

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 33
97TH GENERAL ASSEMBLY

0097H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof four new sections relating to individuals with mental disabilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 209.150, 209.152, and 209.200, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 209.150, 209.152, 209.200, and 1, to read as follows:

209.150. 1. Every person with a visual, aural or [physical] **other** disability **including diabetes, as defined in section 213.010**, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or [physical] **other** disability **including diabetes, as defined in section 213.010**, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or [physical] **other** disability **including diabetes, as defined in section 213.010**, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 hearing dog or service dog; provided that such person shall be liable for any damage done to the
17 premises or facilities by such dog.

18 4. As used in sections 209.150 to 209.190, the term "service dog" means any dog
19 specifically trained to assist a person with a physical **or mental** disability by performing
20 necessary [physical] tasks **or doing work** which the person cannot perform. Such tasks shall
21 include, but not be limited to, pulling a wheelchair, retrieving items, [and] carrying supplies, **and**
22 **search and rescue of an individual with a disability.**

209.152. **Not to exceed the provisions of the Americans With Disabilities Act**, any
2 trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog,
3 **or any member of a service dog team, as defined in section 209.200**, shall have the right to
4 be accompanied by such dog in or upon any of the premises listed in section 209.150 while
5 engaged in the training of the dog without being required to pay an extra charge for such dog.
6 Such trainer **or service dog team member** shall be liable for any damage done to the premise
7 of facilities by such dog.

209.200. As used in sections 209.200 to 209.204, **not to exceed the provisions of the**
2 **Americans With Disabilities Act**, the following terms shall mean:

3 (1) "Disability", as defined in section 213.010 **including diabetes**;

4 (2) "Service dog", a dog that is being or has been specially trained to do work or perform
5 tasks which benefit a particular person with a disability. Service dog includes **but is not limited**
6 **to**:

7 (a) "Guide dog", a dog that is being or has been specially trained to assist a particular
8 blind or visually impaired person;

9 (b) "Hearing dog", a dog that is being or has been specially trained to assist a particular
10 deaf or hearing-impaired person;

11 (c) "Medical alert or respond dog", a dog that is being or has been trained to alert a
12 person with a disability that a particular medical event is about to occur or to respond to a
13 medical event that has occurred;

14 (d) "Mobility dog", a dog that is being or has been specially trained to assist a person
15 with a disability caused by physical impairments;

16 (e) **"Search and rescue dog", a dog that is being or has been trained to search for**
17 **or prevent a person with a mental disability, including but not limited to verbal and**
18 **nonverbal autism, from becoming lost;**

19 (3) **"Service dog team", a team consisting of a trained service dog, a disabled**
20 **person or child, and a person who is an adult and who has been trained to handle the**
21 **service dog.**

Section 1. The department of mental health, in conjunction with the department of health and senior services, shall establish by rule guidelines for the appropriate standard of care for diagnosis and treatment of persons with mental disabilities who receive care from mental health or health care facilities, personnel, or professionals in this state. Such appropriate standard of care shall include, but not be limited to, screening for and treatment of any physical injury, illness, or condition without regard to any mental illness, disease, or condition of such person prior to diagnosis and treatment of any physical injury, illness, or condition as solely resulting from a mental illness, disease, or condition of the person.

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