



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

AB-3280 Superior court: lactation rooms: Judicial Council report. (2023-2024)

SHARE THIS:  

Date Published: 09/12/2024 09:00 PM

Assembly Bill No. 3280

CHAPTER 228

An act to amend Section 69894 of, and to add Section 69894.2 to, the Government Code, relating to courts.

[Approved by Governor September 12, 2024. Filed with Secretary of State September 12, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3280, Committee on Judiciary. Superior court: lactation rooms: Judicial Council report.

Existing law generally requires employers, including the superior court, to provide employees with the use of a lactation room or other location for employees to express milk in private, including, among other things, a clean and safe place to sit. Existing law requires the superior court, commencing July 1, 2026, to provide any court user access to a lactation room in any courthouse in which a lactation room is also provided to court employees, as specified.

This bill would authorize a court to designate a lactation room for court users that does not meet all of the requirements imposed upon an employer with respect to providing a lactation room for employees in order to provide the greatest number of court users with access to lactation rooms in as many courthouses as possible. The bill would require the Judicial Council to submit a report to the Legislature, beginning March 1, 2025, and annually thereafter, with information about the construction, installation, and renovation of lactation rooms in superior courts to comply with the above-described provisions, as specified. The bill would require the Judicial Council to submit the report until courts either fully comply with the above-described provisions requiring courts to provide access to lactation rooms for any court user, or until all funds previously appropriated by the Legislature for the purpose of compliance with those provisions are expended.

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

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

SECTION 1. Section 69894 of the Government Code is amended to read:

69894. (a) The superior court shall provide any court user access to a lactation room in any courthouse in which a lactation room is also provided to court employees in compliance with Section 1031 of the Labor Code. The lactation room for court users shall be located within the court facility in an area that is accessible to the public or in any location that is reasonably accessible to the public using the court facility.

(b) A superior court may comply with this section by designating a lactation room for court users that does not meet all of the requirements of subdivision (d) of Section 1031 of the Labor Code in order to provide the greatest number of court users with access to lactation rooms in as many courthouses as possible. The superior court shall use the most cost effective means possible to construct or renovate lactation rooms in courthouses, including by installing portable lactation rooms where appropriate, due to operational, financial, or space limitations. The lactation room shall not be a bathroom, shall be shielded from

view and free from intrusion while it is being used by a court user to express milk, and shall otherwise comply with the requirements of subdivision (c) of Section 1031 of the Labor Code.

(c) This section shall become operative on July 1, 2026.

SEC. 2. Section 69894.2 is added to the Government Code, to read:

69894.2. (a) On or before March 1, 2025, and by March 1 of each year thereafter, consistent with subdivision (d), the Judicial Council shall submit a report to the Legislature regarding how all funds previously appropriated by the Legislature for the purpose of compliance with Section 69894, including, but not limited to, the funds appropriated pursuant to Item 020-001-0001 of Section 2.00 of the Budget Act of 2022, have been expended by the superior courts. The report shall include at least all of the following information:

(1) The number of lactation rooms that have been constructed, installed, or renovated to comply with the requirements of Section 69894, including the cost per lactation room.

(2) The plan for future construction, installation, or renovation of lactation rooms to comply with the requirements of Section 69894, including the average cost per lactation room, detailing the average cost for new construction, renovation of an existing court facility, and installation of portable lactation rooms that comply with subdivision (b) of Section 69894.

(3) How many lactation rooms are estimated to be constructed, installed, or renovated upon expenditure of all funds previously appropriated by the Legislature.

(4) The funds necessary for courts to fully comply with Section 69894 and provide to any court user access to a lactation room in any courthouse in which a lactation room is also provided to court employees in compliance with Section 1031 of the Labor Code.

(5) The estimated dates, according to the Judicial Council, when the following will occur:

(A) Courts will fully comply with Section 69894.

(B) All funds previously appropriated by the Legislature for the purpose of compliance with Section 69894 will be expended.

(b) In order to provide the greatest number of court users with access to the greatest number of lactation rooms in as many courthouses as possible, the superior court shall use the most cost-effective means possible to construct or renovate lactation rooms in courthouses, including by installing portable lactation rooms that comply with subdivision (b) of Section 69894.

(c) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(d) The report required pursuant to subdivision (a) of this section shall be required only until courts either fully comply with Section 69894, or until all funds previously appropriated by the Legislature for the purpose of compliance with Section 69894 are expended.