

HOUSE BILL NO. 1279

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BROWN (70).

3148H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to accommodations for breast-feeding mothers in school buildings.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.3005, to read as follows:

160.3005. 1. Before July 1, 2021, the local board of education of each school district shall adopt a written policy that requires the administration of each public school building within the district to provide accommodations to lactating employees, teachers, and students to express breast milk, breast-feed a child, or address other needs relating to breast-feeding. The policy shall include provisions that require the district to provide a minimum of three opportunities during a school day, at two-hour intervals, to accommodate an employee's, teacher's, or student's need to express breast milk or breast-feed a child. The policy shall include provisions that require such accommodations to be available to each lactating employee, teacher, or student for at least one year following the birth of the employee's, teacher's, or student's child, and that permit such accommodations to be available for longer than one year as determined by each local school board.

2. District policies shall require each school building to contain suitable accommodation in the form of a room, other than a restroom, for the exclusive use of women to express breast milk or breast-feed a child. Such accommodation shall be located in close proximity to a sink with running water and a refrigerator for breast milk storage and have, at a minimum, the following features:

(1) Ventilation and a door that may be locked for privacy;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(2) A work surface and a chair; and**

19 **(3) Conveniently-placed electrical outlets.**

20 **3. The department of elementary and secondary education shall develop a model**
21 **policy that satisfies the requirements of subsections 1 and 2 of this section before January**
22 **1, 2021.**

23 **4. The department of elementary and secondary education may promulgate all**
24 **necessary rules and regulations for the administration of this section. Any rule or portion**
25 **of a rule, as that term is defined in section 536.010, that is created under the authority**
26 **delegated in this section shall become effective only if it complies with and is subject to all**
27 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
28 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
29 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
30 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
31 **any rule proposed or adopted after August 28, 2020, shall be invalid and void.**

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