

Public Law 116–30
116th Congress

An Act

July 25, 2019
[H.R. 866]

To provide a lactation room in public buildings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Fairness For
Breastfeeding
Mothers Act
of 2019.
40 USC 101 note.

SECTION 1. SHORT TITLE.

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

SEC. 2. LACTATION ROOM IN PUBLIC BUILDINGS.

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

40 USC 3318.

“§ 3318. Lactation room in public buildings

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE AUTHORITY.—The term ‘appropriate authority’ means the head of a Federal agency, the Architect of the Capitol, or other official authority responsible for the operation of a public building.

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

“(3) LACTATION ROOM.—The term ‘lactation room’ means a hygienic place, other than a bathroom, that—

“(A) is shielded from view;

“(B) is free from intrusion; and

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

“(b) LACTATION ROOM REQUIRED.—Except as provided in subsection (c), the appropriate authority of a covered public building shall ensure that the building contains a lactation room that is made available for use by members of the public to express breast milk.

“(c) EXCEPTIONS.—A covered public building may be excluded from the requirement in subsection (b) at the discretion of the appropriate authority if—

“(1) the public building—

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

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

“(2) new construction would be required to create a lactation room in the public building and the cost of such construction is unfeasible.

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

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

40 USC 3301
prec.

“3318. Lactation room in public buildings.”.

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

40 USC 3318
note.

Approved July 25, 2019.

LEGISLATIVE HISTORY—H.R. 866 (S. 528):

CONGRESSIONAL RECORD, Vol. 165 (2019):

Feb. 6, considered and passed House.

June 26, considered and passed Senate.

