

IN THE SENATE

SENATE BILL NO. 1051

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PERSONS WITH DISABILITIES; AMENDING SECTION 18-5812A, IDAHO
2 CODE, TO PROVIDE THAT CERTAIN PERSONS ACCOMPANIED BY SUPPORT ANIMALS
3 SHALL NOT BE DENIED USE OF TRANSPORTATION OR ADMITTANCE IN SPECIFIED
4 PLACES; AND AMENDING CHAPTER 7, TITLE 56, IDAHO CODE, BY THE ADDITION OF
5 A NEW SECTION 56-708, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS SHALL
6 HAVE THE RIGHT TO BE ACCOMPANIED BY SUPPORT ANIMALS, SUBJECT TO CONDI-
7 TIONS, AND TO DEFINE A TERM.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 18-5812A, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 18-5812A. ~~DISABLED PERSONS WITH DISABILITIES~~ MAY BE ACCOMPANIED BY
13 ASSISTANCE DOGS OR SUPPORT ANIMALS -- PENALTY FOR INTENTIONAL VIOLATION. (1)
14 A disabled person, as defined in section 56-701A, Idaho Code, shall not be
15 denied the use of any common carrier or public transportation facility or ad-
16 mittance to any hotel, motel, cafe, elevator, housing for sale or rent, or
17 any other public place within the state of Idaho by reason of ~~his~~ such per-
18 son being accompanied by an assistance dog, nor shall a person with a men-
19 tal or emotional disability be denied such use or admittance by reason of
20 being accompanied by a support animal, as defined in section 56-708, Idaho
21 Code. ~~A disabled~~ Such persons shall be entitled to have an assistance dog or
22 a support animal with him ~~them~~ in such places and while using such facilities
23 without being required to pay any additional charges for ~~his~~ the assistance
24 dog or support animal, but shall be liable for any damage caused by ~~his~~ the
25 assistance dog or support animal.

26 (2) Any person, firm, association or corporation or agent of any
27 person, firm, association or corporation intentionally violating the provi-
28 sions of this section shall be guilty of a misdemeanor.

29 SECTION 2. That Chapter 7, Title 56, Idaho Code, be, and the same is
30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
31 ignated as Section 56-708, Idaho Code, and to read as follows:

32 56-708. SUPPORT ANIMALS. (1) A person receiving treatment for a men-
33 tal or emotional disability who uses a support animal as part of such treat-
34 ment shall have the right to be accompanied by the support animal in any place
35 listed in section 56-703, Idaho Code, without being required to pay an extra
36 charge for the support animal; provided however, that the person, or the per-
37 son's parent or guardian if the person is a minor, shall be liable for any
38 damage done to the place by the animal; and provided further, that an em-
39 ployee or owner of the place may request documentation attesting to the per-
40 son's need for the support animal. A person who fails to produce such docu-

1 mentation upon request shall not qualify for the protection of this section
2 or section 18-5812A, Idaho Code, and to be valid, such documentation must be
3 signed by a licensed health care provider who is treating the person's dis-
4 ability.

5 (2) For purposes of this section and section 18-5812A, Idaho Code,
6 "support animal" means an animal that works, provides assistance, or per-
7 forms tasks for the benefit of a person with a mental or emotional disability
8 or that provides emotional support that alleviates one (1) or more symptoms
9 or effects of the person's mental or emotional disability.