

HCS HB 107 -- SERVICE DOGS (Sommer)

COMMITTEE OF ORIGIN: Standing Committee on Agriculture Policy

This bill revises the term "service dog" to include a "psychiatric service dog" or "mental health service dog" that is trained to do work or perform tasks for an owner with a psychiatric disability, medical condition, or developmental disability recognized in the Diagnostic and Statistical Manual of Mental Disorders.

This bill specifies that anyone who knowingly misrepresents a dog as a service dog for the purpose of receiving the accommodations afforded service dogs under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., is guilty of a class C misdemeanor and liable for any actual damages resulting from the misrepresentation. Any subsequent violation is a class B misdemeanor.

This bill also specifies that anyone who knowingly misrepresents an animal as an assistance animal for the purpose of receiving the accommodations afforded assistance animals under the Fair Housing Act, 42 U.S.C. Section 3601 et, seq., is guilty of a class C misdemeanor and liable for any actual damages resulting from the misrepresentation. Any subsequent violation is a class B misdemeanor.

The Commission on Human Rights must use its existing complaint hotline to receive reports of individuals impersonating a person with a disability or representing a dog as a service dog. The commission will refer an alleged violation to the appropriate law enforcement agency for investigation. A person who intentionally files a false complaint is guilty of a class C misdemeanor and is civilly liable for any actual damages resulting from such misrepresentation.

The Governor's Council on Disability must prepare and make available online a placard suitable for posting in a front window or door, stating that service dogs are welcome and that misrepresentation of a service dog is a violation of Missouri law. The council must also create a brochure to help business owners with permissible questions and guidelines defining acceptable behavior.

This bill is similar to HB 1369 and HB 2031 (2018).