

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4521**

A bill to provide for the voluntary issuance of identification and patches for service animals; and to provide for certain powers and duties of the department of civil rights.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Department" means the department of civil rights.

3 (b) "Person with a disability" means a person who has a
4 disability as defined in section 12102 of the Americans with
5 disabilities act of 1990, 42 USC 12102, and 28 CFR 36.104.

6 (c) As used in subdivision (b), "person with a disability"
7 includes a veteran who has been diagnosed with 1 or more of the
8 following:

9 (i) Post-traumatic stress disorder.

1 (ii) Traumatic brain injury.

2 (iii) Other service-related disabilities.

3 (d) "Service animal" means all of the following:

4 (i) That term as defined in 28 CFR 36.104.

5 (ii) A miniature horse that has been individually trained to
6 do work or perform tasks as described in 28 CFR 36.104 for the
7 benefit of a person with a disability.

8 (e) "Veteran" means any of the following:

9 (i) A person who performed military service in the armed
10 forces for a period of more than 90 days and separated from the
11 armed forces in a manner other than a dishonorable discharge.

12 (ii) A person discharged or released from military service
13 because of a service-related disability.

14 (iii) A member of a reserve branch of the armed forces at the
15 time he or she was ordered to military service during a period of
16 war, or in a campaign or expedition for which a campaign badge is
17 authorized, and was released from military service in a manner
18 other than a dishonorable discharge.

19 Sec. 3. (1) Subject to subsection (2), the department shall
20 develop and make available upon request a voluntary identification
21 and patch for a service animal for a person with a disability.

22 (2) To be eligible to receive the voluntary identification and
23 patch described in subsection (1), the person seeking the materials
24 shall provide all of the following:

25 (a) An affidavit signed by the person seeking the
26 identification and patch attesting that the service animal for
27 which the identification and patch are being sought has been

1 trained to be a service animal for use by a person with a
2 disability.

3 (b) Documentation from an appropriate health care or
4 rehabilitation professional that the individual requires the
5 assistance of a service animal due to a disability.

6 Sec. 5. The department shall use its existing telephone
7 complaint hotline to receive reports of problems encountered by a
8 person with a disability using a service animal and to receive
9 reports of a person impersonating a person with a disability and
10 using a service animal. The department may refer an alleged
11 violation of section 3(2)(a) to the appropriate law enforcement
12 agency for investigation.

13 Sec. 7. A person who knowingly or willingly submits a false or
14 fraudulent affidavit under section 3(2)(a) is guilty of a
15 misdemeanor punishable by 1 or more of the following:

16 (a) Imprisonment for not more than 90 days.

17 (b) A fine of not more than \$500.00.

18 (c) Community service for not more than 30 days.

19 Enacting section 1. This act takes effect 90 days after the
20 date it is enacted into law.

21 Enacting section 2. This act does not take effect unless all
22 of the following bills of the 98th Legislature are enacted into
23 law:

24 (a) Senate Bill No. 298.

25 (b) Senate Bill No. 299.

26 (c) House Bill No. 4527.