

STATE OF NEW YORK

3383

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

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:

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

3 § 2. Section 361-c of the public authorities law, as added by chapter
4 876 of the laws of 1976, is amended to read as follows:

5 § 361-c. [~~Tourist information~~] Service facilities. 1. The authority
6 shall provide tourist information services at all service areas where
7 food is offered for sale, provided that: the department of commerce and
8 or local and regional tourist promotion agencies shall provide the
9 authority with ample supplies of such literature and brochures necessary
10 for distribution to the traveling public.

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

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

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

18 § 3. Section 20 of the highway law is amended by adding a new subdivi-
19 sion 5 to read as follows:

20 5. When there is construction of a new roadside rest area, or the
21 replacement, expansion, or substantial renovation of an existing road-
22 side rest area which has a restroom along New York interstate eighty-
23 seven between exit one in the town of Guilderland and exit forty-three
24 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.

LBD05052-01-3

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

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

8 § 2505-c. Private place for nursing mothers. 1. On or before January
9 first, two thousand twenty-four, the manager of a railroad station or
10 bus station, consisting of an indoor waiting area with public restrooms,
11 operated by a city, county, city and county, state, or public benefit
12 corporation, that conducts commercial operations and that has more than
13 five hundred thousand passengers a year, shall provide a room or other
14 location for members of the public to express breast milk in private
15 that meets both of the following conditions:

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

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

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

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

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

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