

**Second Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 04-0457.01 Beth Braby

SENATE BILL 04-088

SENATE SPONSORSHIP

Hanna, Groff, Keller, and Sandoval

HOUSE SPONSORSHIP

Rhodes,

Senate Committees

Health, Environment, Welfare & Institutions
Local Government

House Committees

Health, Environment, Welfare, & Institutions
Local Government

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.**

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.

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.*

HOUSE
Amended 2nd Reading
March 22, 2004

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 AND URINARY TRACT INFECTION.

27 (e) RESEARCH STUDIES HAVE ALSO SHOWN THAT HUMAN MILK AND

1 BREASTFEEDING HAVE POSSIBLE PROTECTIVE EFFECTS AGAINST THE
2 DEVELOPMENT OF A NUMBER OF CHRONIC DISEASES, INCLUDING
3 ALLERGIC DISEASES AND SOME CHRONIC DIGESTIVE DISEASES. IN
4 ADDITION, HUMAN MILK AND BREASTFEEDING MAY PREVENT OBESITY.

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

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

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

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

25 (2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE
26 PURPOSE OF THIS PART 3 IS FOR THE STATE OF COLORADO TO BECOME
27 INVOLVED IN THE NATIONAL MOVEMENT TO RECOGNIZE THE MEDICAL

1 IMPORTANCE OF BREASTFEEDING, WITHIN THE SCOPE OF COMPLETE
2 PEDIATRIC CARE, AND TO ENCOURAGE REMOVAL OF SOCIETAL BOUNDARIES
3 PLACED ON BREASTFEEDING IN PUBLIC.

4 **25-6-302. Breastfeeding.** A MOTHER MAY BREASTFEED IN ANY
5 PLACE SHE HAS A RIGHT TO BE.

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