

Social Issues

Virginia lawmakers seek to make menstrual products more affordable, available

By **Michael Alison Chandler** January 22 at 3:31 PM

Democratic lawmakers in Virginia are proposing a range of bills this year that would make tampons and sanitary pads more accessible to public school students and incarcerated women and more affordable for every woman in the state.

The bills reflect what's become a national movement for "menstrual equity," which aims to improve access to menstrual products, particularly for women who are poor, so that having a period does not interfere with someone's ability to go to school or to work or to maintain a sense of dignity.

"Women don't have a choice as to whether or not they have a period," said Del. Jennifer B. Boysko (D-Fairfax), who reintroduced a bill to exempt menstrual products from the sales tax. "This is a fairness issue. These products need to be more affordable."

Similar legislation to eliminate what activists call a "pink tax" or "period penalty" have been considered since 2016 in two dozen of the 40 states that tax menstrual products. Four states — New York, Illinois, Connecticut and Florida — approved sales-tax exemptions, along with the District and the city of Chicago.

The D.C. Council approved a bill in 2016 to eliminate sales tax for menstrual products. D.C. Mayor Muriel E. Bowser (D) signed the bill, but its \$3.3 million price tag was not funded last year, so the tax remains in place. If the law is not funded in the next budget cycle, it will be considered void.

In Maryland, menstrual products have been exempt from sales tax since 1980. Last year, the legislature approved a bill to provide tampons and pads free to homeless girls and women in schools and shelters.

In Virginia, efforts to remove sales tax on menstrual products have been unsuccessful. Bills on the issue have died in a House Finance subcommittee for the past two years. The main sticking point was funding, with lawmakers in the Finance Committee unwilling to pass bills that meant an estimated \$4.4 million or more in lost tax revenue.

Del. R. Lee Ware (R-Powhatan), a member of the Finance Committee, was not available to comment on the bill specifically. But his legislative counsel, David A. Bovenizer IV, said in an email that Ware has long advocated against provisions that reduce revenue to the state.

Another unsuccessful effort in Virginia was a bill that would have included menstrual products on the list of items included during the state's annual tax-free weekend before school starts. Tax-exempt items include school supplies and clothing, but lawmakers questioned whether menstrual products were appropriate for the list.

Holly Seibold, an advocate for more affordable menstrual products, said she is not surprised that Virginia's male-dominated legislature would not see menstrual products as "essential" for school students. She also noted that the list of tax-exempt items includes "wedding apparel," "golf clothing" and "corsets and corset laces."

She hopes the reception will be different this year, particularly since a wave of new female delegates were recently sworn into office.

Democrats, including women motivated to run by President Trump's election in 2016, saw overwhelming victories in the November elections in Virginia's House, flipping 15 seats and replacing 11 men with women. Women now hold a record 28 of 100 seats, up from 17.

Seibold, who founded a nonprofit called BRAWS in Vienna that supplies shelters and public schools with menstrual products and newly purchased bras, said many groups and activists that organized to elect women to office have joined with her to form the Virginia Menstrual Equity Coalition, which is dedicated to changing public policy in the state.

Del. Mark L. Keam (D-Fairfax) said he believes that free and easily accessible menstrual products are essential for public school students. He introduced a bill in this session requiring that they be provided in girls bathrooms in middle and high schools. California and Illinois passed similar laws this year, he said.

Keam, who is a co-sponsor of the sales-tax exemption bill, said the cost should be borne by schools, in the same way that schools are required to provide healthful food to students. "These are costs schools should be funding already to ensure the best experiences for students," he said.

Lawmakers also are pushing to improve access to menstrual products in the state's jails and prisons.

Del. Kaye Kory (D-Fairfax) introduced a bill that would require that feminine hygiene products, including sanitary napkins, sanitary pads and tampons, be provided to female inmates without charge.

Kory, who also introduced a separate sales-tax exemption bill for menstrual products, said that in conversations with formerly incarcerated women, she learned that in many facilities, women are not able to get free products in a timely way. "It could be a week before you get any supplies," she said. Those available for purchase in commissaries are often very expensive, she said.

"That is punishing women for being women," she said.

 **22 Comments**

Michael Alison Chandler writes about families and gender issues.  Follow @michaelalison

