



THE HUMANE SOCIETY OF THE UNITED STATES

February 28, 2023

Environment and Transportation Committee

SB535

Human Relations - Housing Discrimination - Service Dogs

FAVORABLE WITH AMENDMENTS

The Humane Society of the United States (HSUS), on behalf of our Maryland supporters, supports Senate Bill 535, with an amendment to correct the definition of “service animal.”

SB535 would ensure that individuals who have a service dog are able to keep that dog with them when the animal has retired from active service, even if the housing they live in would not otherwise allow dogs, or that breed and size of dog. These dogs become critical, valued companions and no handler should be put in the horrendous position of choosing between safe and secure housing and losing a companion who has served them faithfully for so many years.

While we strongly support SB535, we are concerned that the narrow definition of “service dog” creates significant problems for the law. First, the narrow definition – which as amended only includes dogs that serve individuals who have vision or hearing impairments – unfairly excludes other categories of service dogs and their handlers who deserve this protection. Individuals who are military veterans, who have mobility issues, or who have service dogs for health reasons such as diabetes or epilepsy deserve the same ability to keep their valued companion with them after retirement.

In addition, we are concerned that creating an arbitrary and narrow definition of “service dog” exposes this law to potential litigation, as “service dog” is a federally defined term that is covered under ADA law. Furthermore, creating a new, narrower classification of “service dog” would expand the confusion that already exists between federally recognized service dogs and other types of support animals, such as emotional support animals. The bill is much stronger incorporating a federally acceptable definition of “service dog” and we strongly encourage the committee to amend the bill in that manner.

SB535 would ensure that individuals who rely on a service animal are not forcibly separated from that animal after its retirement. The HSUS supports SB535 if amended to contain a consistent, legally defensible definition of “service animal.”