

HOUSE BILL No. 4527

April 28, 2015, Introduced by Reps. Rutledge, Hughes, Moss, Kelly, LaVoy, Driskell, Darany, Dianda, Pscholka, Glenn, Lyons, Singh, Townsend, Barrett, Faris and Potvin and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1981 PA 82, entitled

"An act to prohibit the use of certain collars or harnesses and leashes on dogs in public places, except by deaf, audibly impaired, or otherwise physically limited persons; and to prescribe penalties,"

by amending the title and sections 1, 2, and 3 (MCL 752.61, 752.62, and 752.63), the title and sections 1 and 2 as amended by 1984 PA 111.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to prohibit ~~the use of certain collars or harnesses and leashes on dogs~~ **A PERSON FROM REPRESENTING THAT HE OR SHE IS IN POSSESSION OF A SERVICE ANIMAL** in public places, ~~except by deaf, audibly impaired, or otherwise physically limited persons;~~ **UNLESS THAT PERSON IS A PERSON WITH A DISABILITY;** and to prescribe penalties.

1 Sec. 1. As used in this act:

2 ~~—— (a) "Audibly impaired" means the inability to hear air~~
 3 ~~conduction thresholds at an average of 40 decibels or greater in~~
 4 ~~the better ear.~~

5 ~~—— (b) "Deaf person" means a person whose hearing is totally~~
 6 ~~impaired or whose hearing, with or without amplification, is so~~
 7 ~~seriously impaired that the primary means of receiving spoken~~
 8 ~~language is through other sensory input, including but not limited~~
 9 ~~to, lip reading, sign language, finger spelling, or reading.~~

10 ~~—— (c) "Physically limited" means physically limited as defined~~
 11 ~~in section 1 of Act No. 1 of the Public Acts of 1966, being section~~
 12 ~~125.1351 of the Michigan Compiled Laws.~~

13 **(A) "PERSON WITH A DISABILITY" MEANS A PERSON WHO SATISFIES**
 14 **ALL OF THE FOLLOWING CONDITIONS:**

15 **(i) HAS A PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY**
 16 **LIMITS 1 OR MORE MAJOR LIFE ACTIVITIES.**

17 **(ii) HAS A HISTORY OR RECORD OF AN IMPAIRMENT DESCRIBED IN**
 18 **SUBPARAGRAPH (i) .**

19 **(iii) IS PERCEIVED BY OTHER PERSONS AS HAVING AN IMPAIRMENT**
 20 **DESCRIBED IN SUBPARAGRAPH (i) .**

21 **(B) AS USED IN SUBDIVISION (A) , "PERSON WITH A DISABILITY"**
 22 **INCLUDES A VETERAN WHO HAS BEEN DIAGNOSED WITH 1 OR MORE OF THE**
 23 **FOLLOWING:**

24 **(i) POST-TRAUMATIC STRESS DISORDER.**

25 **(ii) TRAUMATIC BRAIN INJURY.**

26 **(iii) OTHER SERVICE-RELATED DISABILITIES.**

27 **(C) "SERVICE ANIMAL" MEANS A DOG OR A MINIATURE HORSE THAT HAS**

1 BEEN INDIVIDUALLY TRAINED TO DO WORK OR PERFORM TASKS FOR THE
2 BENEFIT OF A PERSON WITH A DISABILITY, INCLUDING A PHYSICAL,
3 SENSORY, PSYCHIATRIC, INTELLECTUAL, OR OTHER MENTAL DISABILITY.

4 Sec. 2. A person, except ~~a person who is deaf, audibly~~
5 ~~impaired, or otherwise physically limited~~ **A PERSON WITH A**
6 **DISABILITY**, shall not ~~use or be~~ **FALSELY REPRESENT THAT HE OR SHE IS**
7 in possession of a ~~dog that is wearing a blaze orange leash and~~
8 ~~collar or harness~~ **SERVICE ANIMAL OR SERVICE ANIMAL IN TRAINING** in
9 any public place.

10 Sec. 3. A person who knowingly violates this act is guilty of
11 a misdemeanor ~~—~~ punishable by ~~a~~ **1 OR MORE OF THE FOLLOWING:**

- 12 (A) **IMPRISONMENT FOR NOT MORE THAN 90 DAYS.**
13 (B) **A fine of not more than ~~\$10.00~~-\$500.00.**
14 (C) **COMMUNITY SERVICE FOR NOT MORE THAN 30 DAYS.**