S T A T E O F N E W Y O R K

9767--A

I N A S S E M B L Y

April 6, 2016

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public buildings law, in relation to requiring the establishment of lactation rooms in certain public buildings

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public buildings law is amended by adding a new section 144 to read as follows:

S 144. LACTATION ROOM IN PUBLIC BUILDINGS. 1. AS USED IN THIS SECTION:

(A) "COVERED PUBLIC BUILDING" MEANS A PUBLIC BUILDING OF THE STATE OF NEW YORK AS DESCRIBED IN SECTION TWO OF THIS CHAPTER THAT IS OPEN TO THE PUBLIC AND CONTAINS A PUBLIC RESTROOM; AND

(B) "LACTATION ROOM" MEANS A HYGIENIC PLACE, OTHER THAN A BATHROOM, THAT:

(1) IS SHIELDED FROM VIEW;

(2) IS FREE FROM INTRUSION; AND

(3) CONTAINS A CHAIR, A WORKING SURFACE, AND, IF THE PUBLIC BUILDING IS OTHERWISE SUPPLIED WITH ELECTRICITY, AN ELECTRICAL OUTLET.

2. A COVERED PUBLIC BUILDING SHALL CONTAIN A LACTATION ROOM THAT IS MADE AVAILABLE FOR USE BY A MEMBER OF THE PUBLIC TO EXPRESS BREAST MILK.

3. A COVERED PUBLIC BUILDING SHALL BE EXCLUDED FROM THE REQUIREMENT OF SUBDIVISION TWO OF THIS SECTION IF THE PUBLIC BUILDING:

(A) DOES NOT CONTAIN A LACTATION ROOM FOR EMPLOYEES WHO WORK IN THE BUILDING; AND

(B) DOES NOT HAVE A ROOM THAT COULD BE REPURPOSED AS A LACTATION ROOM OR A SPACE THAT COULD BE MADE PRIVATE, AT A REASONABLE COST; OR

(C) NEW CONSTRUCTION WOULD BE REQUIRED TO CREATE A LACTATION ROOM IN THE PUBLIC BUILDING AND THE COST OF SUCH CONSTRUCTION IS UNFEASIBLE.

4. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AUTHORIZE AN INDIVIDUAL TO ENTER A PUBLIC BUILDING THAT THE INDIVIDUAL IS NOT OTHERWISE AUTHORIZED TO ENTER.

S 2. This act shall take effect one year after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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