

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 1309

By: Stark of the House

and

Stanley of the Senate

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9 COMMITTEE SUBSTITUTE

10 [animals - definitions - policy - signage -
11 inquiries - effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 801 of Title 4, unless there is
16 created a duplication in numbering, reads as follows:

17 A. For purposes of this section:

18 1. The terms "place of public accommodation", "public
19 accommodation" and "service animal" shall have the same meaning as
20 such terms are defined in 28 C.F.R., Section 36.104. "Service
21 animal" does not include an emotional support animal or a therapy
22 animal;

23 2. "Emotional support animal" means an animal selected to
24 reside with an individual with a disability that does not work or

1 perform tasks for the benefit of an individual with a disability and
2 does not accompany at all times an individual with a disability; and

3 3. "Therapy animal" means a personal pet who is certified to
4 make therapeutic visits with a trained volunteer to places
5 including, but not limited to, nursing facilities, schools and
6 hospitals to bring therapeutic benefit, comfort and cheer to others.

7 B. A public accommodation may adopt a policy to prohibit
8 animals, except service animals, from entering the place of public
9 accommodation.

10 C. A public accommodation which adopts such a policy shall post
11 a sign in a conspicuous location outside the entrance of the place
12 of public accommodation stating which animals or types of animals
13 are prohibited. Such sign shall also state that service animals are
14 permitted.

15 D. If a public accommodation inquires into the qualification of
16 a service animal, the public accommodation shall comply with 28
17 C.F.R., Section 36.302(c)(6).

18 SECTION 2. This act shall become effective November 1, 2019.

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