

AMENDED IN SENATE AUGUST 4, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1787

Introduced by Assembly Member Lowenthal

February 18, 2014

An act to ~~amend Section 21019 of, and to add Section 21668.3 to, 50479 to the Public Utilities Government Code, relating to aviation airports.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1787, as amended, Lowenthal. Airports: commercial operations: lactation accommodation.

(1) Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee who desires to express breast milk for the employee's infant child. Existing federal law requires employers to provide the employee with the use of a room, other than a bathroom, for the employee to express breast milk, as specified. *Existing law authorizes local agencies, as defined, to acquire property for airport purposes and engage in various activities related to airport development and operation.*

This bill would, except as specified, require, on or before January 1, 2016, the airport manager of an airport that conducts commercial operations and that has more than 1,000,000 enplanements a year to provide a room or other location at each airport terminal behind the airport security screening area for members of the public to express breast milk in private that meets specified conditions.

(2) Because the bill would impose new duties on local public officials, the bill would create a state-mandated local program.

~~(3) A violation of the State Aeronautics Act is a crime.~~

~~The bill would expressly exclude its provisions as a crime under the act.~~

~~(4)~~

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 21019 of the Public Utilities Code is~~
2 ~~amended to read:~~

3 ~~21019. Any person violating any of the provisions of this part,~~
4 ~~other than Section 21407.1 or 21668.3, or any of the rules or orders~~
5 ~~issued under this part, is punishable by a fine of not more than one~~
6 ~~thousand dollars (\$1,000) or by imprisonment of not more than~~
7 ~~six months, or both.~~

8 ~~SEC. 2.~~

9 ~~SECTION 1. Section 21668.3 50479 is added to the Public~~
10 ~~Utilities-Government Code, to read:~~

11 ~~21668.3.~~

12 ~~50479. (a) On or before January 1, 2016, the airport manager~~
13 ~~of an airport operated by a city, county, city and county, or airport~~
14 ~~district that conducts commercial operations and that has more~~
15 ~~than one million enplanements a year shall provide a room or other~~
16 ~~location at each airport terminal behind the airport security~~
17 ~~screening area for members of the public to express breast milk~~
18 ~~in private that meets both of the following conditions:~~

19 (1) Includes, at a minimum, a chair and an electrical outlet.

20 (2) Is located outside of the confines of a public restroom.

21 (b) (1) Terminal One at the San Diego International Airport is
22 exempt from providing a room or other location behind the airport

1 security screening area, but shall provide a secure room located
2 in the same terminal prior to entering the security screening area
3 that meets all of the other conditions of subdivision (a). *Terminal*
4 *One at the San Diego International Airport shall comply with*
5 *subdivisions (a) and (d) upon construction of a new terminal or*
6 *the replacement, expansion, or renovation of the existing terminal.*

7 (2) *The commuter terminal at the San Diego International*
8 *Airport is exempt from this section, except that it shall comply with*
9 *subdivisions (a) and (d) upon construction of a new terminal or*
10 *the replacement, expansion, or renovation of the existing terminal.*

11 (c) An airport that conducts commercial operations with less
12 than one million enplanements a year shall comply with
13 subdivisions (a) and (d) upon new terminal construction or the
14 replacement, expansion, or renovation of an existing terminal.

15 (d) Upon construction of a new terminal or the replacement,
16 expansion, or renovation of an existing terminal, an airport shall
17 provide a sink in any room or other location designated to comply
18 with this section.

19 (e) *As used in this section, “renovation of an existing terminal”*
20 *means the repurposing of more than 25 percent of the space in the*
21 *terminal.*

22 ~~SEC. 3.~~

23 *SEC. 2.* If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.