



2026 South Dakota Legislature

House Bill 1123

Introduced by: **Representative** Wittman

1 **An Act to establish a pilot program to provide benefits for menstrual hygiene**
2 **products and diapers for individuals who receive temporary assistance for**
3 **needy families, and to make an appropriation therefor.**

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 **Section 1.** The Department of Social Services shall establish a menstrual hygiene and diaper
6 benefit pilot program to defray the cost of menstrual hygiene products and diapers for
7 participants in the temporary assistance for needy families program authorized by chapter
8 28-7A.

9 The department shall distribute, on a monthly basis:

- 10 (1) For the menstrual hygiene product benefit, fourteen dollars for each participant
11 ages eighteen to fifty, inclusive, who experiences menstruation; and
12 (2) For the diaper benefit, thirty dollars for each dependent, under age three, for whom
13 a participant is responsible.

14 For the purposes of this section and section 2 of this Act, "menstrual hygiene
15 product" means menstrual cups, sanitary napkins, and tampons, used to collect or absorb
16 menstrual fluids.

17 **Section 2.** The Department of Social Services shall:

- 18 (1) Provide the benefits set forth in section 1 of this Act through the participant's
19 existing electronic benefits card and on the same issuance date of the participant's
20 regular benefit from the temporary assistance for needy families program;
21 (2) Provide informational materials to participants regarding the purpose of the benefit
22 and the approved uses of the benefit; and
23 (3) Establish procedures to:
24 (a) Ensure the benefit is used to purchase menstrual hygiene products or
25 diapers, as applicable; and

1 **(b)** Reclaim unused benefits from participants who no longer meet the
2 requirements in section 1 of this Act.

3 A participant receiving the benefit may use the moneys only to purchase menstrual
4 hygiene products or diapers, as applicable. Any unspent moneys from a participant's
5 monthly benefit must be carried over to the next month, unless the individual no longer
6 meets the requirements in section 1 of this Act.

7 **Section 3.** On or before September 1, 2027, the Department of Social Services shall submit
8 a report to the Legislature evaluating the effectiveness of the menstrual hygiene and diaper
9 benefit pilot program, and providing:

- 10 (1) The number of participants who benefited from the pilot program;
11 (2) The amount of money distributed in total for each benefit; and
12 (3) Recommendations for policy or legislative action to continue or improve the pilot
13 program.

14 **Section 4.** There is appropriated \$2,500,000 from the general fund, to the Department of
15 Social Services, for the purpose of funding the pilot program established in section 1 of this
16 Act.

17 **Section 5.** The secretary of the Department of Social Services shall approve vouchers and
18 the state auditor shall draw warrants to pay expenditures authorized in this Act.

19 **Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated shall
20 revert in accordance with the procedures prescribed in chapter 4-8.

21 **Section 7.** This Act is effective beginning June 30, 2026.

22 **Section 8.** Sections 1 and 2 of this Act expire on June 30, 2027.