

116TH CONGRESS
1ST SESSION

S. 528

AN ACT

To amend title 40, United States Code, to provide a lactation room in public buildings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Fairness For
3 Breastfeeding Mothers Act of 2019”.

4 **SEC. 2. LACTATION ROOMS IN PUBLIC BUILDINGS.**

5 (a) IN GENERAL.—Chapter 33 of title 40, United
6 States Code, is amended—

7 (1) by redesignating sections 3315, 3316, and
8 3317 as sections 3316, 3317, and 3318, respectively;
9 and

10 (2) by inserting after section 3314 the fol-
11 lowing:

12 **“§ 3315. Lactation rooms in public buildings**

13 “(a) DEFINITIONS.—In this section:

14 “(1) APPROPRIATE AUTHORITY.—The term ‘ap-
15 propriate authority’ means—

16 “(A) the head of a Federal agency;

17 “(B) the Architect of the Capitol; and

18 “(C) another official authority responsible
19 for the operation of a public building.

20 “(2) COVERED PUBLIC BUILDING.—

21 “(A) IN GENERAL.—The term ‘covered
22 public building’ means a public building that—

23 “(i) is open to the public; and

24 “(ii) contains a public restroom.

1 “(B) INCLUSION.—The term ‘covered pub-
 2 lic building’ includes a building listed in section
 3 5101 or 6301.

4 “(3) LACTATION ROOM.—The term ‘lactation
 5 room’ means a hygienic place, other than a bath-
 6 room, that—

7 “(A) is shielded from view;

8 “(B) is free from intrusion; and

9 “(C) contains—

10 “(i) a chair;

11 “(ii) a working surface; and

12 “(iii) if the public building is supplied
 13 with electricity, an electrical outlet.

14 “(b) LACTATION ROOMS REQUIRED.—Except as pro-
 15 vided in subsection (c), the appropriate authority of a cov-
 16 ered public building shall ensure that the building contains
 17 a lactation room that is made available for use by mem-
 18 bers of the public to express breast milk.

19 “(c) EXCEPTIONS.—A covered public building may be
 20 excluded from the requirement in subsection (b) at the dis-
 21 cretion of the appropriate authority if—

22 “(1) the public building—

23 “(A) does not contain a lactation room for
 24 employees who work in the building; and

1 “(B) does not have a room that could be
 2 repurposed as a lactation room or a space that
 3 could be made private using portable materials,
 4 at a reasonable cost; or

5 “(2) new construction would be required to cre-
 6 ate a lactation room in the public building and the
 7 cost of the construction is not feasible.

8 “(d) NO UNAUTHORIZED ENTRY.—Nothing in this
 9 section authorizes an individual to enter a public building
 10 or portion of a public building that the individual is not
 11 otherwise authorized to enter.”.

12 (b) TECHNICAL AMENDMENT.—The table of sections
 13 for chapter 33 of title 40, United States Code, is amended
 14 by striking the items relating to sections 3315 through
 15 3317 and inserting the following:

“3315. Lactation rooms in public buildings.
 “3316. Delegation.
 “3317. Report to Congress.
 “3318. Certain authority not affected.”.

16 (c) EFFECTIVE DATE.—The amendments made by
 17 this section shall take effect 1 year after the date of enact-
 18 ment of this Act.

Passed the Senate June 26, 2019.

Attest:

Secretary.

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