

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 285, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator David

David-NP-FS-Req#4018
3/9/2020 5:05 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 285

By: David of the Senate

and

Bush of the House

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7
8
9 FLOOR SUBSTITUTE

10 [labor - accommodations for expressing milk or
11 breast-feeding - effective date]

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 40 O.S. 2011, Section 435, is
15 amended to read as follows:

16 Section 435. A. 1. An employer other than a state agency may
17 provide reasonable unpaid break time each day to an employee who
18 needs to breast-feed or express breast milk for her child to
19 maintain milk supply and comfort. The break time, if possible,
20 shall run concurrently with any break time, paid or unpaid, already
21 provided to the employee. An employer is not required to provide
22 break time under this section if to do so would create an undue
23 hardship on the operations of the employer.

1 2. Every state agency shall allow an employee who is lactating
2 reasonable paid break time each day to use the designated lactation
3 room for the purpose of maintaining milk supply and comfort.

4 B. An employer may make a reasonable effort to provide a
5 private, secure, and sanitary room or other location in close
6 proximity to the work area, other than a toilet stall, where an
7 employee can express her milk or breast-feed her child.

8 C. The Department of Health shall issue periodic reports on
9 breast-feeding rates, complaints received, and benefits reported by
10 both working breast-feeding mothers and employers.

11 D. As used in this section:

12 1. "Employer" means a person engaged in business who has one or
13 more employees, including the state and any political subdivision of
14 the state;

15 2. "Employee" means any person engaged in service to an
16 employer in the business of the employer;

17 3. "Reasonable ~~efforts~~" means any effort that would not impose
18 an undue hardship on the operation of the employer's business; and

19 4. "Undue hardship" means any action that requires significant
20 difficulty or expense when considered in relation to factors such as
21 the size of the business, its financial resources, and the nature
22 and structure of its operation.

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SECTION 2. This act shall become effective November 1, 2020.

57-2-4018 NP 3/9/2020 5:05:08 PM