

HCS SS SCS SB 918 -- WORKING ANIMALS

SPONSOR: Munzlinger (Houghton)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Agriculture Policy by a vote of 11 to 3. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 9 to 1.

This bill revises the term "service dog" to include a psychiatric service dog or mental health service dog that is trained to do work or perform tasks for an owner with a psychiatric disability, medical condition, or developmental disability recognized in the Diagnostic and Statistical Manual of Mental Disorders.

The bill specifies that anyone who knowingly misrepresents a dog as a service dog for the purpose of receiving the accommodations afforded service dogs under the Americans with Disabilities Act is guilty of a class C misdemeanor and liable for any actual damages resulting from the misrepresentation. Any subsequent violation is a class B misdemeanor.

The bill also specifies that anyone who knowingly misrepresents an animal as an assistance animal for the purpose of receiving the accommodations afforded assistance animals under the Fair Housing Act is guilty of a class C misdemeanor and liable for any actual damages resulting from the misrepresentation. Any subsequent violation is a class B misdemeanor.

The Commission on Human Rights must use its existing complaint hot line to receive reports of individuals impersonating a person with a disability or representing a dog as a service dog. The commission will refer an alleged violation to the appropriate law enforcement agency for investigation.

The Governor's Council on Disability must prepare and make available online a placard suitable for posting in a front window or door, stating that service dogs are welcome and that misrepresentation of a service dog is a violation of Missouri law. The department must also create a brochure to help business owners with permissible questions and answers and guidelines defining acceptable behavior.

The bill also specifies that a village, town, city, or county may not enact a law, ordinance, regulation, policy, or rule that terminates, bans, or effectively bans by creating an undue financial or regulatory hardship, the job or use of working animals or a working animal enterprise. All current state and federal laws regarding animal care, public health, and safety remain in effect

and animal care standards must comply with state statutes and regulations.

No village, town, city, or county may impose a law, ordinance, regulation, policy, or rule prohibiting working animals on public streets unless the street, or time of day for a particular street, poses a reasonable threat to public health, safety, or welfare, or an imminent and serious threat to the safety of the working animal. Villages, towns, cities, or counties may impose a law, ordinance, regulation, policy, or rule relating to working animals in the streets except regarding mounted police officers, parades, public celebrations, and certain small horses and ponies.

PROPOSERS: Supporters say that working animals are inspected and regulated to ensure proper care for the health and welfare of both the animal and the people the animal serves. The bill would allow for reasonable ordinances for the safety of the public and the animal without regulating working animals out of business.

Testifying for the bill were Senator Munzlinger and the Missouri Alliance for Animal Legislation.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that they like the premise of the bill but are concerned the language is vague and confusing. It is improper for a political subdivision to regulate an industry out of business, which is what is happening, and would support legislation to allow working animals to continue to perform their current services.

Testifying on the bill were Mindy Patterson, The Cavalry Group; Missouri Cattleman's Association; Missouri Pet Breeders Association; Missouri Farm Bureau; Missouri Federation of Animal Owners; Laura Sanders Remenar, Promised Land Zoos; Gregg Woody, International Association Of Fairs & Expos; and Nicholas L. Wittle Jr, Nicks Barnyard Buddies LLC.