
**State Government & Tribal Affairs
Committee**

HB 1596

Brief Description: Protecting a woman's right to breastfeed in a place of public resort, accommodation, assemblage, or amusement.

Sponsors: Representatives Green, Hunt, Hudgins, Williams, Rolfes, Morrell, Campbell, Roberts, Kagi, Dickerson, Goodman, Upthegrove, Simpson, Moeller, Ormsby and Nelson.

Brief Summary of Bill

- Declares that the right of a mother to breastfeed her child in public places is a civil right protected under the state's law against discrimination.

Hearing Date: 2/3/09

Staff: Pam Madson (786-7111)

Background:

Washington's law against discrimination prohibits discrimination against a person in the enjoyment of public accommodations, in employment, in real estate transactions, insurance, and credit transactions, and other specific circumstances based on the person's race, creed, color, national origin, sex, military or veteran status, sexual orientation, the presence of any sensory, mental, or physical disability or, in certain circumstances, other factors. Discriminatory acts are considered unfair practices and may be the subject of complaints brought to the Washington Human Rights Commission or filed in court.

The prohibition against discriminating in providing public accommodations applies to "any place of public resort, accommodation, assemblage, or amusement" and includes restaurants, hotels, motels, inns, stores, markets, shopping malls, theaters, cinemas, concert halls, arenas, parks, fairs, arcades, libraries, schools, government offices, and hospitals.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

According to the National Conference of State Legislatures' summary of states' breastfeeding laws, Washington is one of 25 states that expressly declares the act of breastfeeding or expressing breast milk not to be indecent exposure under state criminal laws. Washington is one of 21 states that address breastfeeding in the workplace. Washington allows a public or private employer to use the designation "infant-friendly" if it provides flexible work schedules and clean appropriate facilities for breastfeeding and expressing breast milk. Forty states other than Washington have laws with language that allow women to breastfeed in public and private locations.

Summary of Bill:

Washington's law against discrimination includes the right of a mother to breastfeed her child in any place of public resort, accommodation, assemblage, or amusement. Discriminating against a woman based on her status as a mother breastfeeding her child is an unfair practice under the state's law against discrimination.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.