

SENATE, No. 3425

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 10, 2024

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex and Hudson)

SYNOPSIS

“Menstrual Equity for Haitian Migrants Act.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning menstrual hygiene products and period inequity
2 and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. This act may be known and shall be cited as the “Menstrual
8 Equity for Haitian Migrants Act.”

9

10 2. The Legislature finds and declares that:

11 a. Period inequity is an umbrella term that encompasses several
12 issues including unequal access to menstrual hygiene products, also
13 known as period poverty, education, and reproductive care, as well
14 as the stigma surrounding menstruating and the toxic ingredients
15 used in pads and tampons.

16 b. Period inequity is attributable to the high cost of menstrual
17 hygiene products and the fact that the prices of these products are
18 the same for people who menstruate, regardless of socioeconomic
19 or immigration status.

20 c. Period inequity and period poverty significantly affect the
21 health, dignity, and overall well-being of individuals, especially
22 among marginalized and newly arrived migrant populations.

23 d. Haitian migrants, as part of these vulnerable groups, often
24 face substantial challenges in accessing basic menstrual hygiene
25 products due to economic, cultural, and logistical barriers.

26 e. Recent data from the American Community Survey indicates
27 that approximately 46,000 Haitian migrants reside in New Jersey,
28 making up six percent of the State’s immigrant population.

29 f. Addressing the availability of menstrual hygiene products for
30 Haitian migrants is essential for ensuring this population’s health
31 and promoting the dignity of a community that has made and
32 continues to make important contributions to the social, economic,
33 and cultural fabric of this State.

34 g. Therefore, it is in the best interest of the State to support the
35 health and dignity of, and mitigate the economic, cultural, and
36 logistical challenges faced by, Haitian migrants through the creation
37 of a program that ensures the provision of necessary menstrual
38 hygiene products to help this population thrive in the State of New
39 Jersey.

40

41 3. a. The Department of Health shall establish a Menstrual
42 Equity for Haitian Migrants Program to purchase menstrual hygiene
43 products and to provide such products at no cost to Haitian migrants
44 who have arrived in the State at least two years prior to the effective
45 date of this act.

46 b. The department shall contract with community-based, faith-
47 based, and non-profit organizations specifically serving Haitian
48 migrants, including, but not limited to, community health centers,

1 immigration advocacy organizations, or legal assistance
2 organizations that specialize in providing services to individuals of
3 Haitian descent, to distribute sanitary pads, tampons, menstrual
4 cups, and other menstrual hygiene products, deemed necessary by
5 individuals who menstruate, pursuant to the provisions of
6 subsection a. of this section.

7 c. The department shall conduct outreach activities to ensure
8 that Haitian migrants described in subsection a. of this section are
9 made aware of the program and the organizations contracted with
10 the department to distribute menstrual hygiene products.

11 d. The program shall be funded by and subject to annual
12 appropriations allocated to the Department of Health from the
13 General Fund for the purchase and distribution of menstrual
14 hygiene products in accordance with the provisions of this section.

15 e. The department may apply for and accept any grant of money
16 from the State or federal government or other sources, which may
17 be available for programs related to period inequity and menstrual
18 health services.

19 f. The department shall submit an annual report to the Governor,
20 and to the Legislature pursuant to section 2 of P.L.1991, c.164
21 (C.52:14-19.1), on the effectiveness of the Menstrual Equity for
22 Haitian Migrants program. The report shall also include any
23 recommendations for legislative or administrative action necessary
24 to improve the program.

25
26 4. The Department of Health shall adopt rules and regulations,
27 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
28 (C.52:14B-1 et seq.), as may be necessary to effectuate the
29 provisions of this act.

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31 5. This act shall take effect on the first day of the third month
32 next following the date of enactment.

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STATEMENT

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37 This bill, the "Menstrual Equity for Haitian Migrants Act," requires
38 the Department of Health (DOH) to establish a Menstrual Equity for
39 Haitian Migrants Program to purchase menstrual hygiene products
40 and provide such products at no cost to Haitian migrants who have
41 arrived in the State at least two years prior to the effective date of
42 the bill.

43 Under the bill's provisions, the DOH is to contract with
44 community-based, faith-based, and non-profit organizations
45 specifically serving Haitian migrants to distribute sanitary pads,
46 tampons, menstrual cups, and other menstrual hygiene products
47 deemed necessary by individuals who menstruate.

1 The DOH is also directed to conduct outreach activities to ensure
2 that eligible Haitian migrants are made aware of the program and
3 the organizations contracted to distribute menstrual hygiene
4 products.

5 The program is to be funded by and subject to annual
6 appropriations allocated to the DOH from the General Fund for the
7 purchase and distribution of menstrual hygiene products, and the
8 DOH may apply for and accept any grant of money from the State
9 or federal government or other sources, which may be available for
10 programs related to period inequity and menstrual health services.

11 The bill requires the DOH to submit an annual report to the
12 Governor and the Legislature on the effectiveness of, and any
13 recommendations for legislative or administrative action necessary
14 to improve, the program.

15 Period inequity and period poverty significantly impacts the
16 health, dignity, and overall well-being of individuals, especially
17 among marginalized and newly arrived migrant populations.
18 Haitian migrants, as part of these vulnerable groups, often face
19 substantial challenges in accessing basic menstrual hygiene
20 products due to economic, cultural, and logistical barriers.

21 Recent data from the American Community Survey indicates that
22 approximately 46,000 Haitian migrants reside in New Jersey,
23 making up six percent of the State's immigrant population.

24 Addressing the availability of menstrual hygiene products for
25 Haitian migrants is essential for ensuring this population's health
26 and promoting the dignity of a community that has made and
27 continues to make important contributions to the social, economic,
28 and cultural fabric of this State.

29 Therefore, it is in the best interest of the State to support the
30 health and dignity of, and mitigate the economic, cultural, and
31 logistical barriers challenges faced by, Haitian migrants through the
32 creation of a program that ensures the provision of necessary
33 menstrual hygiene products to help this population thrive in the
34 State of New Jersey.