SLS 20RS-594 **ORIGINAL** 

2020 Regular Session

SENATE BILL NO. 387

BY SENATOR MIZELL

CORRECTIONAL FACILITIES. Provides relative to the implementation of the requirement that a state correctional facility be equipped with suitable accommodations for breastfeeding and lactation. (8/1/20)

1	AN ACT
2	To enact R.S. 15:827(A)(10), relative to Department of Public Safety and Corrections; to
3	provide relative to duties of Department of Public Safety and Corrections; to provide
4	with respect to suitable accommodations for breastfeeding and lactation; to provide
5	relative to the implementation of the requirement that a state correctional facility or
6	facility housing state inmates be equipped with suitable accommodations for
7	breastfeeding and lactation; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 15:827(A)(10) is hereby enacted to read as follows:
10	§827. Duties of Department of Public Safety and Corrections
11	A. In addition to other duties imposed upon the department it shall be the
12	duty of the department to:
13	* * *
14	(10)(a) Provide suitable accommodations in the form of a room, other
15	than a toilet stall, for the exclusive use of women to breastfeed a child or express
16	breast milk. Such accommodations shall have, at minimum, all of the following
17	features:

1	(i) A lockable door.
2	(ii) A work surface and chair.
3	(iii) Storage for cleaning supplies.
4	(iv) Conveniently placed electrical outlets.
5	(b) For purposes of this Paragraph, "state correctional facility" means
6	a correctional facility owned and operated by the state of Louisiana, the
7	Louisiana Correctional Facilities Corporation or parish facilities housing
8	offenders committed to the custody of the Department of Public Safety and
9	Corrections.
10	(c) The department may adopt any regulation or rule necessary to
11	implement the provisions of this Paragraph. Any rule adopted pursuant to the
12	provisions of this Subparagraph shall be promulgated in accordance with the
13	Administrative Procedure Act.
14	(d) The provisions of this Paragraph shall be implemented to the extent
15	that funds are appropriated for this purpose and to the extent that it is
16	consistent with the available resources.
17	* * *
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.
	DIGEST

DIGEST
SB 387 Original 2020 Regular Session

Mizell

<u>Present law</u> provides for duties imposed upon the Department of Public Safety and Corrections (DPSC) regarding offenders detained in state correctional facilities.

<u>Proposed law</u> provides that in addition to other duties imposed upon the department in <u>present law</u> it shall be the duty of the department to provide suitable accommodations in the form of a room, other than a toilet stall, for the exclusive use of women to breastfeed a child or express breast milk.

<u>Proposed law</u> provides that such accommodation shall have, at minimum, all of the following features:

- (1) A lockable door.
- (2) A work surface and chair.
- (3) Storage for cleaning supplies.

## (4) Conveniently placed electrical outlets.

<u>Proposed law</u> provides that for purposes of this <u>proposed law</u>, "state correctional facility" means a correctional facility owned and operated by the state of Louisiana or the LCFC or parish facilities housing offenders committed to the custody of the DPSC.

<u>Proposed law</u> provides that the department may adopt any regulation or rule necessary to implement the provisions of proposed law.

<u>Proposed law</u> provides that any rule adopted pursuant to the provisions of <u>proposed law</u> shall be promulgated in accordance with the APA.

<u>Proposed law</u> provides that the provisions of <u>proposed law</u> be implemented to the extent that funds are appropriated for this purpose and to the extent that it is consistent with the available resources.

Effective August 1, 2020.

(Adds 15:827(A)(10))