

ALLOW USE OF SERVICE DOGS BY VETERANS WITH CERTAIN INJURIES

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House Bill 4313 as introduced
Sponsor: Rep. Holly Hughes
Committee: Regulatory Reform
Complete to 6-2-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4313 would amend Section 502c of the Michigan Penal Code by revising criteria regarding individuals who may bring a guide dog, leader dog, hearing dog, or service dog into a place of public or private housing, accommodation, amusement, or recreation. The criteria would specifically be expanded to include certain veterans.

The bill also adds "on air" (in addition to "land" and "water") to the list of places where persons with disabilities cannot be refused entrance when led or accompanied by such dogs.

The definitions for the terms "person with disabilities" and "veteran" would be amended and added, respectively, as follows (new language is underlined):

"Person with disabilities" means a person who meets one or more of the following conditions:

- Is audibly impaired, is a blind person, is a deaf person, or is otherwise physically limited.
- Is a veteran who has been diagnosed with one or more of the following:
 - Symptoms associated with post-traumatic stress disorder.
 - Symptoms associated with traumatic brain injury.
 - Other service-related disabilities.

Under the bill, the term "Veteran" would be newly added to refer to any of the following:

- A person who served on active duty in the armed forces for a period of more than 180 days and separated from the armed forces in a manner other than a dishonorable discharge.
- A person discharged or released from active duty because of a service-related disability.
- A member of a reserve branch of the armed forces at the time of being ordered to active duty during a period of war, or in a campaign or expedition for which a campaign badge is authorized, and was released from active duty in a manner other than a dishonorable discharge.

Currently, the act states that a person who is an owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public or private housing, accommodation, amusement, or recreation, including but not limited to any inn, hotel,

motel, apartment building, trailer park, restaurant, barbershop, billiard parlor, store, public conveyance on land or water, theater, motion picture house, public or private educational institution, or elevator, who refuses to permit a person with disabilities to enter or use the place when the place is available because the person with disabilities is being led or accompanied by a guide or leader dog, hearing dog, or service dog is guilty of a misdemeanor if the guide or leader dog is wearing a harness or if the hearing dog or service dog is wearing a blaze orange leash and collar, hearing dog cape, or service dog backpack, and the person with disabilities being led or accompanied has in his or her possession a pictured identification card certifying that the dog was trained by a qualified organization or trainer.

The bill also would make other technical changes which would not impact the meaning of the act.

FISCAL IMPACT:

There would be a minimal fiscal impact to the Department of Civil Rights. There would be an increased cost for the department to maintain and post a list of organizations and trainers of service dogs, but this would be absorbed under current funding levels. There would be no fiscal impact on local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.