

SECOND REGULAR SESSION

HOUSE BILL NO. 2324

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NEWMAN (Sponsor), LAIR, FISCHER (107), WEBB, OXFORD, CALLOWAY, McCLANAHAN, WHITEHEAD, LOW, STILL, ENGLUND, KIRKTON, CARTER AND GUERNSEY (Co-sponsors).

5017L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 209.200, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 209.200 and 209.206, to read as follows:

209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

(1) "Disability", as defined in section 213.010, RSMo;

(2) **"Discrimination", any unfair treatment based on use of a service dog in a public or private educational institution;**

(3) **"Educational institution", any public or private elementary or secondary school, any public or private institution of higher education, or any trade or technical school in this state;**

(4) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes:

(a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (c) "Medical alert or respond dog", a dog that is being or has been trained to alert a
15 person with a disability that a particular medical event is about to occur or to respond to a
16 medical event that has occurred;

17 (d) "Mobility dog", a dog that is being or has been specially trained to assist a person
18 with a disability caused by physical impairments;

19 (5) "Service dog team", the disabled individual, the service dog, and the adult
20 trained to handle the service dog.

**209.206. 1. Any individual with a service dog or service dog team shall have
2 continued access to a service dog at all public and private educational institutions in this
3 state. Such access shall include the service dog and the adult trained to handle the service
4 dog who is a member of such individual's service dog team regardless of the presence or
5 absence of the disabled individual.**

**6 2. No public or private educational institution shall discriminate against an
7 individual or service dog team because a disabled individual has a service dog or service
8 dog team.**

**9 3. No educational institution in this state shall refuse to make reasonable
10 accommodations in rules, practices, or services, when such accommodation may be
11 necessary to afford an individual with the service dog or service dog team equal
12 opportunity to use and enjoy the educational institution.**

**13 4. An educational institution may require proof that an individual has a disability
14 or physical or mental impairment, that an adult is trained to handle a service dog, and that
15 a dog is, or is being trained as, a service dog. However, the educational institution shall not
16 ask the nature of the disability or physical or mental impairment, but only whether or not
17 the individual is impaired or the adult is trained in handling service dogs.**

**18 5. Any rules of an educational institution that limit or restrict a dog's size or access
19 to areas of the educational institution available to persons without disabilities shall not
20 apply to service dogs.**

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