

HOUSE BILL 80

Unofficial Copy
J1

2000 Regular Session
0lr0906
CF 0lr0878

(PRE-FILED)

By: **Delegate Sophocleus**

Requested: November 15, 1999

Introduced and read first time: January 12, 2000

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Breast Feeding - Individual Other Than a Parent**

3 FOR the purpose of prohibiting an individual from breast feeding a minor who is not
4 a child of the individual without the consent of a parent of the minor; providing
5 for certain penalties and restitution; and generally relating to breast feeding by
6 an individual of a minor who is not the child of the individual.

7 BY adding to

8 Article - Health - General

9 Section 20-701 through 20-703 to be under the new subtitle "Subtitle 7.

10 Nursing by an Individual Other Than a Parent"

11 Annotated Code of Maryland

12 (1996 Replacement Volume and 1999 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Health - General**

16 **SUBTITLE 7. NURSING BY AN INDIVIDUAL OTHER THAN A PARENT.**

17 20-701.

18 IN THIS SUBTITLE, "PARENT" MEANS:

19 (1) A NATURAL OR ADOPTIVE PARENT OF A MINOR;

20 (2) A GUARDIAN OF A MINOR; OR

21 (3) ANY OTHER PERSON WHO, UNDER COURT ORDER, IS AUTHORIZED TO

22 GIVE CONSENT FOR A MINOR.

1 20-702.

2 AN INDIVIDUAL MAY NOT BREAST FEED A MINOR WHO IS NOT A CHILD OF THE
3 INDIVIDUAL UNLESS A PARENT OF THE CHILD CONSENTS VERBALLY OR IN WRITING
4 TO THE BREAST FEEDING.

5 20-703.

6 (A) AN INDIVIDUAL WHO BREAST FEEDS A MINOR WHO IS NOT A CHILD OF
7 THE INDIVIDUAL WITHOUT THE CONSENT OF A PARENT OF THE CHILD IS GUILTY OF
8 A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100
9 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$250 FOR EACH SUBSEQUENT
10 OFFENSE.

11 (B) IN ADDITION TO THE PENALTY PROVIDED IN SUBSECTION (A) OF THIS
12 SECTION, AN INDIVIDUAL CONVICTED UNDER THIS SUBTITLE MAY BE ORDERED BY
13 THE COURT TO PAY RESTITUTION FOR MEDICAL EXPENSES.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2000.