

FIRST REGULAR SESSION

# SENATE BILL NO. 76

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BECK.

0743S.01I

ADRIANE D. CROUSE, Secretary

## 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, 2022, 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.**

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

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

28           (2) A work surface and a chair; and

29           (3) Conveniently-placed electrical outlets.

30           3. The department of elementary and secondary  
31 education shall develop a model policy that satisfies the  
32 requirements of subsections 1 and 2 of this section before  
33 January 1, 2022.

34           4. The department of elementary and secondary  
35 education may promulgate all necessary rules and regulations  
36 for the administration of this section. Any rule or portion  
37 of a rule, as that term is defined in section 536.010, that  
38 is created under the authority delegated in this section  
39 shall become effective only if it complies with and is  
40 subject to all of the provisions of chapter 536 and, if  
41 applicable, section 536.028. This section and chapter 536  
42 are nonseverable, and if any of the powers vested with the  
43 general assembly pursuant to chapter 536 to review, to delay  
44 the effective date, or to disapprove and annul a rule are  
45 subsequently held unconstitutional, then the grant of  
46 rulemaking authority and any rule proposed or adopted after  
47 August 28, 2021, shall be invalid and void.

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