

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 124

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

AN ACT

RELATING TO CORRECTIONS; REQUIRING CORRECTIONAL FACILITIES TO
DEVELOP AND IMPLEMENT BREASTFEEDING AND LACTATION POLICIES FOR
LACTATING INMATES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. ~~[NEW MATERIAL]~~ CORRECTIONAL FACILITIES--
BREASTFEEDING AND LACTATION POLICIES.--

A. By January 1, 2020, every correctional facility
that houses female inmates shall develop and implement a
breastfeeding and lactation policy for lactating female inmates
that is based on current accepted best practices. The policy
shall include provisions for:

(1) human milk expression with access to an
electric breast pump, milk storage and transport or disposal;

(2) continuation of medication-assisted

.212715.1

underscored material = new
[bracketed material] = delete

1 addiction treatment;

2 (3) breastfeeding in county and municipal
3 detention facilities that can accommodate skin-to-skin contact
4 visits and in all facilities operated by the corrections
5 department and children, youth and families department; and

6 (4) medically appropriate support and care
7 related to cessation of lactation or weaning if preferred by
8 the lactating inmate.

9 B. For purposes of this section, "correctional
10 facility" means a jail, prison or other detention facility,
11 whether operated by a government or private contractor, that is
12 used for the confinement of adult or juvenile persons who are
13 charged with or convicted of a violation of a law or
14 ordinance."