

115TH CONGRESS
1ST SESSION

S. 1497

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

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2017

Mr. DAINES (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness For Breast-
5 feeding Mothers Act of 2017”.

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

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

1 (1) by redesignating sections 3315, 3316, and
 2 3317 as sections 3316, 3317, and 3318, respectively;
 3 and

4 (2) by inserting after section 3314 the fol-
 5 lowing:

6 **“§ 3315. Lactation rooms in public buildings**

7 “(a) DEFINITIONS.—In this section:

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

10 “(A) the head of a Federal agency;

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

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

14 “(2) COVERED PUBLIC BUILDING.—

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

17 “(i) is open to the public; and

18 “(ii) contains a public restroom.

19 “(B) INCLUSION.—The term ‘covered pub-
 20 lic building’ includes a building listed in section
 21 5101 or 6301.

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

25 “(A) is shielded from view;

1 “(B) is free from intrusion; and

2 “(C) contains—

3 “(i) a chair;

4 “(ii) a working surface; and

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

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

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

15 “(1) the public building—

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

18 “(B) does not have a room that could be
19 repurposed as a lactation room or a space that
20 could be made private using portable materials,
21 at a reasonable cost; or

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

1 “(d) NO UNAUTHORIZED ENTRY.—Nothing in this
2 section authorizes an individual to enter a public building
3 or portion of a public building that the individual is not
4 otherwise authorized to enter.”.

5 (b) TECHNICAL AMENDMENT.—The table of sections
6 for chapter 33 of title 40, United States Code, is amended
7 by striking the items relating to sections 3315 through
8 3317 and inserting the following:

“3315. Lactation rooms in public buildings.

“3316. Delegation.

“3317. Report to Congress.

“3318. Certain authority not affected.”.

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

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