WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 410

By Senator Chapman

[Introduced January 12, 2024; referred  
to the Committee on Government Organization]

A BILL to amend and reenact §16-1-19 of the Code of West Virginia, 1931, as amended, relating to requiring all state buildings to have a nursing room so that a mother can either nurse her baby or pump; requiring that these nursing rooms be separate from a bathroom; and permitting that these rooms can be adjacent to bathrooms.

Be it enacted by the Legislature of West Virginia:

Article 1. state public health system.

§16-1-19. Childs right to nurse; location where permitted; right protected; state buildings must provide nursing rooms.

(a) The Legislature finds that breast feeding is an important, basic act of nurturing that is protected in the interests of maternal and child health.

(b) Notwithstanding any provision of this code to the contrary, a mother may breast feed a child in any location open to the public.

(c) All state buildings and properties leased by the state are required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used to express milk or to nurse a child.

(1) The nursing rooms provided in state buildings must have a functional electrical outlet and a place for the mother to sit.

(2) Although the nursing rooms cannot be bathrooms, they may be attached to bathrooms, such as a private room or lounge off from a bathroom.