

By Senator Berman

31-00136-21

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1 A bill to be entitled
2 An act relating to lactation spaces in courthouses;
3 amending s. 29.008, F.S.; revising the definition of
4 the term "facility" to require at least one dedicated
5 lactation space be provided in county courthouses by a
6 specified date; specifying minimum requirements for
7 the lactation space; requiring that counties
8 designated as the official headquarters of a district
9 court of appeal be responsible for providing a
10 lactation space in that court's facility; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (a) of subsection (1) of section
16 29.008, Florida Statutes, is amended to read:

17 29.008 County funding of court-related functions.—

18 (1) Counties are required by s. 14, Art. V of the State
19 Constitution to fund the cost of communications services,
20 existing radio systems, existing multiagency criminal justice
21 information systems, and the cost of construction or lease,
22 maintenance, utilities, and security of facilities for the
23 circuit and county courts, public defenders' offices, state
24 attorneys' offices, guardian ad litem offices, and the offices
25 of the clerks of the circuit and county courts performing court-
26 related functions. For purposes of this section, the term
27 "circuit and county courts" includes the offices and staffing of
28 the guardian ad litem programs, and the term "public defenders'
29 offices" includes the offices of criminal conflict and civil

31-00136-21

2021196__

30 regional counsel. The county designated under s. 35.05(1) as the
31 headquarters for each appellate district shall fund these costs
32 for the appellate division of the public defender's office in
33 that county. For purposes of implementing these requirements,
34 the term:

35 (a) "Facility" means reasonable and necessary buildings and
36 office space and appurtenant equipment and furnishings,
37 structures, real estate, easements, and related interests in
38 real estate, including, but not limited to, those for the
39 purpose of housing legal materials for use by the general public
40 and personnel, equipment, or functions of the circuit or county
41 courts, public defenders' offices, state attorneys' offices, and
42 court-related functions of the office of the clerks of the
43 circuit and county courts and all storage. The term "facility"
44 includes all wiring necessary for court reporting services. The
45 term also includes access to parking for such facilities in
46 connection with such court-related functions that may be
47 available free or from a private provider or a local government
48 for a fee. The office space provided by a county may not be less
49 than the standards for space allotment adopted by the Department
50 of Management Services, except this requirement applies only to
51 facilities that are leased, or on which construction commences,
52 after June 30, 2003. County funding must include physical
53 modifications and improvements to all facilities as are required
54 for compliance with the Americans with Disabilities Act. Upon
55 mutual agreement of a county and the affected entity in this
56 paragraph, the office space provided by the county may vary from
57 the standards for space allotment adopted by the Department of
58 Management Services.

31-00136-21

2021196__

59 1. As of July 1, 2005, equipment and furnishings shall be
60 limited to that appropriate and customary for courtrooms,
61 hearing rooms, jury facilities, and other public areas in
62 courthouses and any other facility occupied by the courts, state
63 attorneys, public defenders, guardians ad litem, and criminal
64 conflict and civil regional counsel. Court reporting equipment
65 in these areas or facilities is not a responsibility of the
66 county.

67 2. Equipment and furnishings under this paragraph in
68 existence and owned by counties on July 1, 2005, except for that
69 in the possession of the clerks, for areas other than
70 courtrooms, hearing rooms, jury facilities, and other public
71 areas in courthouses and any other facility occupied by the
72 courts, state attorneys, and public defenders, shall be
73 transferred to the state at no charge. This provision does not
74 apply to any communications services as defined in paragraph
75 (f).

76 3. By January 1, 2022, each county courthouse must provide
77 at least one dedicated lactation space outside of the confines
78 of a restroom for members of the public to express breast milk
79 or breastfeed in private. The space must be hygienic, be
80 shielded from public view, be free from intrusion while
81 occupied, and contain an electrical outlet. Additionally, the
82 county designated under s. 35.05(1) as the headquarters for each
83 appellate district shall be responsible for providing at least
84 one lactation space, in accordance with the requirements
85 specified in this subparagraph, for the facility housing the
86 district court of appeal within that county.

87 Section 2. This act shall take effect July 1, 2021.