

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 184

Introduced by Council Members Cornegy, Cumbo, Koslowitz, Powers, Rivera, Ayala, Constantinides, Kallos, Rosenthal, Ampry-Samuel, Lander, Adams, Yeger, Williams and Levin.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring lactation rooms in certain city spaces

Be it enacted by the Council as follows:

Section 1. Section 17-199.1 of the administrative code of the city of New York, as added by local law number 94 for the year 2016, is amended to read as follows:

a. Definitions. For the purposes of this section, “lactation room” means a sanitary place [that is not], *other than* a restroom, that can be used to [breastfeed or] express *breast* milk [in private, and which includes an electrical outlet, a chair, and nearby access to running water] *shielded from view and free from intrusion and that includes at minimum an electrical outlet, a chair, a surface on which to place a breast pump and other personal items, and nearby access to running water.*

b. Every job center, SNAP center, or medical assistance program center of the department of social services/human resources administration; city-owned borough office of the administration for children’s services and the Nicholas Scoppetta children’s center; and health center operated or maintained by the department shall, where practicable, make at least one lactation room available upon request to an individual utilizing on-site services. The presence of such a lactation room shall

not [abrogate] *affect* such an individual's right to breastfeed in public pursuant to article 7 of the civil rights law.

c. Every city jail operated by the department of correction that accepts visitors and precinct operated by the police department shall, where practicable in a publicly-accessible and non-secure area, and provided that the functions of the department of correction or police department will not be materially affected, make at least one lactation room available upon request to an individual utilizing on-site services. The department of correction and the police department shall submit to the speaker of the council (i) on or before August 1, 2019, a report in a machine-readable format providing each such city jail and precinct where such department has determined that it is not practicable to make a lactation room available in accordance with this subdivision, along with an explanation for why it is not practicable, disaggregated by building, and (ii) on or before every August 1 thereafter, information regarding any plans to improve access to or provide for lactation rooms. The presence of such a lactation room shall not affect such an individual's right to breastfeed in public pursuant to article 7 of the civil rights law.

[c.] *d. The department shall create a poster containing information on breast-feeding, an individual's right to nurse in public, and the availability of lactation rooms pursuant to this section. Such poster shall be made available on the department's website, shall be displayed in any lactation room required to be made available pursuant to this section, and shall be displayed in a clear and conspicuous manner in the waiting room of any public space where a lactation room is required to be made available pursuant to this section. No later than one year after the effective date of the local law adding this subdivision, the department shall create a list of all locations with lactation rooms available pursuant to this section. Such list shall be made available on the department's website.*

[d.] *e.* The department of education shall submit to the speaker of the city council on or before August 1, 2017, and on or before every August 1 thereafter, a report summarizing the policies at New York city public schools to allow a student or the parent or guardian of a student access to a lactation room upon request. Such report shall indicate how information regarding such policies was communicated to students, parents and guardians during the previous school year.

[e.] *f.* The department may promulgate rules to implement the provisions of this section including, but not limited to, establishing training programs for staff working at locations required to make a lactation room available pursuant to subdivision b, and providing guidelines concerning the location of a lactation room.

§ 2. This local law takes effect 90 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 17, 2018 and returned unsigned by the Mayor on November 19, 2018.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 184 of 2018, Council Int. No. 878-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.