



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-2507 County jails: infant and toddler breast milk feeding policy. (2017-2018)

SHARE THIS:  

Date Published: 10/02/2018 09:00 PM

Assembly Bill No. 2507

CHAPTER 944

An act to add Section 4002.5 to the Penal Code, relating to county jails.

[Approved by Governor September 30, 2018. Filed with Secretary of State September 30, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2507, Jones-Sawyer. County jails: infant and toddler breast milk feeding policy.

Existing law places a county jail under the jurisdiction of the sheriff of the county. Existing law requires the Board of State and Community Corrections to establish minimum standards for local correctional facilities governing, among other things, prenatal and postpartum information and health care, and information pertaining to childbirth and infant care, for pregnant inmates in those facilities.

This bill would require, on or before January 1, 2020, a county sheriff or the administrator of a county jail to develop and implement an infant and toddler breast milk feeding policy for lactating inmates detained in or sentenced to a county jail that is based on currently accepted best practices. The bill would require the policy to include provisions for, among other things, procedures for providing medically appropriate support and care related to the cessation of lactation or weaning and for conditioning an inmate's participation in the program upon the inmate undergoing drug screening. The bill would require the policy to be posted in the jail, as specified, and to be communicated to all staff persons who interact with or oversee pregnant or lactating inmates.

By imposing a higher level of service on county employees, this bill would impose a state-mandated local program.

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 the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4002.5 is added to the Penal Code, to read:

4002.5. (a) On or before January 1, 2020, the sheriff of each county or the administrator of each county jail shall develop and implement an infant and toddler breast milk feeding policy for lactating inmates detained in or sentenced to a county jail. The policy shall be based on currently accepted best practices. The policy shall include all of the following provisions:

(1) Procedures for providing medically appropriate support and care related to the cessation of lactation or weaning.

(2) Procedures providing for human milk expression, disposal, and same-day storage for later retrieval and delivery to an infant or toddler by an approved person, at the option of the lactating inmate and with the approval of the facility administrator.

(3) Procedures for conditioning an inmate's participation in the program upon the inmate undergoing drug screening.

(b) The infant and toddler breast milk feeding policy for lactating inmates shall be posted in all locations in the jail where medical care is provided and the provisions of the policy shall be communicated to all staff persons who interact with or oversee pregnant or lactating inmates.

(c) This section applies without regard to whether the jail is operated pursuant to a contract with a private contractor and without regard to whether the inmate has been charged with or convicted of a crime.

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