STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

A N A C T

RELATING TO HEALTH AND SAFETY - BREASTFEEDING - PROMOTES THE INTERESTS OF MATERNAL AND CHILD HEALTH

Introduced By: Representatives Naughton, McNamara, E Coderre, and Dennigan

Date Introduced: February 13, 2008

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby amended by adding thereto the following chapter:

CHAPTER 13.5

BREASTFEEDING IN PUBLIC PLACES

23-13.5-1. Findings. – The general assembly hereby finds and declares that breastfeeding of a baby is an important and basic act of nurture which must be encouraged in the interests of maternal and child health; that breast milk is the optimal form of nutrition for infants, with a range of benefits for infant's health, growth, immunity and development; that breastfeeding promotes infant health by lowering rates of infection, hospitalization and certain chronic diseases; that mothers who breastfeed their children benefit physically and psychologically; that families with breastfed children benefit from enhanced mother-child attachment and cost-savings, both direct and medical; that breastfeeding contributes to society at-large through economic and environmental gains through reduced work force absenteeism, increased worker retention and productivity and lower health insurance costs due to children of employees remaining healthier; that existing legislation exempts breastfeeding mothers from disorderly conduct laws but does to provide a mother with the explicit right to breastfeed her child in any place open to the public; and that states with laws protecting the right of a mother to breastfeed her child in any place open to the public have higher rates of breastfeeding.
23-13.5-2. Breastfeeding in public places. – A woman may feed her child by bottle or breast in any place open to the public.

23-13.5-3. Right of action. – Any denial, or attempt to deny, the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place open to the public to a woman because she is breast feeding a child is actionable as a claim brought in the district court to enjoin future denials of the right to breastfeed and/or seek other damages.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO HEALTH AND SAFETY - BREASTFEEDING - PROMOTES THE INTERESTS OF MATERNAL AND CHILD HEALTH

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1. This act would allow a woman to feed her child by bottle or breast in any place open to the public and would allow her a private cause of action for denial of this right.

2. This act would take effect upon passage.

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