STATE OF NEW YORK

3859

2021-2022 Regular Sessions

IN SENATE

January 31, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, the highway law and the public health law, in relation to establishing the lactation accommodation in public transportation facilities act

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "lactation accommodation in public transportation facilities act".

§ 2. Section 361-c of the public authorities law, as added by chapter 876 of the laws of 1976, is amended to read as follows:

§ 361-c. [~~Tourist information~~] **Service** facilities. **1.** The authority shall provide tourist information services at all service areas where food is offered for sale, provided that: the department of commerce and or local and regional tourist promotion agencies shall provide the authority with ample supplies of such literature and brochures necessary for distribution to the traveling public.

2. When there is construction of a new service area, or the replacement, expansion, or substantial renovation of an existing service area, the authority shall provide a private room for nursing mothers at all service areas where food is offered for sale. A private room for nursing mothers must meet the following conditions:

(a) includes, at a minimum, a chair and an electrical outlet; and

(b) is located outside the confinement of a public restroom.

§ 3. Section 20 of the highway law is amended by adding a new subdivision 5 to read as follows:

5. When there is construction of a new roadside rest area, or the replacement, expansion, or substantial renovation of an existing roadside rest area which has a restroom along New York interstate eighty-seven between exit one in the town of Guilderland and exit forty-three in the town of Champlain, commonly known as state route eighty-seven or

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

LBD06351-01-1

the northway, the commissioner shall provide for a private room or area for nursing mothers. For purposes of this section, a private room for nursing mothers shall: (a) include, at a minimum, a chair and an electrical outlet; and (b) be located outside the confinement of a public restroom.

§ 4. The public health law is amended by adding a new section 2505-b to read as follows:

§ 2505-b. Private place for nursing mothers. 1. On or before January first, two thousand twenty-two, the manager of a railroad station or bus station, consisting of an indoor waiting area with public restrooms, operated by a city, county, city and county, state, or public benefit corporation, that conducts commercial operations and that has more than five hundred thousand passengers a year, shall provide a room or other location for members of the public to express breast milk in private that meets both of the following conditions:

(a) includes, at a minimum, a chair and an electrical outlet; and

(b) is located outside of the confines of a public restroom.

2. Upon construction of a new station that has indoor waiting areas with public restrooms or the replacement, expansion, or renovation of an existing station, a railroad or bus station shall provide a sink in any room or other location designated to comply with the provisions of this section.

3. As used in this section, "renovation of an existing station" means the repurposing of more than twenty-five percent of the space in the station.

4. Nothing in this section shall apply to railroad stations operated for the sole purpose of a subway station or rapid transit railroad station.

§ 5. This act shall take effect on the thirtieth day after it shall have become a law.