

# STATE OF NEW YORK

3866

2021-2022 Regular Sessions

## IN SENATE

February 1, 2021

Introduced by Sens. KENNEDY, KRUEGER, LIU, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and chapter 802 of the laws of 1947 relating to facilitating the financing and effectuation of air terminals by the Port of New York Authority, in relation to requiring certain lactation accommodations in airports

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

1 Section 1. This act shall be known and may be cited as the "lactation  
2 accommodation in airports act".

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

5 § 2505-b. Lactation accommodations in airports. 1. The terminal opera-  
6 tor of a commercial service airport owned or operated by a county, city,  
7 town, village, or state or local authority that has one million or more  
8 enplanements a year shall provide a room or other location at each  
9 airport passenger terminal behind the airport security screening area  
10 for members of the public to express breast milk in private that meets  
11 the following conditions:

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

13 (b) is located outside of the confines of a public restroom; and

14 (c) upon completion of the construction of a new passenger terminal,  
15 or the replacement, expansion, or renovation of an existing passenger  
16 terminal, includes a sink.

17 2. The terminal operator of a commercial service airport owned or  
18 operated by a county, city, town, village, or state or local authority  
19 that has fewer than one million, but more than ten thousand enplanements  
20 a year shall, upon completion of the construction of a new passenger  
21 terminal, or the replacement, expansion, or renovation of an existing  
22 passenger terminal, provide a room or other location at each airport

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

LBD06166-01-1

1 passenger terminal behind the airport security screening area for  
2 members of the public to express breast milk in private that meets the  
3 following conditions:

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

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

7 3. As used in this section, "renovation of an existing passenger  
8 terminal" means the repurposing of more than twenty-five percent of the  
9 space in the passenger terminal.

10 § 3. Chapter 802 of the laws of 1947 relating to facilitating the  
11 financing and effectuation of air terminals by the Port of New York  
12 Authority is amended by adding a new section 4-b to read as follows:

13 § 4-b. Lactation accommodations in airports. 1. Any airport main-  
14 tained or operated by the Port Authority that has one million or more  
15 enplanements a year shall provide a room or other location at each  
16 airport passenger terminal behind the terminal security screening area  
17 for members of the public to express breast milk in private that meets  
18 the following conditions:

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

20 (b) is located outside of the confines of a public restroom; and

21 (c) upon completion of the construction of a new passenger terminal,  
22 or the replacement, expansion, or renovation of an existing passenger  
23 terminal, includes a sink.

24 2. Any airport maintained or operated by the Port Authority that has  
25 fewer than one million but more than ten thousand enplanements a year  
26 shall, upon completion of the construction of a new passenger terminal,  
27 or the replacement, expansion, or renovation of an existing passenger  
28 terminal, provide a room or other location at each airport passenger  
29 terminal behind the terminal security screening area for members of the  
30 public to express breast milk in private that meets the following condi-  
31 tions:

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

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

35 3. As used in this section, "renovation of an existing passenger  
36 terminal" means the repurposing of more than twenty-five percent of the  
37 space in the passenger terminal.

38 § 4. This act shall take effect on the first of January next succeed-  
39 ing the date on which it shall have become a law, provided, however,  
40 section three of this act shall take effect upon the enactment into law  
41 by the state of New Jersey of legislation having an identical effect  
42 with this act but if the state of New Jersey shall have already enacted  
43 such legislation, then this act shall take effect immediately. The  
44 chairperson of the port authority shall notify the legislative bill  
45 drafting commission upon the enactment into law of such legislation by  
46 both such states in order that the commission may maintain an accurate  
47 and timely effective data base of the official text of the laws of the  
48 state of New York in furtherance of effecting the provisions of section  
49 44 of the legislative law and section 70-b of the public officers law.