SENATE BILL 37

O3, O4, P1 6lr0608

(PRE–FILED)

By: **Senator Simonaire**
Requested: June 2, 2025
Introduced and read first time: January 14, 2026
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 12, 2026

CHAPTER _____

AN ACT concerning

Maryland Service Animal Programs – Participant Disqualification – Revisions

FOR the purpose of revising provisions related to the disqualification of a program participant from the Maryland Children's Service Animal Program, the Maryland Disability Service Animal Program, or the Maryland Veterans Service Animal Program; and generally relating to the Maryland Children's Service Animal Program, the Maryland Disability Service Animal Program, and the Maryland Veterans Service Animal Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–4101 and 13–4104
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

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

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.

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)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–957(a) and (e)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–957(b)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

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

Article – Health – General

13–4101.

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

(b) **"DIRECT THREAT" HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT.**

(C) "Eligible child" means a child who has a history of trauma, has been diagnosed with post–traumatic stress disorder, or has been diagnosed with a developmental disability and special health care need under Title V of the Social Security Act.

~~**(C) "DIRECT THREAT" HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT.**~~

[(c)**] (D)** "Fund" means the Maryland Children's Service Animal Program Fund established under § 13–4105 of this subtitle.

[(d)**] (E)** "Nonprofit training entity" means a corporation, a foundation, or any other legal entity that:

(1) Is qualified under § 501(c)(3) of the Internal Revenue Code;

(2) (i) Engages in the training of service dogs or support dogs for use by children; or

(ii) Uses trained therapy horses for interaction with children; and

(3) Has been selected by the Department to provide services under this subtitle.

[(e)**] (F)** "Program" means the Maryland Children's Service Animal Program established under § 13–4102 of this subtitle.

[(f)**] (G)** "Program participant" means an eligible child who participates in the Program.

[(g)**] (H)** "Successful Program participant" means a Program participant who successfully completes the training or therapy protocol specified by a nonprofit training entity.

<u>13–4102.</u>

<u>(a)</u> <u>There is a Maryland Children's Service Animal Program in the Department.</u>

13–4104.

(a) 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) **[**Is**] PRESENTS** a direct threat to **[**the health and safety of**]** others;

(3) Presents a direct threat to the mental or physical well–being of the service dog, support dog, or therapy horse; or

(4) Does not meet the training requirements of the nonprofit training entity.

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

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.

Article – State Government

9–957.

(a) (1) In this section the following words have the meanings indicated.

(2) "Eligible family member" means a spouse or dependent of an eligible veteran.

(3) "DIRECT THREAT" HAS THE MEANING STATED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT.

[(3)**] (4)** "Eligible veteran" means a veteran who:

(i) is a resident of the State; or

(ii) receives treatment or care from a U.S. Department of Veterans Affairs or U.S. Department of Defense medical facility in the State.

[(4)**] (5)** "Fund" means the Maryland Veterans Service Animal Program Fund established under subsection (f) of this section.

[(5)**] (6)** "Nonprofit training entity" means a corporation, a foundation, or any other legal entity that:

(i) is qualified under § 501(c)(3) of the Internal Revenue Code;

(ii) 1. engages in the training of service dogs or support dogs for use by veterans; or

2. uses trained therapy horses for interaction with veterans; and

(iii) has been selected by the Department to provide services under this section.

[(6)**] (7)** "Program" means the Maryland Veterans Service Animal Program established under subsection (b) of this section.

[(7)**] (8)** "Program participant" means an eligible veteran or eligible family member who participates in the Program.

[(8)**] (9)** "Service dog" means a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability.

[(9)**] (10)** "Successful Program participant" means a Program participant who successfully completes the training or therapy protocol specified by a nonprofit training entity.

[(10)**] (11)** "Support dog" means a dog that is individually trained and that serves as an emotional support or therapy animal that a medical professional, within the medical professional's scope of practice, has determined provides benefit for an individual with a sensory, psychiatric, intellectual, or other mental disability.

[(11)**] (12)** "Therapy horse" includes a horse determined appropriate for interactions with veterans by a stable licensed by the State that:

(i) is a Professional Association of Therapeutic Horsemanship, International (PATH, Intl.) member center; or

(ii) has Equine Assisted Growth and Learning Association (EAGALA) certified professionals who provide services to veterans.

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

(e) (1) 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:

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

(ii) **[**has caused or may potentially cause harm**]** **PRESENTS A DIRECT THREAT** to others**[**, an animal, or property**]**;

(iii) presents a **[**danger**]** **DIRECT THREAT** to the **MENTAL OR PHYSICAL WELL–BEING OF THE** service **[**dog's**]** **DOG**, support **[**dog's**]** **DOG**, or therapy **[**horse's mental or physical well–being**]** **HORSE**; or

(iv) does not meet the training requirement of the nonprofit **TRAINING ENTITY**.

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.