

SENATE BILL 157

O3, P1
SB 796/24 – FIN

(PRE-FILED)

5lr0612
CF HB 384

By: **Senators Simonaire, Carozza, and Guzzone**

Requested: May 18, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: January 29, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Disability Service Animal Program – Established**

3 FOR the purpose of establishing the Maryland Disability Service Animal Program in the
4 Department of Disabilities; requiring the Department to select a nonprofit training
5 entity for participation in the Program; establishing the Maryland Disability Service
6 Animal Program Fund as a special, nonlapsing fund; and generally relating to the
7 Maryland Disability Service Animal Program.

8 BY repealing and reenacting, with amendments,
9 Article – Human Services
10 Section 7–114
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2024 Supplement)

13 BY adding to
14 Article – Human Services
15 Section 7–1201 through 7–1206 to be under the new subtitle “Subtitle 12. Maryland
16 Disability Service Animal Program”
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2024 Supplement)

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

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 **Article – Human Services**

2 7–114.

3 (a) (1) The Department is the principal unit of State government responsible
4 for developing, maintaining, revising, and enforcing statewide disability policies and
5 standards throughout the units of State government.

6 (2) In this capacity, the Department shall:

7 (i) serve as the principal advisor to the Governor on the means and
8 methods available to:

9 1. implement and fund support to individuals with
10 disabilities in accordance with the State Disabilities Plan;

11 2. modify or consolidate support to individuals with
12 disabilities; and

13 3. collaborate with federal, regional, and local units of
14 government to enhance the effectiveness of the provision and funding of support to
15 individuals with disabilities;

16 (ii) annually recommend projects to the Department of Budget and
17 Management for inclusion in the capital budget to promote access to State–owned facilities
18 for individuals with disabilities;

19 (iii) assist units of State government to identify federal, State, local,
20 and private funds available to the State for programs and services for individuals with
21 disabilities; and

22 (iv) provide technical assistance to local jurisdictions in planning and
23 implementing collaborative strategies consistent with the State Disabilities Plan.

24 (b) The Department shall oversee and administer the following programs and
25 units:

26 (1) constituent services and ombudsmen programs;

27 (2) the Assistive Technology Guaranteed Loan Program under Subtitle 6
28 of this title;

29 (3) the Office of Personal Assistance Services, including the Attendant
30 Care Program under Subtitle 4 of this title;

31 (4) Telecommunications Access of Maryland under Subtitle 8 of this title;
32 [and]

1 (5) Telecommunications Devices and Distribution of Accessible
2 Information for Disabled Individuals under Subtitle 9 of this title; AND

3 (6) THE MARYLAND DISABILITY SERVICE ANIMAL PROGRAM UNDER
4 SUBTITLE 12 OF THIS TITLE.

5 SUBTITLE 12. MARYLAND DISABILITY SERVICE ANIMAL PROGRAM.

6 7-1201.

7 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

9 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF DISABILITIES.

10 (C) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WITH A DISABILITY, AS
11 DEFINED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C.
12 § 12102.

13 (D) "FUND" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL
14 PROGRAM FUND.

15 (E) "NONPROFIT TRAINING ENTITY" MEANS A CORPORATION, A
16 FOUNDATION, OR ANY OTHER LEGAL ENTITY THAT:

17 (1) IS TAX-EXEMPT UNDER § 501(C)(3) OF THE INTERNAL REVENUE
18 CODE;

19 (2) ENGAGES IN THE TRAINING OF SERVICE ANIMALS FOR USE BY
20 ELIGIBLE INDIVIDUALS; AND

21 (3) HAS BEEN SELECTED BY THE DEPARTMENT TO PROVIDE
22 SERVICES UNDER THIS SUBTITLE.

23 (F) "PROGRAM" MEANS THE MARYLAND DISABILITY SERVICE ANIMAL
24 PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

25 (G) "PROGRAM PARTICIPANT" MEANS AN ELIGIBLE INDIVIDUAL WHO
26 PARTICIPATES IN THE PROGRAM.

27 (H) (1) "SERVICE ANIMAL" MEANS AN ANIMAL THAT IS INDIVIDUALLY
28 TRAINED TO DO WORK OR PERFORM TASKS FOR THE BENEFIT OF AN INDIVIDUAL
29 WITH A DISABILITY.

1 **(2) “SERVICE ANIMAL” DOES NOT INCLUDE AN ANIMAL THAT:**

2 **(I) AS A RESULT OF THE ANIMAL’S PRESENCE, IS MEANT TO**
3 **DETER CRIME; OR**

4 **(II) PROVIDES ONLY EMOTIONAL SUPPORT, WELL-BEING,**
5 **COMFORT, OR COMPANIONSHIP TO AN INDIVIDUAL.**

6 **(I) “SUCCESSFUL PROGRAM PARTICIPANT” MEANS A PROGRAM**
7 **PARTICIPANT WHO SUCCESSFULLY COMPLETES THE TRAINING PROTOCOL**
8 **SPECIFIED BY A NONPROFIT TRAINING ENTITY.**

9 **7-1202.**

10 **THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM IN THE**
11 **DEPARTMENT.**

12 **7-1203.**

13 **THE PURPOSES OF THE PROGRAM ARE TO:**

14 **(1) REFER ELIGIBLE INDIVIDUALS WHO INQUIRE ABOUT**
15 **PARTICIPATION IN THE PROGRAM TO ONE OR MORE NONPROFIT TRAINING**
16 **ENTITIES;**

17 **(2) PROVIDE ADDITIONAL FUNDING MECHANISMS TO ASSIST**
18 **ELIGIBLE INDIVIDUALS IN THE PROGRAM; AND**

19 **(3) ENCOURAGE SUCCESSFUL PROGRAM PARTICIPANTS TO ASSIST IN**
20 **OUTREACH AND REFERRALS TO OTHER ELIGIBLE INDIVIDUALS WHO COULD**
21 **BENEFIT FROM PARTICIPATION IN THE PROGRAM.**

22 **7-1204.**

23 **THE DEPARTMENT SHALL:**

24 **(1) MANAGE, SUPERVISE, AND ADMINISTER THE PROGRAM;**

25 **(2) ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM AND TO**
26 **ENSURE THAT FUND RESOURCES ARE UTILIZED TO CARRY OUT THE PURPOSES OF**
27 **THE PROGRAM, INCLUDING REGULATIONS ESTABLISHING PROCEDURES FOR THE**
28 **DEPARTMENT TO:**

1 (I) PROMOTE THE PROGRAM TO ELIGIBLE INDIVIDUALS
2 THROUGH THE DEPARTMENT'S OUTREACH METHODS;

3 (II) REFER ELIGIBLE INDIVIDUALS TO SELECTED NONPROFIT
4 TRAINING ENTITIES;

5 (III) RECEIVE DONATIONS FOR THE FUND; AND

6 (IV) USE REVENUE FROM THE FUND TO PAY SELECTED
7 NONPROFIT TRAINING ENTITIES FOR SERVICES THAT ARE PROVIDED THROUGH THE
8 PROGRAM; AND

9 (3) SELECT AT LEAST ONE NONPROFIT TRAINING ENTITY TO:

10 (I) DEVELOP AND IMPLEMENT A TRAINING PROTOCOL THAT
11 WILL TEACH EACH PROGRAM PARTICIPANT METHODOLOGIES, STRATEGIES, AND
12 TECHNIQUES FOR PARTNERING WITH SERVICE ANIMALS;

13 (II) SELECT QUALIFIED PROGRAM PARTICIPANTS FROM THOSE
14 ELIGIBLE INDIVIDUALS REFERRED TO THE NONPROFIT TRAINING ENTITY UNDER
15 THE PROGRAM;

16 (III) SELECT AN APPROPRIATE SERVICE ANIMAL FOR EACH
17 PROGRAM PARTICIPANT;

18 (IV) FACILITATE EACH PROGRAM PARTICIPANT'S TRAINING
19 USING THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL; AND

20 (V) PARTNER EACH SUCCESSFUL PROGRAM PARTICIPANT WITH
21 THE SERVICE ANIMAL ON THE PROGRAM PARTICIPANT'S SUCCESSFUL COMPLETION
22 OF THE NONPROFIT TRAINING ENTITY'S TRAINING PROTOCOL.

23 7-1205.

24 (A) TO BE ELIGIBLE FOR SELECTION AS A NONPROFIT TRAINING ENTITY
25 UNDER § 7-1204 OF THIS SUBTITLE, A NONPROFIT TRAINING ENTITY SHALL:

26 (1) SERVE THE NEEDS OF ELIGIBLE INDIVIDUALS IN THE STATE; AND

27 (2) GENERATE ITS OWN REVENUE AND REINVEST THE PROCEEDS OF
28 THAT REVENUE IN THE GROWTH AND DEVELOPMENT OF ITS PROGRAMS.

29 (B) A NONPROFIT TRAINING ENTITY MAY DISQUALIFY A PROGRAM
30 PARTICIPANT FROM PARTICIPATION IN THE PROGRAM IF THE NONPROFIT

1 TRAINING ENTITY DETERMINES THAT THE PROGRAM PARTICIPANT'S INVOLVEMENT
2 IN THE PROGRAM:

3 (1) PRESENTS A DANGER TO THE PROGRAM PARTICIPANT'S MENTAL
4 OR PHYSICAL WELL-BEING;

5 (2) PRESENTS A DIRECT THREAT TO OTHERS, AS DEFINED BY THE
6 FEDERAL AMERICANS WITH DISABILITIES ACT;

7 (3) PRESENTS A DIRECT THREAT TO THE SERVICE ANIMAL'S MENTAL
8 OR PHYSICAL WELL-BEING; OR

9 (4) DOES NOT MEET THE TRAINING REQUIREMENTS OF THE
10 NONPROFIT.

11 (C) A PROGRAM PARTICIPANT MAY DISCONTINUE INVOLVEMENT IN THE
12 PROGRAM FOR ANY REASON.

13 7-1206.

14 (A) THERE IS A MARYLAND DISABILITY SERVICE ANIMAL PROGRAM FUND.

15 (B) THE PURPOSE OF THE FUND IS TO:

16 (1) PAY A NONPROFIT TRAINING ENTITY; AND

17 (2) COVER THE COSTS OF ADMINISTERING THE PROGRAM.

18 (C) THE SECRETARY SHALL ADMINISTER THE FUND.

19 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
20 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

21 (2) THE STATE TREASURER SHALL HOLD THE FUND, AND THE
22 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

23 (E) (1) THE FUND CONSISTS OF:

24 (I) REVENUE COLLECTED BY THE DEPARTMENT IN THE FORM
25 OF DONATIONS TO THE PROGRAM;

26 (II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE
27 FUND; AND

1 (III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED
2 FOR THE BENEFIT OF THE FUND.

3 (2) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN
4 ACCORDANCE WITH THE STATE BUDGET.

5 (3) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS
6 NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE
7 APPROPRIATED FOR THE PROGRAM.

8 (F) THE FUND MAY BE USED ONLY TO PAY:

9 (1) A NONPROFIT TRAINING ENTITY; AND

10 (2) ADMINISTRATIVE COSTS OF THE PROGRAM.

11 (G) (1) THE STATE TREASURER SHALL INVEST AND REINVEST THE
12 MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE
13 INVESTED.

14 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED
15 TO THE GENERAL FUND OF THE STATE.

16 (H) FOR THE PURPOSE OF IMPLEMENTING THIS SECTION, THE
17 DEPARTMENT MAY ACCEPT GIFTS OR GRANTS FOR DONATION TO THE FUND.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.