

Bills Would Repeal 'Tampon Tax,' Require Hygiene Products in Bathrooms

Written by Wisconsin Assembly, Britt Cudaback
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The Hygiene Product Accessibility Act removes barriers to affording, accessing hygiene products.

MADISON - Representative **Melissa Sargent** (D-Madison) announced legislation last Friday to help address accessibility to hygiene products in Wisconsin. The Hygiene Product Accessibility Act was introduced into the Wisconsin State Legislature last week, and is part of a national conversation to make tampons, sanitary napkins, and other menstrual products more available and less cost-restrictive.



“Hygiene products are necessities, not luxuries, and it’s time our laws reflect this fact,” said Sargent. “Tampons and pads are simply incomparable to other essential hygiene products. There’s no analogous sex-based tax on any other good, and no analogous hygiene need exists--you can choose to use or not to use soap or toothpaste, but there’s no alternative for using hygiene products.”

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The Hygiene Product Accessibility Act is comprised of two separate pieces of legislation. The first bill, LRB-0272 requires tampons, sanitary napkins, and other feminine hygiene products to be available in restroom facilities of buildings owned, leased, or occupied by the state or political subdivisions. The Act also includes LRB-4682, which creates a sales tax exemption for hygiene products, which are currently subject to a state sales and use tax rate of 5%.

“This is a sex-based tax and accessibility barrier, and these bills are simply about making sure people aren’t unfairly penalized just because they menstruate,” Sargent added. “This is especially true for women who are underrepresented at every level, which has historically led to menstruation being financially penalized and socially stigmatized. The tax on hygiene products in particular presents a double whammy for women who already make 78 cents on the dollar compared to their male counterparts--and even less for women of color--and then have added expenses of hygiene products on top of everything else.”

The introduction of the Hygiene Product Accessibility Act marks the second time both bills have been circulated in the Wisconsin State Legislature. This legislation has been met with some opposition from persons who point to other taxed goods they suggest are similar and allege exempting hygiene products from taxation and providing hygiene products in government buildings constitutes an unfair benefit for persons who menstruate.

“These bills level the playing field. People don’t choose to menstruate any more than they choose to exercise any other bodily function,” responded Sargent. “These bills don’t benefit persons who menstruate over persons who don’t menstruate, they just ensure our laws don’t inherently disadvantage those who do.”

The Hygiene Product Accessibility Act is being circulated for co-sponsorship until November 10, 2017.

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Melissa Sargent is a State Representative in the Wisconsin Assembly, representing the 48th Assembly District, which covers the east and north sides of the city of Madison and the village of Maple Bluff.

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