



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1166

service animals; certification; registration; identification

Purpose

Modifies permissions, requirements and penalties regarding service animals.

Background

Title III of the Americans with Disabilities Act (ADA) prohibits privately owned businesses that serve the public from discriminating against individuals with disabilities. The ADA specifically requires businesses to allow people with disabilities to bring service animals onto business premises in whatever areas customers are generally allowed unless the business can demonstrate that making such modifications would fundamentally alter the nature of its goods, services, facilities, privileges, advantages or accommodations.

Current statute conforms to ADA requirements and defines *service animal* as any dog or miniature horse that is trained to perform work or tasks to benefit an individual with a physical, sensory, psychiatric, intellectual or other mental disability. Any person or entity that violates the rights of individuals who use service animals is guilty of a class 2 misdemeanor (A.R.S. § 11-1024).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires service animals to always be leashed or harnessed unless:
 - a) the handler is unable to use a leash or harness due to the handlers disability; or
 - b) the leash or harness would interfere with the service animal's ability to work.
2. Requires service animal to be under the handler's control by voice control, signal or other effective means if the service animal is not able to be leashed or harnessed.
3. Allows a public accommodation to ask what work or task the service animal has been trained to perform.
4. Deems it not discriminatory for the operator of a public place to exclude a service animal if either of the following apply:
 - a) the animal is out of control and the handler is not taking effective actions; or
 - b) the animal is not housebroken.

5. Prohibits a person from falsely claiming to be the owner or trainer of a service animal.
6. Classifies the penalty for violations in regard to service animals as:
 - a) class 2 misdemeanor for a first offense; and
 - b) class 1 misdemeanor for subsequent offenses.
7. Defines terms.
8. Makes technical and conforming changes.
9. Becomes effective on general effective date.

Amendments Adopted by Natural Resources Committee

1. Removes requirements for service animals to be certified and registered.
2. Removes requirement for service animals to wear a vest displaying:
 - a) the name of the person who trained the service animal;
 - b) the name of the organization that certified the animal; and
 - c) the registration number provided by the certifying organization.
3. Removes requirements for the handler of the service animal to carry an identification card containing:
 - a) the words *Certified Service Animal*;
 - b) a photograph of the service animal;
 - c) the name of the service animal;
 - d) the name of the service animal's handler; and
 - e) the registration number provided by the certifying organization.
4. Eliminates the requirement for service animals to have a minimum of one year of initial training and annual testing to maintain certification and registration in the organization.

Amendments Adopted by Government Committee

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- 4. Eliminates the requirement for service animals to have a minimum of one year of initial training and annual testing to maintain certification and registration in the organization.
- 5. Classifies the penalty for violations in regard to service animals as:
 - a) class 2 misdemeanor for a first offense; and
 - b) class 1 misdemeanor for subsequent offenses.

Senate Action

NR	2/8/16	DPA	6-0-1-0
GOV	2/10/16	DPA	6-1-0-0

Prepared by Senate Research

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