

FIRST REGULAR SESSION

SENATE BILL NO. 335

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time January 23, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1472S.011

AN ACT

To repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

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

Section A. Sections 209.150 and 209.200, RSMo, are repealed and two new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

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

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

14 3. Every person with a visual, aural or other disability including diabetes,
15 as **disability is** defined in section 213.010, shall have the right to be
16 accompanied by a guide dog, hearing dog, or service dog, **as defined in section**
17 **209.200**, which is especially trained for the purpose, in any of the places listed
18 in subsection 2 of this section without being required to pay an extra charge for

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 the guide dog, hearing dog or service dog; provided that such person shall be
20 liable for any damage done to the premises or facilities by such dog.

21 4. As used in sections 209.150 to 209.190, the term "service dog" [means
22 any dog specifically trained to assist a person with a physical or mental disability
23 by performing necessary tasks or doing work which the person cannot
24 perform. Such tasks shall include, but not be limited to, pulling a wheelchair,
25 retrieving items, carrying supplies, and search and rescue of an individual with
26 a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed
2 the provisions of the Americans With Disabilities Act, the following terms shall
3 mean:

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

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

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

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

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

15 (d) **"Mental health service dog" or "psychiatric service dog", a dog**
16 **specially trained for its owner who is diagnosed with a psychiatric**
17 **disability, medical condition, or developmental disability recognized in**
18 **the most recently published Diagnostic and Statistical Manual of**
19 **Mental Disorders (DSM) to perform tasks that mitigate or assist with**
20 **difficulties including, but not limited to, alerting or responding to**
21 **episodes such as panic attacks and anxiety and performing other tasks**
22 **directly related to the owner's psychiatric disability, medical condition,**
23 **or developmental disability including, but not limited to, autism**
24 **spectrum disorder, epilepsy, major depressive disorder, bipolar**
25 **disorder, Alzheimer's disease, dementia, post-traumatic stress disorder**
26 **(PTSD), anxiety disorder, obsessive compulsive disorder, schizophrenia,**
27 **and other mental illnesses and invisible disabilities;**

28 (e) "Mobility dog", a dog that is being or has been specially trained to

29 assist a person with a disability caused by physical impairments;

30 [(e)] (f) "Professional therapy dog", a dog which is selected, trained, and
31 tested to provide specific physical therapeutic functions, under the direction and
32 control of a qualified handler who works with the dog as a team as a part of the
33 handler's occupation or profession. Such dogs, with their handlers, perform such
34 functions in institutional settings, community-based group settings, or when
35 providing services to specific persons who have disabilities. Professional therapy
36 dogs do not include dogs, certified or not, which are used by volunteers in
37 visitation therapy;

38 [(f)] (g) "Search and rescue dog", a dog that is being or has been trained
39 to search for or prevent a person with a mental disability, including but not
40 limited to verbal and nonverbal autism, from becoming lost;

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

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Bill

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