149th GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**SENATE BILL NO. 166**
SPONSOR:	**Senator Henry**
DESCRIPTION:	**AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PROVISION OF FREE FEMININE HYGIENE PRODUCTS.**

Assumptions:

1. This Act will take effect upon signature of the Governor.

2. This Act will require feminine hygiene products, both tampons, and sanitary napkins, to be provided at no cost to individuals in custody at facilities operated by the Department of Correction (DOC).

3. The number of female offenders in Levels IV and V impacted range from 488 to 516. The DOC provides unlimited sanitary napkins at no expense to inmates, and tampons are sold at the commissary. In 2017, the DOC facilities utilized 284,256 sanitary napkins. The commissary at Delores J. Baylor's Women's Correctional Institution (BWCI) sold approximately 8,100 tampons.

4. Given the current practice of distribution for feminine hygiene products, it is difficult for the DOC to estimate future usage of tampons should they be made available at no expense to the inmate. Further, tampons are not on the State's Personal Care Products contract and the price of tampons may fluctuate depending on the product line that is selected.

5. Estimates for the cost of feminine hygiene products are based on the following assumptions:
   - All 488-516 female inmates are menstruating.
   - Inmates have adequate availability of feminine hygiene products (both sanitary napkins and tampons).
   - The case price for tampons remains at $52.00.

6. The cost estimate assumes the Department will maintain the availability of 284,256 sanitary napkins at a case price of $19.00 per case of 288 at an annual expense of $18,753. This rate would allow for an allotment of 45-49 sanitary napkins per female inmate per month.

7. The DOC would incur an additional annual expense of $23,140 for providing 222,912 tampons at a case price of $52.00 per case of 500. This rate would allow for an allotment of 36-38 tampons per female inmate per month (based on experience in other U.S. correctional systems).

Cost:

FY 2019	$23,140
FY 2020	$23,140
FY 2021	$23,140

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