

Climate Assessment

Office of Legislative Oversight

Bill 42-23: Health and Sanitation – Menstrual Products in Public Restrooms - Required

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 42-23 will have no impact as providing free menstrual products would not affect the County's contribution to addressing climate change, nor community climate resilience.

BACKGROUND AND PURPOSE OF BILL 42-23

Period poverty refers to “inadequate access to menstrual products, education, and sanitation facilities.”¹ Globally, the World Bank estimates 500 million people lack access to menstrual products and adequate facilities for managing menstrual hygiene.² Several studies suggest that period poverty is also a considerable issue in the United States, especially among low-income people.³ The Alliance for Period Supplies calculates that state legislatures are currently considering 151 bills “related to period products, menstrual health, equity, access, and/or taxation.”⁴

The purpose of Bill 42-23, the “Menstrual Products Access and Equity Act,” is to require places of public accommodation such as restaurants, hotels, and retail stores to provide access to free menstrual products in their restrooms.⁵ Bill 42-23 would only apply to places of public accommodation that are required by law to provide restroom facilities to customers or the general public. According to the Bill's sponsor, Bill 42-23 is intended to “improve menstrual equity and reduce period poverty in Montgomery County.”⁶ Violation of the Bill's requirements would be a Class A violation.⁷

Bill 42-23, Health and Sanitation – Menstrual Products in Public Restrooms – Required, was introduced by the County Council on November 14, 2023.

ANTICIPATED IMPACTS

As the bill proposes increased access to free menstrual products, OLO anticipates Bill 42-23 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁸ OLO does not offer recommendations or amendments as Bill 42-23 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Period Poverty: A Neglected Public Health Issue](#), Korean Journal of Family Medicine, July 2023.

² [Menstrual Health and Hygiene](#), The World Bank, May 12, 2022.

³ [Period Poverty in the United States](#), Ballard Center, Brigham Young University, 2023.

⁴ [Menstrual Equity Legislation](#), Alliance for Period Supplies.

⁵ [Introduction Staff Report for Bill 42-23](#), Montgomery County Council, Introduced November 14, 2023.

⁶ ["Councilmember Will Jawando Introduces Bill to Improve Menstrual Equity in Montgomery County,"](#) Office of Councilmember Jawando, Montgomery County Council, November 14, 2023.

⁷ [Montgomery County Code § 1-19](#)

⁸ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022