

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2419 Session of 2024

INTRODUCED BY O'NEAL, GUENST, HILL-EVANS, M. JONES, STEHR, CIRESI, ZIMMERMAN, SOLOMON AND ROWE, JUNE 13, 2024

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in trade and commerce, providing for
 3 the offense of fraudulent misrepresentation of a service
 4 animal.

5 The General Assembly of the Commonwealth of Pennsylvania
 6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
 8 Statutes is amended by adding a section to read:

9 § 7325.1. Fraudulent misrepresentation of a service animal.

10 (a) Offense defined.--A person is guilty of a summary
 11 offense if the person fraudulently misrepresents an animal as a
 12 service animal with the intention of bringing the animal into a
 13 place of public accommodation or obtaining other benefits.

14 (b) Definitions.--As used in this section, the following
 15 words and phrases shall have the meanings given to them in this
 16 subsection unless the context clearly indicates otherwise:

17 "Service animal." A dog that is individually trained to
 18 perform tasks for the benefit of an individual with a
 19 disability, including a physical, sensory, psychiatric,

1 intellectual or other mental disability. For the purposes of
2 this definition:

3 (1) The performance of tasks by the dog must be directly
4 related to the disability of the individual.

5 (2) Examples of the performance of tasks by the dog
6 include:

7 (i) Assisting an individual who is blind, is
8 visually impaired or has low vision with navigation and
9 other tasks.

10 (ii) Alerting an individual who is deaf, hearing
11 impaired or hard of hearing to the presence of
12 individuals or sounds.

13 (iii) Providing nonviolent protection or rescue
14 work.

15 (iv) Pulling a wheelchair.

16 (v) Assisting an individual during a seizure.

17 (vi) Alerting an individual to the presence of
18 allergens.

19 (vii) Retrieving items such as medicine or a
20 telephone.

21 (viii) Providing physical support and assistance
22 with balance and stability to an individual with a
23 mobility disability.

24 (ix) Helping an individual with a psychiatric or
25 neurological disability by preventing or interrupting
26 impulsive or destructive behaviors.

27 (3) The following do not, on their own, constitute the
28 performance of tasks by the dog:

29 (i) The crime deterrent effects as a result of the
30 presence of the dog.

1 (ii) The emotional support, well-being, comfort or
2 companionship provided by the dog.

3 Section 2. This act shall take effect in 60 days.