

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Judiciary & Civil Jurisprudence
For HB 242

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Hearing Date: March 8, 2023 8:00 AM

Andrea Elizondo
Texas Menstrual Equity Coalition
Del Valle, TX

Dear Chairman Jeff Leach, Vice Chairwoman Julie Johnson, and House Judiciary & Civil Jurisprudence Committee Members,

My name is Andrea Elizondo and I live in TX House District 51. Thank you for the opportunity to provide public comment. As a Co-Founder and Lead Organizer of the Texas Menstrual Equity Coalition, I am writing in support of HB 242.

According to the U.S. Food and Drug Administration, some menstrual products are considered “Class 2” medical products. Scented and unscented menstrual pads, tampons, reusable pads, menstrual cups, and period underwear are included in this classification. Menstrual Flux has given all of these products to people in need and most of these products have been donated to us by individuals. The products in this classification have liability, which can deter some people from donating menstrual products. Congress has failed to provide liability protection for individuals and community organizations who are stepping up to fight period poverty, which 1 in 5 menstruators between the age of 12 and 44 in Texas experience (Alliance for Period Supplies). If Congress cannot provide liability protection, Texas should fill in this gap.

Food and household donations have had liability protection through the Good Samaritan Act (42 U.S. Code § 1791) since 1996 but menstrual products still don’t, and it has been long overdue. Local menstrual organizations don’t necessarily have control of which menstrual products are donated because we are dependent on the generosity of individuals to make in-kind donations. Providing liability protection for donated menstrual products would positively impact the supply of donated menstrual products, which will help people who need these products the most.

Texans have had a rough year with the COVID-19 pandemic, job and income losses, evictions, and the snowstorm. It is times like these when our community needs us the most and we shouldn’t have to fear donating menstrual products because of liability concerns.

I request that you please vote this out of committee as soon as possible. Once again, thank you for the opportunity to provide public comment.

Sincerely,
Andrea Elizondo

EVE MARGOLIS

self

Austin, TX

I fully support this bill. This bill has multiple benefits- feminine hygiene products are very expensive, many women do not have the income to purchase them and they are not donated often because of their price. Also, donation keeps them out of landfills. Even if used after an expiration date, they wouldn't be harmful. Making it criminal to donate would eliminate the donation of this very needed product