

House Bill 786
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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; and

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

Sec. 619.004. PUBLIC EMPLOYER RESPONSIBILITIES.

A public employer shall:

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

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

Sec. 619.005. DISCRIMINATION PROHIBITED. A public

SENATE VERSION (IE)

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Sec. 619.004. PUBLIC EMPLOYER RESPONSIBILITIES.

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

(2) provide a place, other than a multiple user bathroom, that is shielded from view and free from intrusion from other employees and the public where the employee can express breast milk. [FA1(1)]

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CONFERENCE

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employer may not suspend or terminate the employment of, or otherwise discriminate against, an employee because the employee has asserted the employee's rights under this chapter.

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

SENATE VERSION (IE)

employer may not suspend or terminate the employment of, or otherwise discriminate against, an employee because the employee has asserted the employee's rights under this chapter.

Sec. 619.006. NO CAUSE OF ACTION CREATED. This chapter does not create a private or state cause of action against a public employer. [FA1(2)]

SECTION 2. Same as House version.

CONFERENCE