

By: Representatives Clarke, Barnett,  
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Markham, Martinson, Masterson, Morris,  
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To: Public Health and Human  
Services

HOUSE BILL NO. 526

1 AN ACT TO REQUIRE THE STATE BOARD OF HEALTH TO PROMULGATE  
2 RULES FOR CHILD CARE FACILITIES TO PROMOTE BREAST-FEEDING BY THE  
3 MOTHERS OF THE CHILDREN BEING CARED FOR; TO PROHIBIT  
4 DISCRIMINATION AGAINST A BREAST-FEEDING MOTHER WHO USES HER LAWFUL  
5 BREAK TIME TO EXPRESS MILK; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The Department of Health shall promulgate  
8 regulations to ensure that licensed child care facilities shall be  
9 required to comply with the following:

10 (a) Breast-feeding mothers, including employees, shall  
11 be provided a private and sanitary place that is not a toilet  
12 stall to breast-feed their children or express milk. This area  
13 provides an electrical outlet, comfortable chair, and nearby  
14 access to running water.

15 (b) A refrigerator will be made available for storage  
16 of expressed breast milk following guidelines from the American  
17 Academy of Pediatrics and Centers for Disease Control in ensuring  
18 that breast milk is properly treated to avoid waste. Universal  
19 precautions are not required in handling human milk.

20 (c) Staff shall be trained in the safe and proper  
21 storage and handling of human milk.

22 (d) Breast-feeding promotion information will be  
23 displayed in order to positively promote breast-feeding to the  
24 clients of the facility.

25 (e) Such other requirements as the Board of Health  
26 finds desirable or necessary to promote and protect  
27 breast-feeding.

28           **SECTION 2.** (1) No employer shall prohibit an employee from  
29 expressing breast milk during any meal period or other break  
30 period provided by the employer.

31           (2) It shall be an unlawful discriminatory practice for any  
32 employer to bar or discharge from employment, or withhold pay,  
33 demote or penalize a lactating employee because the employee  
34 breast-feeds or expresses milk at the workplace if the  
35 breast-feeding or expression does not interfere with the operation  
36 of the business or performance of the employee's job.

37           **SECTION 3.** This act shall take effect and be in force from  
38 and after July 1, 2006.