

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: HB-6318

Title: AN ACT CONCERNING SERVICE ANIMALS.

Vote Date: 3/9/2021

Vote Action: Joint Favorable Substitute

PH Date: 2/16/2021

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

This bill has two main provisions: to align state law with federal law concerning service animals, and to create public awareness regarding the rights and responsibilities of owners of service, emotional support, and therapy animals. The goal of this bill is to reduce confusion of the public and promote clarity on current federal law.

The substitute language defines "disability" in a more inclusive way to provide broader protections to people with disabilities. It adds language to allow staff at a public accommodation to inquire if the service animal is required because of a disability and what task the animal performs, so that the staff may have clarity about the role of the service animal. It also removes language so that it eliminates a person's liability for the damage their service animal may cause.

RESPONSE FROM ADMINISTRATION/AGENCY:

Tanya Hughes, Executive Director, Commission on Human Rights and Opportunities, supports the intent behind the bill but has several concerns with its current language. First, the Commission has significant concerns with the changes made in section 9 regarding the definition of "disability" under Connecticut law. This is because Connecticut's definition is intentionally broader than the federal definition. Ms. Hughes fears that moving to a more restrictive definition may limit the state's ability to protect as many residents as possible from being subjected to discrimination. She requests the removal of language in section 10 that holds persons with disabilities responsible for damage done to a premise by their service animals, as it is punitive. Lastly, the Commission believes the mandate of section 13 is

“problematic in that asks the Commission to post information that may constitute improper rulemaking under current case law.”

NATURE AND SOURCES OF SUPPORT:

Thomas Hinchey, VP of Government Affairs, CT Academy of Audiology

Stacey Ober, Legislative Analyst and Community Outreach Coordinator, The American Kennel Club

Bill DeMaio, President, ADA Collation of CT

Jeffrey Freiser

Each testifier supports this bill as it updates Connecticut’s statutes to align with federal service animal definitions and requirements under the Americans with Disabilities Act (ADA). Mr. DeMaio and Mr. Freiser support the bill’s clarification that volunteers who train services animals have the same access to public transportation and public accommodations as persons with disabilities. Mr. Freiser comments that this access is critical in ensuring that puppies are properly socialized in their training. Mr. DeMaio believes that giving individuals who use service animals freedom to be welcome at all public entities will increase the quality of life.

Kathleen Flaherty, Executive Director, Connecticut Legal Rights Project, supports this bill because it is a result of the working group she was a part of which examined Connecticut’s laws regarding service animals, emotional support animals, and therapy animals.

Pamela Garde supports this bill because as an owner of service dogs for decades, she fully understands the need for service dogs to be with their owners at all times.

Abby Hill, Founder and Executive Director, The Exceptional Sidekick Service Dogs (TESSD) supports the bill with the following amendments: the implementation of a system to deal with cases of discrimination against individuals with service dogs, and the creation of an education campaign to prevent discrimination. Ms. Hill comments that when an individual experiences discrimination and is refused access, they endure lasting and devastating effects. She also addressed the need for a law regarding situations where individuals unlawfully have service dogs in Connecticut.

John Souza, President, CT Coalition of Property Owners supports this bill as long as further clarification is provided within the statute. Mr. Souza requests further clarification of the relationship between landlord and tenant with regards to emotional support animals. Otherwise, he believes this bill helps resolve persistent problems that exist between property owners and tenants.

Sandy Lee, Board of Directors member, The Exceptional Sidekick Service Dogs (TESSD) supports this bill and requests that language is added especially permitting trainers/ raisers to bring their service dog in training to their place of employment or school. Ms. Lee explains

that when volunteers are denied these accommodations, it significantly decreases the number of service dogs that can be trained to meet the demand.

NATURE AND SOURCES OF OPPOSITION:

There are no sources of opposition to this bill.

Reported by: Gianna Vollano

Date: March 21, 2021