

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 545

Introduced by Rountree, 3.

Read first time January 22, 2025

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to menstrual products; to provide immunity
- 2 from liability for injury or death resulting from the use of donated
- 3 menstrual products as prescribed; and to define terms.
- 4 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1)(a) A person, manufacturer, or distributor shall not
2 be subject to civil or criminal liability arising from the nature, age,
3 packaging, or condition of an apparently usable menstrual product that
4 such person, manufacturer, or distributor donates in good faith to a
5 nonprofit organization for ultimate distribution to an individual in need
6 of such product.

7 (b) A nonprofit organization shall not be subject to civil or
8 criminal liability arising from the nature, age, packaging, or condition
9 of an apparently usable menstrual product that such nonprofit
10 organization received in good faith from a person, manufacturer, or
11 distributor for ultimate distribution to an individual in need of such
12 product.

13 (2) Subsection (1) of this section shall not apply to an act or
14 omission of any person, manufacturer, distributor, or nonprofit
15 organization that constitutes gross negligence or intentional misconduct
16 and results in injury to, or death of, a user or recipient of a menstrual
17 product.

18 (3) For purposes of this section:

19 (a) Apparently usable means, with respect to a menstrual product,
20 that the product meets all quality and labeling standards imposed by
21 federal, state, and local laws and regulations whether or not the product
22 is readily marketable; and

23 (b) Menstrual product means a sanitary napkin, tampon, liner, cup,
24 underwear and any similar item used by an individual for menstruation.