

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 941 (Delegate Hill, *et al.*)
Government, Labor, and Elections

Public Health - Public Buildings - Hygiene Products

This bill requires all public restrooms located in public buildings to provide an adequate supply of hand soap, toilet paper, towels or other hand drying devices, water, waste containers, and menstrual hygiene products.

Fiscal Summary

State Effect: General and special fund expenditures increase, potentially significantly, beginning in FY 2027 to supply menstrual hygiene products in every public restroom in a building owned, leased, or operated by the State. However, a reliable estimate of the increase is not feasible, as discussed below. No effect on revenues.

Local Effect: Expenditures for many local governmental units increase beginning in FY 2027 to supply menstrual hygiene products in every public restroom in a public building owned, leased, or operated by a political division of the State. However, a reliable estimate is not feasible, as discussed below. No effect on revenues. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: “Menstrual hygiene products” means appropriately sized tampons, sanitary napkins, and sanitary pads for use in connection with the menstrual cycle. “Public building” means a building, structure, or improved area that is owned leased, or operated by the State or a political subdivision of the State. “Public building” includes (1) a public mass transportation accommodation, such as a terminal or station, that is supported by public funds and (2) an improvement of a public area used for gathering or amusement,

including a public park or recreation center, but does not include a facility that is primarily used to provide primary or secondary education. “Public restroom” means a sanitary facility available to the general public that contains at least one toilet or urinal.

Current Law: While State law does not require public buildings as a whole to provide the specified sanitary products in public restrooms, it does impose similar requirements for specific facilities. Both State and local correctional facilities are required to provide menstrual hygiene products at no cost to female incarcerated individuals, and the facilities must have a sufficient supply of menstrual hygiene products available to meet the needs of the incarcerated population at all times. Each correctional facility must maintain records on the provision and availability of menstrual hygiene products to incarcerated women. Furthermore, every public middle and high school in the State must furnish menstrual hygiene products at no charge to students through menstrual hygiene product dispensers installed in all women’s restrooms.

Regulations require that food service facilities keep toilet facilities supplied with toilet tissue and waste receptacles at all times, and handwashing facilities must be equipped with an adequate supply of hand-cleaning soap or detergent and a means of drying hands such as individual towels in dispensers or an effective hand-drying device.

State Expenditures: With the exception of public four-year institutions of higher education, most State buildings are owned and/or managed by three agencies: the Department of General Services (DGS), the Maryland Department of Transportation (MDOT), and the Department of Natural Resources (DNR). Based on agency responses, this analysis assumes that public restrooms in State buildings already supply hand soap, toilet paper, towels (or other hand drying devices), water, and waste containers. The primary cost resulting from the bill is the requirement to provide menstrual hygiene products in every public restroom.

Standard rental agreements by DGS require that restrooms be stocked with all of the items required by the bill, so there is little or no effect on facilities owned, managed, or leased by DGS.

DNR advises that its facilities generally do not provide menstrual hygiene products in public bathrooms, and that installing dispensers would cost approximately \$600 per dispenser plus regular costs to keep them stocked. The Department of Legislative Services (DLS) notes that the bill does not require the installation of dispensers, but that costs nevertheless increase to provide the products in many or all DNR bathrooms.

MDOT advises that BWI Marshall Airport stopped supplying menstrual hygiene products in public bathrooms and therefore would incur costs to restore them. Similarly, the Maryland Transit Administration and the Motor Vehicle Administration indicate that they incur costs to supply menstrual hygiene products in some of their public bathrooms.

Therefore, general fund and special fund expenditures increase beginning in fiscal 2027 to stock *all* public restrooms with menstrual hygiene products to the extent that they are not already provided (DLS notes that the bill does not exempt men’s restrooms). A reliable estimate for these costs is not feasible without further information on which public restrooms currently provide menstrual hygiene products, but it is estimated that the costs could be significant.

The bill does not define what constitutes an “adequate supply.” To the extent that “adequate supply” means that public restrooms cannot run out of any of the required supplies, some agencies may incur costs to employ additional custodial staff to ensure that public bathrooms remain stocked at all times with the items required by the bill, but any such costs cannot be reliably estimated.

Local Expenditures: As with State buildings, some public restrooms in buildings owned, leased, or operated by local governments do provide menstrual hygiene products, but many do not, and will need to consistently purchase and distribute those products to their restrooms in order to meet the requirements of the bill (assuming all other requirements of the bill are already being met). To the extent that menstrual hygiene products are not provided in *all* applicable public restrooms, local government expenditures increase beginning in fiscal 2027. However, a reliable estimate of these costs is not feasible.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of Commerce; Calvert, Howard, Montgomery, and Prince George’s counties; Maryland Association of Counties; Cities of Frederick and Havre de Grace; Maryland Municipal League; Judiciary (Administrative Office of the Courts); Maryland State Library Agency; Department of General Services; Maryland Department of Health; Maryland Department of Labor; Department of Natural Resources; Maryland Department of Transportation; Department of Veterans and Military Families; Legislative Services; Department of Legislative Services

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Analysis by: Andrew Stover

Direct Inquiries to:
(410) 946-5510
(301) 970-5510