

[118H10230]

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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To encourage the donation of menstrual products to nonprofit organizations
for distribution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. MENG introduced the following bill; which was referred to the Committee
on _____

A BILL

To encourage the donation of menstrual products to non-
profit organizations for distribution, and for other pur-
poses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Good Samaritan Men-
5 strual Products Act”.

1 **SEC. 2. LIMITATION OF LIABILITY FOR DAMAGES FROM DO-**
2 **NATED MENSTRUAL PRODUCTS.**

3 (a) LIABILITY OF PERSON, MANUFACTURER, OR DIS-
4 TRIBUTOR.—A person, manufacturer, or distributor shall
5 not be subject to civil or criminal liability arising from the
6 nature, age, packaging, or condition of apparently usable
7 menstrual products that the person, manufacturer, or dis-
8 tributor donates in good faith to a nonprofit organization
9 for ultimate distribution to individuals in need of such
10 products.

11 (b) LIABILITY OF NONPROFIT ORGANIZATION.—A
12 nonprofit organization shall not be subject to civil or
13 criminal liability arising from the nature, age, packaging,
14 or condition of apparently usable menstrual products that
15 the nonprofit organization received as a donation in good
16 faith from a person, manufacturer, or distributor for ulti-
17 mate distribution to individuals in need of such products.

18 (c) EXCEPTION.—Subsections (a) and (b) do not
19 apply to an act or omission of a person, manufacturer,
20 distributor, or nonprofit organization, as applicable, con-
21 stituting gross negligence or intentional misconduct that
22 results in injury to or death of a user or recipient of the
23 menstrual product.

24 **SEC. 3. DEFINITION.**

25 In this Act:

1 (1) The term “menstrual product” means a
2 sanitary napkin, tampon, liner, cup, underwear, and
3 any similar item used by an individual with respect
4 to menstruation.

5 (2) The term “apparently usable” means, with
6 respect to a product, that the product meets all
7 quality and labeling standards imposed by Federal,
8 State, and local laws and regulations even if the
9 product may not be readily marketable.