



January 24, 2022

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## HOUSE BILL No. 1102

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DIGEST OF HB 1102 (Updated January 24, 2022 10:53 am - DI 140)

**Citations Affected:** IC 16-32.

**Synopsis:** Service animals. Sets forth certain requirements when permitting or not permitting a person with a disability to bring a service animal on the premises of a public accommodation.

**Effective:** July 1, 2022.

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### Ledbetter, Karickhoff, Pack

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January 4, 2022, read first time and referred to Committee on Public Health.  
January 18, 2022, reassigned to Committee on Agriculture and Rural Development.  
January 24, 2022, reported — Do Pass.

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HB 1102—LS 6493/DI 131





January 24, 2022

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

## HOUSE BILL No. 1102

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-32-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2022]:

4 **Chapter 3.5. Service Animals**

5 **Sec. 1. A public accommodation shall modify policies, practices,**  
6 **or procedures to permit the use of a service animal by a person**  
7 **with a disability.**

8 **Sec. 2. Except as provided in section 9 of this chapter, a public**  
9 **accommodation may ask a person with a disability to remove a**  
10 **service animal from the premises if:**

11 **(1) the animal is out of control and the animal's handler does**  
12 **not take effective action to control it; or**

13 **(2) the animal is not housebroken.**

14 **Sec. 3. If a public accommodation properly excludes a service**  
15 **animal under section 2 of this chapter, it shall give the person with**  
16 **a disability the opportunity to obtain goods, services, and**  
17 **accommodations without having the service animal on the**

HB 1102—LS 6493/DI 131



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premises.

**Sec. 4. (a) A service animal shall be under the control of its handler at all times while on the premises of a public accommodation.**

**(b) A service animal shall have a harness, leash, or other tether, unless:**

**(1) the handler is unable because of a disability to use a harness, leash, or other tether; or**

**(2) the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks;**

**in which case the service animal must be otherwise under the handler's control by other effective means, such as the use of voice control or signals.**

**Sec. 5. A public accommodation is not responsible for the care or supervision of a service animal.**

**Sec. 6. (a) A public accommodation shall not ask about the nature or extent of a person's disability, but may make the following two (2) inquiries to determine whether an animal qualifies as a service animal:**

**(1) Whether the animal is required because of a disability.**

**(2) What work or task the animal has been trained to perform.**

**(b) A public accommodation shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.**

**(c) A public accommodation may not make inquiries about a service animal's qualifications when it is readily apparent that the animal is trained to do work or perform tasks for a person with a disability.**

**Sec. 7. A person with a disability shall be permitted to be accompanied by a service animal in all areas of a place of public accommodation where members of the public, program participants, clients, customers, patrons, or invitees are allowed to go.**

**Sec. 8. A public accommodation shall not ask or require a person with a disability accompanied by a service animal to:**

**(1) pay a fee for access to the public accommodation as described in IC 16-32-3-2; or**

**(2) comply with other requirements generally not applicable to a person without a service animal.**

**Sec. 9. A service animal trainer, while engaged in the training**



1 process of a service animal, is entitled to access to any public  
2 accommodation granted by this chapter, as described in  
3 IC 16-32-3-2.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1102, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1102 as introduced.)

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Committee Vote: Yeas 8, Nays 0

