

FIRST REGULAR SESSION

# HOUSE BILL NO. 142

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SOMMER.

0743H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

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

Section A. Sections 209.150 and 209.200, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 209.150 and 209.200, to read as follows:

209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

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.

18 4. As used in sections 209.150 to 209.190, the term "service dog" [means any dog  
19 specifically trained to assist a person with a physical or mental disability by performing necessary  
20 tasks or doing work which the person cannot perform. Such tasks shall include, but not be  
21 limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an  
22 individual with a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions  
2 of the Americans With Disabilities Act, the following terms shall mean:

3 (1) "Disability", as defined in section 213.010 including diabetes;

4 (2) "Service dog", a dog that is being or has been specially trained to do work or perform  
5 tasks which benefit a particular person with a disability. Service dog includes but is not limited  
6 to:

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

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

11 (c) "Medical alert or [respond] **response dog**", a dog that is being or has been trained to  
12 alert a person with a disability that a particular medical event is about to occur or to respond to  
13 a medical event that has occurred;

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

16 (e) "Professional therapy dog", a dog which is selected, trained, and tested to provide  
17 specific physical therapeutic functions, under the direction and control of a qualified handler who  
18 works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with  
19 their handlers, perform such functions in institutional settings, community-based group settings,  
20 or when providing services to specific persons who have disabilities. Professional therapy dogs  
21 do not include dogs, certified or not, which are used by volunteers in visitation therapy;

22 (f) **"Psychiatric service dog", a dog individually trained to do work or perform**  
23 **tasks that mitigate the difficulties of its owner with a psychiatric disability including, but**  
24 **not limited to, picking up or retrieving objects, aiding with mobility, alerting or responding**  
25 **to episodes such as panic attacks and anxiety, and performing other tasks directly related**  
26 **to the owner's specific psychiatric disability. Psychiatric disability includes, but is not**  
27 **limited to, major depressive disorder, bipolar disorder, post traumatic stress disorder**  
28 **(PTSD), autism, anxiety disorder, obsessive compulsive disorder, and schizophrenia;**

29 (g) "Search and rescue dog", a dog that is being or has been trained to search for or  
30 prevent a person with a mental disability, including but not limited to verbal and nonverbal  
31 autism, from becoming lost;

32 (3) "Service dog team", a team consisting of a trained service dog, a disabled person or  
33 child, and a person who is an adult and who has been trained to handle the service dog.

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