

SB0037. The Arc Maryland. Support.pdf

Uploaded by: Ande Kolp

Position: FAV



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SB0037: Maryland Service Animal Programs-
Participant Disqualification- Revisions
Finance Committee
January 27, 2026
Position: Support

The Arc Maryland is a statewide training, support, and advocacy organization that is dedicated to advancing and preserving the rights and quality of life of people with intellectual and developmental disabilities.

We were pleased to support the legislation that created the Maryland Service Animal Program last year and are equally supportive of SB0037 which includes a clarifying amendment to safeguard the intention of the legislation and clarify criteria for disqualification of a participant in the program. The bill would re-defining, in more certain terms, the conditions under which a disqualification may occur: if the nonprofit entity determines that the Program participant's involvement in the Program presents a danger to the program participant's mental or physical well-being, presents a **direct threat** to others, presents a **direct threat** to the mental or physical well-being of the service dog, support dog, or therapy horse, or does not meet the training requirements of the nonprofit training entity, the individual may be disqualified. In the original bill (now law), the terms "has caused" (harm) or "may potentially cause harm" created ambiguity which SB0037 seeks to resolve.

According to 2024 CDC data, there are approximately 70 million people in the United States living with disabilities. Less than one percent are teamed with service animals. Service animals provide invaluable support and assistance to individuals with disabilities as not only loyal companions, but necessary supporters that enable their handlers to live, learn, work, and thrive with greater independence and confidence.

We are grateful for this program, and respectfully request a favorable report on SB0037.

Ande Kolp, Executive Director www.thearcmd.org

MDOD_SB37_FAV_2026.1.23.pdf

Uploaded by: Anne Blackfield

Position: FAV



BILL: SB 37

POSITION: FAV – Favorable

COMMITTEE: FINANCE

DATE: January 23, 2026

SUBMITTED BY: Maryland Department of Disabilities
217 East Redwood Street, Suite 1300
Baltimore, MD 21202

Dear Chair Beidle,

The Maryland Department of Disabilities (MDOD) offers this letter of support for **SB 37, Maryland Service Animal Programs - Participant Disqualification – Revision**. This bill amends existing provisions in Maryland’s current service animal programs that allow for the disqualification of individuals who pose a direct threat to the safety or well-being of the staff or the service animals. SB 37 ties the criteria for disqualification to the definition of “direct threat” as it is defined in the Americans with Disabilities Act (ADA).

Public entities are not required by the ADA to allow an individual to participate in its programs if that individual poses a direct threat to the health or safety of others. Regulations at 29 C.F.R. § 35.139 specify that to determine if a direct threat exists, the public entity must conduct an individualized assessment. This assessment must be based on reasonable judgment and objective evidence (including current medical knowledge) to evaluate:

- The nature, duration, and severity of the risk;
- The probability that a potential injury will occur; and
- Whether the risk can be mitigated by reasonable modifications to policies or the provision of auxiliary aids or service.

This language is intended to support the rights of people with disabilities, while also allowing programs to take appropriate steps to protect the participants, staff, and service animals. SB 37 will ensure this standard is consistent across all service animal programs.

For these reasons MDOD respectfully requests a **favorable report** for **SB 37**.

Sincerely,

A handwritten signature in black ink that reads "Carol A. Beatty".

Carol A. Beatty
Secretary, Department of Disabilities

2026 SB 37 Amendment.pdf

Uploaded by: Kara Contino

Position: FAV



SB0037/913721/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

22 JAN 26
14:20:57

BY: Senator Simonaire
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 37
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 6, in each instance, after “Program” insert “. the Maryland Disability Service Animal Program.”; after line 12, insert:

“BY repealing and reenacting, without amendments,
Article - Health - General
Section 13-4102(a)
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article - Human Services
Section 7-1501 and 7-1505
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)
(As enacted by Chapters 6 and 13 of the Acts of the General Assembly of the
Special Session of 2025)

BY repealing and reenacting, without amendments,
Article - Human Services
Section 7-1502
Annotated Code of Maryland
(2019 Replacement Volume and 2025 Supplement)
(As enacted by Chapters 6 and 13 of the Acts of the General Assembly of the
Special Session of 2025)”;

and after line 17, insert:

“BY repealing and reenacting, without amendments,
Article - State Government

Section 9-957(b)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)".

AMENDMENT NO. 2

On page 2, in line 1, after "(b)" insert "**“DIRECT THREAT” HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT.**

(c)”;

strike in their entirety lines 4 and 5; and after line 22, insert:

“13-4102.

(a) There is a Maryland Children’s Service Animal Program in the Department.”.

On page 3, after line 4, insert:

“Article – Human Services

7-1501.

(a) In this subtitle the following words have the meanings indicated.

(b) “Department” means the Department of Disabilities.

(c) “DIRECT THREAT” HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT.

[(c)] (D) “Eligible individual” means a resident of the State with a disability, as defined in the federal Americans with Disabilities Act of 1990, 42 U.S.C. § 12102.

[(d)] (E) “Fund” means the Maryland Disability Service Animal Program Fund.

[(e)] (F) “Nonprofit training entity” means a corporation, a foundation, or any other legal entity that:

- (1) is tax-exempt under § 501(c)(3) of the Internal Revenue Code;
- (2) engages in the training of service animals for use by eligible individuals; and
- (3) has been selected by the Department to provide services under this subtitle.

[(f)] (G) “Program” means the Maryland Disability Service Animal Program established under this subtitle.

[(g)] (H) “Program participant” means an eligible individual who participates in the Program.

[(h)] (I) (1) “Service animal” means an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability.

- (2) “Service animal” does not include an animal that:
 - (i) as a result of the animal’s presence, is meant to deter crime;
or
 - (ii) provides only emotional support, well-being, comfort, or companionship to an individual.

[(i)] (J) “Successful Program participant” means a Program participant who successfully completes the training protocol specified by a nonprofit training entity.

7-1502.

There is a Maryland Disability Service Animal Program in the Department.

7-1505.

(a) To be eligible for selection as a nonprofit training entity under [§ 7-1204] § 7-1504 of this subtitle, a nonprofit training entity shall:

(1) serve the needs of eligible individuals in the State; and

(2) generate its own revenue and reinvest the proceeds of that revenue in the growth and development of its programs.

(b) A nonprofit training entity may disqualify a Program participant from participation in the Program if the nonprofit training entity determines that the Program participant's involvement in the Program:

(1) presents a danger to the Program participant's mental or physical well-being;

(2) presents a direct threat to others[, as defined by the federal Americans with Disabilities Act];

(3) presents a direct threat to the [service animal's] mental or physical well-being OF THE SERVICE ANIMAL; or

(4) does not meet the training requirements of the nonprofit.

(c) A Program participant may discontinue involvement in the Program for any reason."

On page 4, after line 18, insert:

"(b) There is a Maryland Veterans Service Animal Program in the Department."

2026 SB 37 Senator Simonaire_FAV.pdf

Uploaded by: Kara Contino

Position: FAV

BRYAN W. SIMONAIRE
Legislative District 31
Anne Arundel County

Education, Energy, and the
Environment Committee

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area



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The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

SB 37 – Service Animals

I am Senator Bryan Simonaire presenting SB 37.

I worked with the *Department of Veterans and Military Families and the Maryland Developmental Disabilities Council* on this consensus legislation, and they can share more detailed information.

The bill does two things:

- 1) Simply makes the language in the *Veterans Service Animal Program* and the *School Service Animal Program* consistent when referencing those with disabilities; and
- 2) It also updates their language to the standards in the *Federal Americans with Disabilities Act*.

Why this bill is needed is because words matter and we don't want people to become ineligible for disability services simply because of outdated wording.

Currently, we have a few similar service animal programs in law, and one does not have the updated standard language from the *Federal Americans with Disabilities Act*.

This bill aligns the older program with the other more recent program's language.

There is no fiscal impact and no opposition.

We have one amendment that also aligns the service animal in the Department of Disabilities that we passed last year. When this bill was draft, we didn't know if that bill was going to be overridden, but it was ... and hence the amendment to make them all consistent.

For all these reasons, I ask for your favorable consideration.

POGMD_Testimony_SB37.pdf

Uploaded by: Mat Rice

Position: FAV



TESTIMONY

People On the Go Maryland

Maryland's statewide self-advocacy/systems advocacy organization run for and by those with intellectual and/or developmental disabilities.

Bill: Senate Bill 37 – Maryland Service Animal Programs – Participant Disqualification – Revisions

Sponsor: Senator Simonaire

Committee: Finance

Hearing Date: January 27/2026 2:30pm

Position: Favorable

People On the Go Maryland (POG) submits this testimony in support of Senate Bill 37. POG is led by and for people with intellectual and/or developmental disabilities, and we work statewide to advance policies that promote inclusion, safety, and equal access to services.

SB 37 updates provisions governing disqualification from the Maryland Children's Service Animal Program and the Maryland Veterans Service Animal Program. In particular, the bill revises statutory language to use the federal Americans with Disabilities Act concept of a "direct threat" when evaluating whether a participant's involvement in a program presents a safety risk to others or to the service animal.

Clear, consistent standards matter. When programs use well-established federal terminology, it helps participants and families understand expectations, supports consistent decision-making by nonprofit training entities, and reinforces that safety determinations should be individualized and based on objective factors.

POG supports SB 37 because it:

- Aligns Maryland's program statutes with the Americans with Disabilities Act framework by defining and using the term "direct threat".
- Promotes fairness and transparency for program participants by clarifying when a participant may be disqualified.
- Helps protect the well-being of participants, the public, and the service dog, support dog, or therapy horse through a clear safety standard.

For these reasons, People On the Go Maryland respectfully requests a favorable report on Senate Bill 37.

Contact:

Mat Rice, Executive Director

Phone: 410-925-5706

Email: mat@pogmd.org

SB37.Council.Support.pdf

Uploaded by: Rachel London

Position: FAV



**Maryland Developmental
Disabilities Council**

CREATING CHANGE • IMPROVING LIVES

Senate Finance Committee

January 27, 2026

**SB 37: Maryland Disability Service Animal Program – Participant Disqualifications -
Revisions**

Position: **Support**

The Maryland Developmental Disabilities Council (DD Council), a statewide public policy organization led by people with developmental disabilities and their families, creates change to make it possible for people with developmental disabilities to lead the lives they want with the support they need.

Service animals can play an important role in the lives of people with disabilities, especially children – eliminating barriers, creating opportunities, and promoting independence. Service animals are different from therapy animals or support animals because they are trained differently, perform different kinds of tasks, and have access to public places at different levels.

A service animal is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.”¹ For example, a service animal may safely guide a person who is blind or deaf; alert others to medical emergencies, like seizures, or pull a wheelchair.

It is costly to provide the training and support necessary for service animals and for the people that need them – many of whom have developmental disabilities. As such, the Council supported the establishment of the Maryland Disability Service Animal Program, and appreciates the efforts by the Sponsor to ensure the language aligns with the Americans with Disabilities Act.

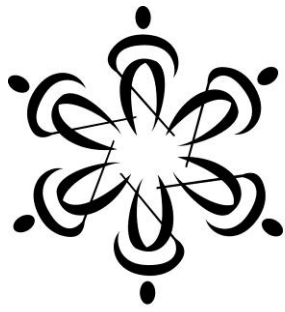
Contact: Rachel London, Executive Director: RLondon@md-council.org

¹ 28 C.F.R. §35.104; 28 C.F.R. §36.104.

SB37_NFB_FAV

Uploaded by: Ronza Othman

Position: FAV



NATIONAL FEDERATION
OF THE BLIND
MARYLAND

Live the life you want.

From: Ronza Othman, President
National Federation of the Blind of Maryland
15 Charles Plaza, #3002
Baltimore, MD 21201 president@nfbmd.org

To: Senate Finance Committee

The members of the National Federation of the Blind of Maryland urge the Senate Finance Committee to give a favorable report to SB0037 Maryland Service Animal Programs - Participant Disqualification – Revisions. This bill permits the nonprofit training entity to disqualify a program participant from continuing in the program if they present a danger to the program participant's mental or physical well-being; presents a direct threat to others; will damage the animal, or does not meet the training requirement of the nonprofit training entity. It is common sense that in today's society, it is necessary to have these provisions so that there are no misunderstandings later.

The bill could benefit from the inclusion of an appeal procedure for the program participant. The committee can stipulate that regulations for an appeal must be drafted. The customer should have the right to appeal within reason.

For those reasons, we ask for a favorable report on SB0037. For questions, please contact me at President@nfbmd.org or at 443-426-4110.

SB0037_ Maryland Service Animal Programs - Partic

Uploaded by: Trudy Tibbals

Position: FAV

SB0037: Maryland Service Animal Programs - Participant Disqualification - Revisions: Please vote **IN SUPPORT** of this bill.

Dear Finance Committee Chair and Members:

I respectfully write in **support of SB 0037 – Maryland Service Animal Programs: Participant Disqualification — Revisions.**

This bill makes thoughtful and necessary updates to the standards governing participation in Maryland’s service animal programs for children and veterans. By clarifying when a participant may be disqualified—particularly when their involvement poses a **direct threat to the safety of others or the animal**—**SB 0037 strengthens** these programs while preserving their core mission.

Service animal programs depend on trust, safety, and successful partnerships between participants, trainers, and animals. SB 0037 appropriately recognizes the expertise of nonprofit training entities by allowing them to make informed determinations when safety concerns arise. This flexibility helps protect not only program staff and the public, but also the service animals themselves, whose welfare must be a top priority.

Importantly, the bill does **not undermine access** to service animals for those who genuinely need them. Instead, it ensures that participation standards are clear, reasonable, and focused on creating safe and effective outcomes for all involved. Clear disqualification criteria reduce ambiguity, protect program integrity, and help ensure long-term success for participants who are well-suited to benefit from these services.

SB 0037 reflects a balanced, responsible approach that **prioritizes safety, accountability, and compassion.** For these reasons, I respectfully urge the committee to **vote in favor of SB 0037.**

Thank you for your time and consideration.

Sincerely,
Trudy Tibbals

SB37_VeteransCaucus_Support.pdf.pdf

Uploaded by: Veterans Caucus Maryland

Position: FAV



MARYLAND GENERAL ASSEMBLY
VETERANS CAUCUS

January 27, 2026

Senator Pamela Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401

Re: SB37: Maryland Service Animal Programs – Participant Disqualification – Revisions

Dear Chairwoman Beidle,

Please let this letter serve as notice of the support of the Maryland General Assembly Veterans Caucus for Senate Bill 37.

After review by our respective legislative committee, the Veterans Caucus believes that the above-mentioned legislation would provide a valuable benefit to the veterans of the State of Maryland and requests a favorable report.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin E. Brooks".

Senator Benjamin Brooks

Senate Chair

A handwritten signature in cursive script that reads "Mike Rogers".

Delegate Mike Rogers

House Chair