

Second Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 04-0457.01 Beth Braby

**SENATE BILL 04-088**

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**SENATE SPONSORSHIP**

**Hanna,** Groff, Keller, and Sandoval

**HOUSE SPONSORSHIP**

**Rhodes,**

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**Senate Committees**

Health, Environment, Welfare & Institutions  
Local Government

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ENCOURAGEMENT OF BREASTFEEDING, AND, IN**  
102 **CONNECTION THEREWITH, RECOGNIZING THE BENEFITS OF**  
103 **BREASTFEEDING AND PROVIDING FOR BREASTFEEDING IN**  
104 **PUBLIC.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Establishes that breastfeeding is a significant health choice for both mother and infant. Provides that a mother may breastfeed in any area that the mother has a right to be.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 18, 2004

SENATE  
2nd Reading Unamended  
February 17, 2004

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Article 6 of title 25, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 3**  
5 **BREASTFEEDING**

6 **25-6-301. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
7 HEREBY FINDS AND DECLARES THAT:

8 (a) THE AMERICAN ACADEMY OF PEDIATRICS RECOMMENDS  
9 BREASTFEEDING EXCLUSIVELY FOR THE FIRST SIX MONTHS OF AN INFANT'S  
10 LIFE BUT CONTINUING WITH OTHER FORMS OF NUTRITION FOR AT LEAST  
11 THE FIRST TWELVE MONTHS OF AN INFANT'S LIFE AND AS LONG  
12 THEREAFTER AS IS MUTUALLY DESIRED.

13 (b) THE AMERICAN ACADEMY OF PEDIATRICS HAS CONTINUOUSLY  
14 ENDORSED BREASTFEEDING AS THE OPTIMAL FORM OF NUTRITION FOR  
15 INFANTS AND AS A FOUNDATION FOR GOOD FEEDING PRACTICES.  
16 EXTENSIVE RESEARCH INDICATES THAT THERE ARE DIVERSE AND  
17 COMPELLING ADVANTAGES TO BREASTFEEDING FOR INFANTS, MOTHERS,  
18 FAMILIES, AND SOCIETY.

19 (c) EPIDEMIOLOGIC RESEARCH SHOWS THAT BREASTFEEDING OF  
20 INFANTS PROVIDES BENEFITS TO THEIR GENERAL HEALTH, GROWTH, AND  
21 DEVELOPMENT AND RESULTS IN SIGNIFICANT DECREASES IN RISK FOR  
22 NUMEROUS ACUTE AND CHRONIC DISEASES.

23 (d) RESEARCH IN DEVELOPED COUNTRIES PROVIDES STRONG  
24 EVIDENCE THAT BREASTFEEDING DECREASES THE INCIDENCE AND  
25 SEVERITY OF DIARRHEA, LOWER RESPIRATORY INFECTION, OTITIS MEDIA,  
26 BACTEREMIA, BACTERIAL MENINGITIS, BOTULISM, URINARY TRACT  
27 INFECTION, AND NECROTIZING ENTEROCOLITIS.

1 (e) RESEARCH STUDIES HAVE ALSO SHOWN THAT HUMAN MILK AND  
2 BREASTFEEDING HAVE POSSIBLE PROTECTIVE EFFECTS AGAINST THE  
3 DEVELOPMENT OF A NUMBER OF CHRONIC DISEASES, INCLUDING JUVENILE  
4 INSULIN-DEPENDENT DIABETES MELLITUS, LYMPHOMAS, CROHN'S DISEASE,  
5 CELIAC DISEASE, ALLERGIC DISEASES, SOME CHRONIC DIGESTIVE DISEASES,  
6 SUDDEN INFANT DEATH SYNDROME, ULCERATIVE COLITIS, AND OBESITY.

7 (f) IN ADDITION, BREASTFEEDING HAS BEEN RELATED TO THE  
8 POSSIBLE ENHANCEMENT OF COGNITIVE DEVELOPMENT.

9 (g) BREASTFEEDING HAS BEEN SHOWN TO HAVE NUMEROUS  
10 HEALTH BENEFITS FOR MOTHERS, INCLUDING AN EARLIER RETURN TO  
11 PREPREGNANT WEIGHT, DELAYED RESUMPTION OF OVULATION WITH  
12 INCREASED CHILD SPACING, IMPROVED BONE REMINERALIZATION  
13 POSTPARTUM WITH REDUCTION IN HIP FRACTURES IN THE  
14 POSTMENOPAUSAL PERIOD, AND REDUCED RISK OF OVARIAN CANCER AND  
15 PREMENOPAUSAL BREAST CANCER, AS WELL AS INCREASED LEVELS OF  
16 OXYTOCIN, RESULTING IN LESS POSTPARTUM BLEEDING AND MORE RAPID  
17 UTERINE INVOLUTION.

18 (h) IN ADDITION TO INDIVIDUAL HEALTH BENEFITS, BREASTFEEDING  
19 RESULTS IN SUBSTANTIAL BENEFITS TO SOCIETY, INCLUDING REDUCED  
20 HEALTH CARE COSTS, REDUCED ENVIRONMENTAL DAMAGE, REDUCED  
21 GOVERNMENTAL SPENDING ON THE WOMEN, INFANTS, AND CHILDREN  
22 SUPPLEMENTARY FEEDING PROGRAMS, AND REDUCED EMPLOYEE  
23 ABSENTEEISM FOR CARE ATTRIBUTABLE TO INFANT ILLNESS.

24 (i) BREASTFEEDING IS A BASIC AND IMPORTANT ACT OF NURTURING  
25 THAT SHOULD BE ENCOURAGED IN THE INTERESTS OF MATERNAL AND  
26 INFANT HEALTH.

27 (2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE

1 PURPOSE OF THIS PART 3 IS FOR THE STATE OF COLORADO TO BECOME  
2 INVOLVED IN THE NATIONAL MOVEMENT TO RECOGNIZE THE MEDICAL  
3 IMPORTANCE OF BREASTFEEDING, WITHIN THE SCOPE OF COMPLETE  
4 PEDIATRIC CARE, AND TO ENCOURAGE REMOVAL OF SOCIETAL BOUNDARIES  
5 PLACED ON BREASTFEEDING IN PUBLIC.

6 **25-6-302. Breastfeeding.** A MOTHER MAY BREASTFEED IN ANY  
7 PLACE SHE HAS A RIGHT TO BE.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety.