

AN ACT

relating to the right of a public employee to express breast milk in the workplace.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 619 to read as follows:

CHAPTER 619. RIGHT TO EXPRESS BREAST MILK

IN THE WORKPLACE

Sec. 619.001. DEFINITION. In this chapter, "public employer" means:

(1) a county, a municipality, or another political subdivision of this state, including a school district; or

(2) a board, a commission, an office, a department, or another agency in the executive, judicial, or legislative branch of state government, including an institution of higher education.

Sec. 619.002. RIGHT TO EXPRESS BREAST MILK. An employee of a public employer is entitled to express breast milk at the employee's workplace.

Sec. 619.003. POLICY ON EXPRESSING BREAST MILK. (a) A public employer shall develop a written policy on the expression of breast milk by employees under this chapter.

(b) A policy developed under Subsection (a) must state that the public employer shall:

(1) support the practice of expressing breast milk;

1 and

2 (2) make reasonable accommodations for the needs of
3 employees who express breast milk.

4 Sec. 619.004. PUBLIC EMPLOYER RESPONSIBILITIES. A public
5 employer shall:

6 (1) provide a reasonable amount of break time for an
7 employee to express breast milk each time the employee has need to
8 express the milk; and

9 (2) provide a place, other than a multiple user
10 bathroom, that is shielded from view and free from intrusion from
11 other employees and the public where the employee can express
12 breast milk.

13 Sec. 619.005. DISCRIMINATION PROHIBITED. A public employer
14 may not suspend or terminate the employment of, or otherwise
15 discriminate against, an employee because the employee has asserted
16 the employee's rights under this chapter.

17 Sec. 619.006. NO CAUSE OF ACTION CREATED. This chapter does
18 not create a private or state cause of action against a public
19 employer.

20 SECTION 2. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 786 was passed by the House on April 27, 2015, by the following vote: Yeas 90, Nays 47, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 786 on May 30, 2015, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 786 was passed by the Senate, with amendments, on May 24, 2015, by the following vote: Yeas 21, Nays 9.

Secretary of the Senate

APPROVED: _____

Date

Governor