

116TH CONGRESS  
1ST SESSION

# H. R. 866

To provide a lactation room in public buildings.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Ms. NORTON introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To provide a lactation room in public buildings.

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  
5 Breastfeeding Mothers Act of 2019”.

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

7 (a) LACTATION ROOM IN PUBLIC BUILDINGS.—  
8 Chapter 33 of title 40, United States Code, is amended  
9 by adding at the end the following new section:

10 **“§ 3318. Lactation room in public buildings**

11 **“(a) DEFINITIONS.—In this section:**

1           “(1) APPROPRIATE AUTHORITY.—The term ‘ap-  
2           propriate authority’ means the head of a Federal  
3           agency, the Architect of the Capitol, or other official  
4           authority responsible for the operation of a public  
5           building.

6           “(2) COVERED PUBLIC BUILDING.—The term  
7           ‘covered public building’ means a public building (as  
8           defined in section 3301) that is open to the public  
9           and contains a public restroom, and includes a build-  
10          ing listed in section 6301 or 5101.

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

14                 “(A) is shielded from view;

15                 “(B) is free from intrusion; and

16                 “(C) contains a chair, a working surface,  
17                 and, if the public building is otherwise supplied  
18                 with electricity, an electrical outlet.

19          “(b) LACTATION ROOM REQUIRED.—Except as pro-  
20          vided in subsection (c), the appropriate authority of a cov-  
21          ered public building shall ensure that the building contains  
22          a lactation room that is made available for use by mem-  
23          bers of the public to express breast milk.

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

4               “(1) the public building—

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

7                       “(B) does not have a room that could be  
8 repurposed as a lactation room or a space that  
9 could be made private using portable materials,  
10 at a reasonable cost; or

11               “(2) new construction would be required to cre-  
12 ate a lactation room in the public building and the  
13 cost of such construction is unfeasible.

14       “(d) NO UNAUTHORIZED ENTRY.—Nothing in this  
15 section shall be construed to authorize an individual to  
16 enter a public building or portion thereof that the indi-  
17 vidual is not otherwise authorized to enter.”.

18       (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of chapter 33 of title 40, United States  
20 Code, is amended by inserting after the item related to  
21 section 3316 the following new item:

“3318. Lactation room in public buildings.”.

22       (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall take effect 1 year after the date of the  
24 enactment of this Act.