

(Reprinted with amendments adopted on May 26, 2021)

SECOND REPRINT

A.B. 196

ASSEMBLY BILL NO. 196—ASSEMBLYWOMAN BENITEZ-THOMPSON

MARCH 4, 2021

Referred to Committee on Government Affairs

SUMMARY—Requires courthouses to contain lactation rooms for use by members of the public under certain circumstances. (BDR 1-734)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [~~omitted material~~] is material to be omitted.

AN ACT relating to courts; requiring courthouses to contain lactation rooms for use by members of the public under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires each public body in this State to provide an employee
2 who is the mother of a child under 1 year of age with a place, other than a
3 bathroom, that is reasonably free from dirt or pollution, protected from the view of
4 others and free from intrusion by others where the employee may express breast
5 milk. (NRS 281.755) Existing federal law requires, with certain exceptions, that
6 federal buildings, including, without limitation, federal courthouses, contain a
7 lactation room that is made available for use by members of the public to express
8 breast milk. (40 U.S.C. § 3318) **Section 1** of this bill enacts provisions based on
9 this federal law to require each courthouse to contain a lactation room that may be
10 used by members of the public to express breast milk. **Section 1** provides an
11 exception to the requirement if the person who is responsible for the operation of
12 the courthouse determines that: (1) the courthouse does not contain a lactation room
13 for employees; (2) the courthouse does not have a room or other space that could be
14 repurposed or privatized as a lactation room; or (3) new construction would be
15 required to provide the lactation room and the cost of the construction is unfeasible.
16 **Section 1** defines “lactation room” as a hygienic place, other than a bathroom, that:
17 (1) is shielded from view; (2) is free from intrusion; and (3) contains a chair, a
18 working surface and an electrical outlet. Additionally, **section 1** defines
19 “courthouse” as any building or campus which houses one or more courts.



* A B 1 9 6 R 2 *

20 **Section 1.5** of this bill makes an appropriation from the State General Fund to
21 the Administrative Office of the Courts for allocation as grants to municipal courts,
22 justice courts and district courts for the costs of complying with **section 1**.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 1 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in this section, each*
4 *courthouse must contain a lactation room that members of the*
5 *public may use to express breast milk.*

6 *2. The requirements of subsection 1 do not apply to a*
7 *courthouse if the person who is responsible for the operation of*
8 *the courthouse determines that:*

9 *(a) The courthouse does not contain a lactation room for*
10 *employees;*

11 *(b) The courthouse does not have:*

12 *(1) A room that could be repurposed as a lactation room;*

13 *or*

14 *(2) A space that could be made private at a reasonable cost*
15 *using portable materials; or*

16 *(c) New construction would be required to create the lactation*
17 *room and the cost of such construction is unfeasible.*

18 *3. Nothing in this section shall be construed to authorize a*
19 *person to enter a courthouse if the person is not authorized to*
20 *enter the courthouse.*

21 *4. As used in this section:*

22 *(a) "Courthouse" means any building or campus which*
23 *houses one or more courts.*

24 *(b) "Lactation room" means a hygienic place, other than a*
25 *bathroom, that:*

26 *(1) Is shielded from the view of others;*

27 *(2) Is free from intrusion by others; and*

28 *(3) Contains:*

29 *(I) A chair;*

30 *(II) A working surface; and*

31 *(III) An electrical outlet.*

32 **Sec. 1.5.** 1. There is hereby appropriated from the State
33 General Fund to the Administrative Office of the Courts the sum of
34 \$50,000 for allocation pursuant to subsection 2 for the purpose of
35 awarding grants of money to municipal courts, justice courts and
36 district courts for the costs of complying with section 1 of this act.



1 2. To the extent that money is available from the appropriation
2 made by subsection 1, allocation of the money appropriated by
3 subsection 1 as a grant is contingent upon matching money being
4 provided by the court applying for such a grant from sources other
5 than the appropriation made by subsection 1, including, without
6 limitation, gifts, grants and donations to the court from private and
7 public sources of money. The Administrative Office of the Courts
8 shall not distribute any money from the appropriation made by
9 subsection 1 until the court submits to the Administrative Office of
10 the Courts proof satisfactory to the Administrative Office of the
11 Courts that matching money in an equivalent amount has been
12 committed.

13 3. Upon acceptance of the money allocated as a grant pursuant
14 to subsection 2, the court that was awarded the grant agrees to:

15 (a) Prepare and transmit a report to the Administrative Office of
16 the Courts on or before December 16, 2022, that describes each
17 expenditure made from the money allocated pursuant to subsection
18 2 from the date on which the money was received by the court
19 through December 1, 2022;

20 (b) Prepare and transmit a final report to the Administrative
21 Office of the Courts on or before September 15, 2023, that describes
22 each expenditure made from the money allocated pursuant to
23 subsection 2 from the date on which the money was received by the
24 court through June 30, 2023; and

25 (c) Upon request of the Legislative Commission, make available
26 to the Legislative Auditor any of the books, accounts, claims,
27 reports, vouchers or other records of information, confidential or
28 otherwise, of the court, regardless of their form or location, that the
29 Legislative Auditor deems necessary to conduct an audit of the use
30 of the money allocated pursuant to subsection 2.

31 4. Any remaining balance of the appropriation made by
32 subsection 1 must not be committed for expenditure after June 30,
33 2023, by the entity to which the appropriation is made or any entity
34 to which money from the appropriation is granted or otherwise
35 transferred in any manner, and any portion of the appropriated
36 money remaining must not be spent for any purpose after
37 September 15, 2023, by either the entity to which the money was
38 appropriated or the entity to which the money was subsequently
39 granted or transferred, and must be reverted to the State General
40 Fund on or before September 15, 2023.

41 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
42 additional expenses of a local government that are related to the
43 provisions of this act.



1 **Sec. 3.** 1. This section and section 1.5 of this act become
2 effective on July 1, 2021.
3 2. Sections 1 and 2 of this act become effective on January 1,
4 2022.

