

CHAPTER 187

HEALTH AND ENVIRONMENT

SENATE BILL 04-088

BY SENATOR(S) Hanna, Groff, Keller, Sandoval, Gordon, Grossman, Taylor, Tupa, and Windels;
also REPRESENTATIVE(S) Rhodes, Boyd, Butcher, Cloer, Coleman, Frangas, Hodge, Madden, Marshall, McGihon, Merrifield,
Plant, Ragsdale, Romanoff, Stafford, Weddig, and Williams S.

AN ACT

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

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

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

**PART 3
BREASTFEEDING**

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

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

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

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

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(d) RESEARCH IN DEVELOPED COUNTRIES PROVIDES STRONG EVIDENCE THAT BREASTFEEDING DECREASES THE INCIDENCE AND SEVERITY OF DIARRHEA, LOWER RESPIRATORY INFECTION, OTITIS MEDIA, AND URINARY TRACT INFECTION.

(e) RESEARCH STUDIES HAVE ALSO SHOWN THAT HUMAN MILK AND BREASTFEEDING HAVE POSSIBLE PROTECTIVE EFFECTS AGAINST THE DEVELOPMENT OF A NUMBER OF CHRONIC DISEASES, INCLUDING ALLERGIC DISEASES AND SOME CHRONIC DIGESTIVE DISEASES. IN ADDITION, HUMAN MILK AND BREASTFEEDING MAY PREVENT OBESITY.

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

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

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

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

(2) THE GENERAL ASSEMBLY FURTHER DECLARES THAT THE PURPOSE OF THIS PART 3 IS FOR THE STATE OF COLORADO TO BECOME INVOLVED IN THE NATIONAL MOVEMENT TO RECOGNIZE THE MEDICAL IMPORTANCE OF BREASTFEEDING, WITHIN THE SCOPE OF COMPLETE PEDIATRIC CARE, AND TO ENCOURAGE REMOVAL OF SOCIETAL BOUNDARIES PLACED ON BREASTFEEDING IN PUBLIC.

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

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

Approved: April 23, 2004