

1 AN ACT relating to breast-feeding.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 211.755 is amended to read as follows:

4 (1) Notwithstanding any other provision of the law, a mother may breast-feed her baby
5 or express breast milk in any location, public or private, where the mother is
6 otherwise authorized to be. Breast-feeding a child or expressing breast milk as part
7 of breast-feeding shall not be considered an act of public indecency and shall not be
8 considered indecent exposure, sexual conduct, lewd touching, or obscenity.

9 (2) A municipality may not enact an ordinance that prohibits or restricts a mother
10 breast-feeding a child or expressing breast milk in a public or private location where
11 the mother and child are otherwise authorized to be. In a municipal ordinance,
12 indecent exposure, sexual conduct, lewd touching, obscenity, and similar terms do
13 not include the act of a mother breast-feeding a child in a public or private location
14 where the mother and child are otherwise authorized to be.

15 (3) No person shall interfere with a mother breast-feeding her child in any location,
16 public or private, where the mother is otherwise authorized to be.

17 **(4) A mother breast-feeding a child or expressing breast milk in a public or private**
18 **location where the mother and child are otherwise authorized to be shall report**
19 **any violation of this section to the local health department, independent health**
20 **department, or county health department, having jurisdiction for the county in**
21 **which the violation occurred; and the local health department, independent**
22 **health department, or county health department shall conduct an investigation of**
23 **any reported violation.**

24 ➔Section 2. KRS 211.990 is amended to read as follows:

25 (1) Any owner or occupant who fails to comply with an order made under the
26 provisions of KRS 211.210 shall be guilty of a violation, and each day's continuance
27 of the nuisance, source of filth, or cause of sickness, after the owner or occupant has

- 1 been notified to remove it, shall be a separate offense.
- 2 (2) Except as otherwise provided by law, anyone who fails to comply with the
3 provisions of the rules and regulations adopted pursuant to this chapter or who fails
4 to comply with an order of the cabinet issued pursuant thereto shall be guilty of a
5 violation. Each day of such violation or noncompliance shall constitute a separate
6 offense.
- 7 (3) Any person who violates any provision of KRS 211.182 shall, upon first offense, be
8 guilty of a Class A misdemeanor. Each subsequent violation of any provision of
9 KRS 211.182 shall constitute a Class D felony.
- 10 (4) Any person who violates any provision of KRS 211.842 to 211.852 or any
11 regulation adopted hereunder or any order issued by the Cabinet for Health and
12 Family Services to comply with any provision of KRS 211.842 to 211.852 or the
13 regulations adopted thereunder shall be guilty of a Class A misdemeanor. Each day
14 of violation or noncompliance shall constitute a separate offense.
- 15 (5) A person who performs or offers to perform lead-hazard detection or lead-hazard
16 abatement services in target housing or child-occupied facilities who is not certified
17 as required by KRS 211.9063 or 211.9069 shall be guilty of a Class A
18 misdemeanor.
- 19 (6) Any person who performs lead-hazard detection or lead-hazard abatement services
20 in target housing or child-occupied facilities, who willfully violates the standards
21 for performing lead-hazard detection or lead-hazard abatement procedures included
22 in the administrative regulations promulgated pursuant to KRS 211.9075 shall be
23 guilty of a Class D felony.
- 24 (7) The penalties provided in subsections (5) and (6) of this section are cumulative and
25 are in addition to any other penalties, claims, damages, or remedies available at law
26 or in equity.
- 27 (8) Any person who violates any provisions of KRS 211.760 shall be fined not less than

1 ten dollars (\$10) nor more than one hundred dollars (\$100). Each day of violation or
2 noncompliance shall constitute a separate offense.

3 **(9) Any person or municipality that violates subsection (2) or (3) of Section 1 of this**
4 **Act shall be fined five hundred dollars (\$500) for the first offense and one**
5 **thousand dollars (\$1,000) for each subsequent offense.**