

# SENATE BILL 804

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By: **Senators Brinkley, Colburn, Glassman, Jennings, Robey, and Stone**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 16, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Human Services – Service Animal Trainers – Nondiscrimination**

3 FOR the purpose of altering certain provisions of law establishing certain rights and  
4 privileges for individuals with disabilities to include certain service animal  
5 trainers; altering certain provisions of law relating to the use of service animals  
6 by individuals with disabilities to include service animal trainers; altering a  
7 certain definition; and generally relating to nondiscrimination against service  
8 animal trainers.

9 BY repealing and reenacting, with amendments,  
10 Article – Human Services  
11 Section 7–701(h) and 7–704  
12 Annotated Code of Maryland  
13 (2007 Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Human Services**

17 7–701.

18 (h) “Service animal trainer” means a person who trains **OR RAISES** service  
19 animals for individuals with disabilities, **WHETHER THE PERSON IS A**  
20 **PROFESSIONAL OR VOLUNTEER.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7-704.

2 (a) Individuals with disabilities [and], the parents of a minor child with a  
3 disability, **AND SERVICE ANIMAL TRAINERS WHO ARE ACCOMPANIED BY AN**  
4 **ANIMAL BEING TRAINED OR RAISED AS A SERVICE ANIMAL** have the same right as  
5 individuals without disabilities to the full and free use of the roads, sidewalks, public  
6 buildings, public facilities, and other public places.

7 (b) (1) Individuals with disabilities [and], the parents of a minor child  
8 with a disability, **AND SERVICE ANIMAL TRAINERS WHO ARE ACCOMPANIED BY AN**  
9 **ANIMAL BEING TRAINED OR RAISED AS A SERVICE ANIMAL** are entitled to full and  
10 equal rights and privileges with respect to common carriers and other public  
11 conveyances or modes of transportation, places of public accommodations, and other  
12 places to which the general public is invited, subject only to any conditions and  
13 limitations of general application established by law.

14 (2) The failure of a blind or visually impaired pedestrian to carry a  
15 cane predominantly white or metallic in color, with or without a red tip, or an  
16 individual with a disability or a parent of a minor child with a disability to use a  
17 service animal wearing an orange license tag or orange collar and on a leash, or to use  
18 a service animal in a place, accommodation, or conveyance listed in paragraph (1) of  
19 this subsection does not constitute contributory negligence per se.

20 (c) (1) This subsection does not apply to any accommodations or single  
21 family residence in which the occupants offer for compensation not more than one  
22 room.

23 (2) An individual with a disability [or], a parent of a minor child with  
24 a disability, **OR A SERVICE ANIMAL TRAINER WHO IS ACCOMPANIED BY AN**  
25 **ANIMAL BEING TRAINED OR RAISED AS A SERVICE ANIMAL** is entitled to the same  
26 access as other members of the general public to housing accommodations in the State,  
27 subject to any conditions and limitations of general application established by law.

28 (3) An individual with a disability [or], a parent of a minor child with  
29 a disability, **OR A SERVICE ANIMAL TRAINER** who has, obtains, or may wish to  
30 obtain a service animal **OR AN ANIMAL TO BE TRAINED OR RAISED AS A SERVICE**  
31 **ANIMAL** is entitled to full and equal access to housing accommodations.

32 (4) An individual with a disability [or], a parent of a minor child with  
33 a disability, **OR A SERVICE ANIMAL TRAINER** who is accompanied by a service  
34 animal **OR AN ANIMAL BEING TRAINED OR RAISED AS A SERVICE ANIMAL** may not  
35 be required to pay extra compensation for the service animal, but the individual may  
36 be liable for damages to the premises or facilities that the service animal causes.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.