House Bill 1090
By: Representatives Silcox of the 52nd, Jones of the 47th, Cooper of the 43rd, Hatchett of the 150th, and Dempsey of the 13th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions regarding labor and industrial relations, so as to revise provisions regarding employer's obligation to provide break time for an employee to express breast milk; to revise a definition; to provide for requirements for such employers; to provide for exceptions; to amend Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding public officers and employees, so as to require state entities and local governments to provide reasonable break time to an employee who needs to express breast milk; to provide for a definition; to provide for requirements for such state entities and local governments; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.
Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general provisions regarding labor and industrial relations, is amended by revising Code Section 34-1-6, relating to employer obligation to provide time for women to express breast milk for infant child, as follows:

"34-1.6.
(a) As used in this Code section, the term 'employer' means any person or entity that employs one or more employees and shall include provided, however, that such term shall not include the state and its political subdivisions.
(b)(1) To the extent reasonably possible, an employer shall provide reasonable unpaid break time each day to an employee who needs to express breast milk for her infant child. The employer may make reasonable efforts to provide a room or other location (in close proximity to the work area).
(2) To the extent reasonably possible, the employer shall provide a private location, other than a toilet stall, where the employee can express her employee's breast milk.
in privacy during any period away from the employee's assigned duties. The break time shall, if possible, run concurrently with any break time already provided to the employee. An employer is not required to provide break time under this Code section if to do so would unduly disrupt the operations of the employer.

(c) To the extent reasonably possible, an employer shall:

(1) Provide a refrigerator or other cold storage space for keeping breast milk that has been expressed; or

(2) Allow the employee to provide such employee's own portable cold storage device for keeping milk that has been expressed until the end of the employee's work day.

(d) An employer is not liable for any harm caused by or arising from the expressing of an employee's breast milk or the storage of expressed breast milk."

SECTION 2.

Chapter 1 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding public officers and employees, is amended by adding a new Code section to read as follows:

"45-1-7.

(a) As used in this Code section, the term 'agency' means a state branch, department, agency, board, bureau, office, commission, public corporation, or authority or a county, municipal corporation, school district, or other political subdivision of this state.

(b) Each agency shall provide reasonable paid break time each day to an employee who needs to express breast milk. Such break time shall, if possible, run concurrently with any break time already provided to the employee. An agency shall not be required to provide break time under this Code section if providing such break time would unduly disrupt the operations of the agency.

(c) Each agency shall make reasonable efforts to provide a room or other location, other than a toilet stall, in close proximity to the work area, where an employee described in subsection (b) of this Code section can express such employee's breast milk in privacy. The agency shall make reasonable efforts to provide a refrigerator or other cold storage space for keeping breast milk that has been expressed. No agency shall have liability under this Code section for making reasonable efforts to comply with this Code section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.