that provides all of the following feminine hygiene products free of charge to any inmate with an active menstrual cycle: at least three brands of tampons, with at least one brand having a plastic applicator, in appropriate absorbencies for varying levels of menstrual flow; at least three brands of menstrual pads in appropriate absorbencies for varying levels of menstrual flow; and at least one brand of reusable menstrual cup. The sheriff must also ensure that the county jail or house of correction has the means to sanitize inmate menstrual cups on an as-needed basis.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 302.074 of the statutes is created to read:

2           **302.074 Feminine hygiene products for inmates of state correctional**  
3 **institutions and county jails. (1)** (a) The department shall ensure that each state  
4 correctional institution has a commissary that provides all of the following feminine  
5 hygiene products free of charge to any inmate with an active menstrual cycle:

6           1. At least 3 brands of tampons, with at least one brand having a plastic  
7 applicator, in appropriate absorbencies for varying levels of menstrual flow.

8           2. At least 3 brands of menstrual pads, in appropriate absorbencies for varying  
9 levels of menstrual flow.

10          3. At least one brand of reusable menstrual cup.

11          (b) The department shall ensure that each state correctional institution has the  
12 means to sanitize inmate menstrual cups on an as-needed basis.

13          **(2)** (a) The sheriff shall ensure that each county jail or house of correction has  
14 a commissary that provides all of the following feminine hygiene products free of  
15 charge to any inmate with an active menstrual cycle:

16          1. At least 3 brands of tampons, with at least one brand having a plastic  
17 applicator, in appropriate absorbencies for varying levels of menstrual flow.

18          2. At least 3 brands of menstrual pads, in appropriate absorbencies for varying  
19 levels of menstrual flow.

20          3. At least one brand of reusable menstrual cup.

