



1        2. "Emotional support animal" means an animal selected to  
2 reside with an individual with a disability that does not work or  
3 perform tasks for the benefit of an individual with a disability and  
4 does not accompany at all times an individual with a disability; and

5        3. "Therapy animal" means a personal pet who is certified to  
6 make therapeutic visits with a trained volunteer to places  
7 including, but not limited to, nursing facilities, schools and  
8 hospitals to bring therapeutic benefit, comfort and cheer to others.

9        B. A public accommodation may adopt a policy to prohibit  
10 animals, except service animals, from entering the place of public  
11 accommodation.

12        C. A public accommodation which adopts such a policy shall post  
13 a sign in a conspicuous location outside the entrance of the place  
14 of public accommodation stating which animals or types of animals  
15 are prohibited. Such sign shall also state that service animals are  
16 permitted.

17        D. If a public accommodation inquires into the qualification of  
18 a service animal, the public accommodation shall comply with 28  
19 C.F.R., Section 36.302(c)(6).

20        E. Any person who is not an individual with a disability or is  
21 not trained to assist individuals with disabilities, who uses a  
22 service animal in an attempt to gain treatment or benefits as an  
23 individual with a disability shall, upon conviction, be guilty of a  
24 misdemeanor.

1 SECTION 2. This act shall become effective November 1, 2023.

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3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated  
4 02/22/2023 - DO PASS, As Coauthored.  
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