

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2021-2022 Regular Session

AB 468 (Friedman)
Version: July 1, 2021
Hearing Date: July 13, 2021
Fiscal: Yes
Urgency: No

SUBJECT

Emotional support dogs

DIGEST

This bill requires sellers and providers of emotional support dogs and related equipment to provide a written notice that emotional support dogs are not entitled to the rights and privileges of a service dog, as defined, and puts limits on when a medical professional may recommend that a patient acquire an emotional support dog.

EXECUTIVE SUMMARY

Current law distinguishes between emotional support dogs, on the one hand, and trained guide, signal, and service dogs (collectively, service dogs) on the other: emotional support dogs are entitled to reasonable accommodations under the California Fair Employment and Housing Act (FEHA), whereas service dogs are entitled to substantially greater protections under the Americans with Disabilities Act (ADA). According to the author and sponsors, some owners of emotional support dogs try to claim undue rights and privileges for their dogs, including by claiming they are protected under the ADA or are actually service dogs; this has made life more difficult for owners of actual service dogs, because members of the public who are frustrated with untrained emotional support dogs lump service dogs in with emotional support dogs. This bill is intended to reduce the burden on service dog owners by requiring vendors of emotional support dogs to provide a specified notice that an emotional support dog is not entitled to the same rights as a service dog, and by establishing a civil penalty for failing to provide that notice or misrepresenting that an emotional support dog has those same rights. The author has agreed to minor amendments to prevent vendors from evading the bill's notice requirement and to bring certain definitions into conformity with existing FEHA definitions.

This bill is co-sponsored by Guide Dogs for the Blind and Canine Companions, and supported by the California Apartment Association, the California Assisted Living

Association, Humane Society of the United States, and the Western Manufactured Housing Communities Association. There is no known opposition. This bill passed out of the Senate Business and Professions Committee with a 13-0 vote.

PROPOSED CHANGES TO THE LAW

Existing federal law:

- 1) Establishes the ADA, which prohibits discrimination against individuals with disabilities in a range of areas including employment, transportation, and public accommodations. (42 U.S.C. §§ 12101 et seq.)
- 2) For purposes of the ADA, defines a “service animal” as a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the individual’s disability.
 - a) The definition specifically excludes all other species of animals, whether wild or domestic and trained or untrained, from the definition of service animal (subject to the exceptions specifically discussed below).
 - b) The definition specifically excludes the provision of emotional support, well-being, comfort, or companionship as “work or tasks” performed by a service animal. (28 C.F.R. §§ 35.104, 36.104.)
- 3) Generally requires a public entity to modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability, except where the animal is out of control and the animal’s handler does not take effective action to control it or the animal is not housebroken.
 - a) A public entity may not ask about the nature or extent of the person’s disability, but may inquire (1) whether the animal is required because of a disability, and (2) what work or task the animal has been trained to perform. The entity may not require documentation as to the animal’s training, and generally may not make these inquiries when it is readily apparent that the animal is trained to perform specific disability-related work.
 - b) Individuals with disabilities must be permitted to be accompanied by their service animals in all areas of a public entity’s facilities where members of the public, participants in services, programs, or activities, or invitees, as relevant, are allowed to go.
 - c) Notwithstanding the restriction of the definition of service animal to dogs, public entities must make reasonable accommodations to permit the use of a miniature horse by a person with a disability, if the miniature horse has been trained to do work or perform tasks for that person and satisfies additional criteria. (28 C.F.R. § 35.136.)

- 4) Generally requires a public accommodation to modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability, subject to the same conditions and limitations applied to public entities (including the allowance for miniature horses). (28 C.F.R. § 36.302.)

Existing state law:

- 1) Defines the following relevant terms:
 - a) "Guide dog" is a dog that has been trained or is being trained to assist blind or visually impaired individuals. (Bus. & Prof. Code, § 7201(a).)
 - b) "Guide dog instructor" is a person who instructs or trains persons who are blind or visually impaired in the use of guide dogs or engages in the business of training, selling, hiring, or supplying guide dogs for persons who are blind or visually impaired. (Bus. & Prof. Code, § 7201(b).)
 - c) "Signal dog" is a dog trained to alert an individual who is deaf or hard of hearing to intruders or sounds. (Civ. Code, § 54.1(b)(6)(C)(ii).)
 - d) "Service dog" is a dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items. (Civ. Code, § 54.1(b)(6)(C)(iii).)
- 2) Prohibits a person who uses in any sign, business card, or letterhead, or in any advertisement, the words "guide dog instructor," "certified guide dog instructor," or otherwise represents that they are a guide dog instructor, without having knowledge of the special problems of persons who are blind or visually impaired and being able to teach them, being able to demonstrate the ability to train guide dogs with which persons who are blind or visually impaired would be safe under various traffic conditions, or being employed by a guide dog school certified by the International Guide Dog Federation, or a successor entity; a person who so misrepresents their status as a guide dog instructor is subject to a fine or civil penalty.
- 3) Provides that any person who knowingly and fraudulently represents themselves as the owner or trainer of any dog licensed or to be qualified as a guide, signal, or service dog is guilty of a misdemeanor. (Pen. Code, § 365.7.)
- 4) Provides that it is a denial of equal access to housing accommodations for a person, firm, or corporation to refuse to lease or rent housing accommodations to a person who is blind or visually impaired on the basis that the individual uses a guide dog, to a person who is deaf or hard of hearing on the basis that the individual uses a signal dog, or to a person with any other disability on the basis that the person uses a service dog. (Civ. Code, § 54.1(b)(6)(A).)

- 5) Provides that any blind, deaf, or disabled person who is a passenger on any common carrier, airplane, motor vehicle, railway train, motor bus, streetcar, boat, or any other public conveyance or mode of transportation operating within the state shall be entitled to have with them a specially trained guide dog, signal dog, or service dog, and that no blind, deaf, or disabled person shall be denied admittance to accommodations, advantages, facilities, medical facilities, telephone facilities, adoption agencies, private schools, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited within the state because of their guide dog, signal dog, or service dog.
 - a) Any person, firm, association, or corporation, or their agent, who prevents a disabled person from exercising the rights above is guilty of a misdemeanor. (Penal Code, § 365.5.)
- 6) Establishes FEHA, which generally prohibits certain types of discrimination in employment and housing. (Gov. Code, tit. 2, div. 2, pt. 2.8, §§ 12900 et seq.)
- 7) Defines, for purposes of FEHA, the following terms:
 - a) "Assistance animal" includes service animals and support animals, and excludes pets, and is an animal that works, provides assistance, or performs tasks for the benefit of an individual with a disability, or provides emotional, cognitive, or similar support that alleviates one or more identified symptoms or effects of an individual's disability. (Cal. Code Regs., tit. 2, § 12005(d).)
 - b) "Service animal" is an animal that is trained to perform specific tasks to assist individuals with disabilities, including individuals with mental health disabilities. Service animals do not need to be professionally trained or certified, but may be trained by the individual with a disability or another individual. Service animals include guide dogs, signal dogs, service dogs, and miniature horses qualified as service animals under the ADA. (Cal. Code Regs., tit. 2, § 12005(d)(1).)
 - c) "Support animal" is an animal that provides emotional, cognitive, or other similar support to an individual with a disability, also known as comfort animals or emotional support animals. A support animal does not need to be trained or certified. (Cal. Code Regs., tit. 2, § 12005(d)(2).)
- 8) Provides guidance for nondiscrimination in housing under FEHA for assistance animals, as follows:
 - a) Service animals: persons, including tenants, occupants, invitees, and owners are permitted to have service animals in all dwellings, including common and public use areas, residential real estate, and other buildings involved in residential real estate transactions, subject to the conditions set forth below. (Cal. Code Regs., tit. 2, § 12185(b).)
 - b) Support animals: individuals with disabilities who have a support animal may request a reasonable accommodation related to the individual's need for the support animal in all dwellings, including common and public use areas,

residential real estate, and other buildings involved in residential real estate transactions pursuant to the procedures provided under FEHA regulations, and subject to the conditions set forth below. To the extent the request requires proof of the person's need for the support animal, a support animal certification from an online service that does not include an individualized assessment from a medical professional is presumptively not considered reliable; an individualized assessment must be based on information that demonstrates that the individual has a disability, describes the needed accommodation (including the species of animal), and describes the relationship between the individual's disability and how the requested accommodation is necessary to afford the individual with a disability equal opportunity to use and enjoy a dwelling or housing opportunity. (Cal. Code Regs., tit. 2, § 12185(c).)

- c) All assistance animals: in addition to the specified requirements for service and support animals, an individual with an assistance animal may not be required to pay any pet rent or other additional fee for their animal, but may be required to cover the cost of damage to the premises caused by the animal, including normal wear and tear. No breed, size, and weight restrictions may be applied to an assistance animal other than the ADA's restrictions relating to miniature horses, but there may be reasonable conditions imposed on the use of the assistance animal to ensure it is under the control of the individual with a disability or person assisting the individual with a disability. An assistance animal need not be allowed if the animal constitutes a direct threat to the health or safety of others or would cause substantial physical damage to the property of others and there is no way to sufficiently mitigate that harm through reasonable accommodations. (Cal. Code Regs., tit. 2, § 12815(d).)

This bill:

- 1) Defines the following relevant terms:
 - a) A guide dog, signal dog, and service dog are defined as having the same meanings as set forth in Civil Code section 54.1(b) and Penal Code section 365.5.
 - b) An "emotional support dog" is a dog that is intended to provide comfort or emotional support and that does not meet the definition of a guide, signal, or service dog.
- 2) Requires a person or business that sells or provides a dog for use as an emotional support dog to provide a written notice to buyer or recipient stating all of the following:
 - a) The dog does not have the special training required to qualify as a guide, signal, or service dog.

- b) The dog is not entitled to the rights and privileges accorded by law to a guide, signal, or service dog.
 - c) Knowingly and fraudulently representing oneself to be the owner or trainer of any canine licensed as, or to be qualified as, or identified as, a guide, signal or service dog is a misdemeanor violation of Section 365.7 of the Penal Code.
- 3) Requires a person or business that sells or provides a certificate, identification, tag, vest, leash, or harness for an emotional support dog to provide a written notice to the buyer stating all of the following:
 - a) The item does not entitle an emotional support dog to the rights and privileges accorded by law to a guide, signal, or service dog.
 - b) Knowingly and fraudulently representing oneself to be the owner or trainer of any canine licensed as, or to be qualified as, or identified as, a guide, signal or service dog is a misdemeanor violation of Section 365.7 of the Penal Code.
- 4) Requires that the written notices described in 2) and 3) above be made in at least 12-point bold type, and provided either on the receipt for the dog or product, or on a separate piece of paper.
- 5) Prohibits a health care practitioner, as defined, from providing documentation relating an individual's need for an emotional support dog unless all of the following criteria are met:
 - a) The health care practitioner possesses a valid, active license and includes the effective date, license number, jurisdiction, and type of professional license in the documentation.
 - b) The health care practitioner is licensed to provide professional services within the scope of the license in the jurisdiction in which the documentation is provided.
 - c) The health care practitioner establishes a client-provider relationship with the individual for at least 30 days prior to providing the documentation requested regarding the individual's need for an emotional support dog.
 - d) The health care practitioner completes an in-person clinical evaluation of the individual regarding the need for an emotional support dog.
 - e) The health care provider provides a verbal or written notice that knowingly and fraudulently representing oneself to be the owner or trainer of any canine licensed as, or to be qualified as, or identified as, a guide, signal or service dog is a misdemeanor violation of Section 365.7 of the Penal Code.
- 6) Defines "health care practitioner" as a person who is licensed under Division 2 of the Business and Professions Code and who is acting within the scope and practice of the person's license or certificate.

- 7) Provides that a health care practitioner may be subject to discipline from the health care practitioner's licensing board for a violation of the requirements in set forth in 2)-5).
- 8) Provides that a person who does any of the following shall be subject to a civil penalty:
 - a) Knowingly and fraudulently representing, selling, or offering for sale, or attempting to represent, sell, or offer for sale, an emotional support dog as being entitled to the rights and privileges accorded by law to a guide, signal, or service dog.
 - b) Violating the written notice requirements set forth in 2) and 3).
- 9) Provides that the civil penalty described in 8) shall be \$500 for the first violation, \$1,000 for the second violation, and \$2,500 for the third and any subsequent violation, and that a cause of action for the civil penalty may be brought by the Attorney General, a district attorney, a county counsel, or a city attorney.
- 10) Provides that nothing in the penalty provision shall be construed to restrict or change existing federal and state law related to a person's rights for reasonable accommodation and equal access to housing, including, but not limited to, rights afforded under FEHA, the Unruh Civil Rights Act, and the Disabled Persons Act (Part 2.5 (commencing with Section 54) of Division 1 of the Civil Code).

COMMENTS

1. Author's comment

According to the author:

It is a privilege to be the owner of an emotional support or service dog, although the two classifications do not merit the same levels of access. Unfortunately, individuals have taken advantage of the Americans with Disabilities Act (ADA) for their own privileged access in public spaces that is putting everyone else around them at risk of harm. People with disabilities who use task trained service dogs earn their right to be in public spaces as a result of a rigorous training process and ensuring their service dogs satisfy behavioral standards under the ADA. The fraudulent selling of emotional support dogs and identifying equipment as entitling the same access rights as service dogs not only creates confusion for the owner of the animal but also the general public which has to comply with ADA laws. AB 468 will help curtail the misrepresentation of buying and selling emotional support dogs and their identifying equipment as having equal access rights as trained service dogs, creating a safer public space for all - especially people with disabilities who rely on task trained service dogs for independence.

2. This bill requires sellers and providers of emotional support dogs and related products to notify consumers that emotional support dogs are not entitled to the same legal status as service dogs

State and federal law establish a two-tiered approach to the animals that provide support to humans.¹ Service, guide, and signal animals (together, service animals) – which, by law, can be only dogs or, in special cases, miniature horses – are trained to perform specific tasks in response to outside phenomena or the owner’s needs; these animals are fully protected under the ADA and FEHA.² Emotional support animals, which can be any animal, are not trained or certified, but provide emotional, cognitive, or other similar support to an individual; owners of emotional support animals are entitled to reasonable accommodations under FEHA, but are not covered by the ADA.³ The primary distinction is not, as some may believe, that service animals deal with physical disabilities and emotional support dogs deal with mental health issues; the distinction is whether the animal has been trained to react to stimuli and perform specific tasks in response.⁴ There are service dogs trained to provide support for people with certain disorders by, for example, taking steps to “ground” a person with dissociative identity disorder.⁵ Emotional support animals, by contrast, help the owner through their presence, not through any trained response or reaction.

According to the author and sponsors, confusion over the distinction between service animals and emotional support animals has made life difficult for persons with service animals. They state that there is a popular perception that the emotional support animal system is being abused, which is exacerbated by the fact that emotional support animals do not have to undergo any sort of training and are often poorly behaved in public. One high-profile example of the frustration with emotional support animals is the United States Department of Transportation’s recently revised guidance on emotional support animals on airplanes; the perception that passengers were using false emotional support certifications to have their pets fly for free, plus numerous instances of ill-behaved animals causing problems on planes, led the Department of Transportation to adopt rules allowing airlines to require all animals, except trained service animals, to travel in accordance with the airline’s pet policy.⁶ In the wake of the new limits, American, Delta, United, JetBlue, Spirit, Alaska, and Frontier all announced that only

¹ There is technically a third category of trained animal, trained therapy dogs, who are specifically trained to provide assistance to, e.g., witnesses and victims in certain court proceedings. (See Pen. Code, § 868.4.) This more specialized category of animal is not relevant to the problem this bill seeks to address.

² 28 C.F.R. §§ 35.104, 35.136, 36.104, 36.302; Cal. Code Regs., tit. 2, §§ 12005(d), 12185.

³ 28 C.F.R. §§ 35.104, 36.104; Cal. Code Regs., tit. 2, §§ 12005(d), 12185.

⁴ 28 CFR Part 36, Appendix A.

⁵ *Ibid.*

⁶ Sampson, *8 questions about flying with emotional support animals, answered*, Washington Post (Jan. 14, 2021), <https://www.washingtonpost.com/travel/2021/01/14/emotional-support-animal-airlines-restrictions/> [last visited Jul. 9, 2021].

service animals would be allowed to fly without charge and without being in a carrier; emotional support animals would be subject to existing pet policies.⁷

According to the author and sponsors, public exasperation, and even hostility toward people perceived to be abusing the emotional support animal often ends up being mistakenly directed at people with service animals, to the extent that people with service animals are being improperly denied their rights under the ADA. The conflation between trained service dogs and untrained emotional support dogs is exacerbated by the market for emotional support animal “certification” documents, vests, or other gear that falsely implies that the owner of the emotional support animal is entitled to accommodations under the ADA or otherwise entitled to greater accommodations required under the law. It is unclear whether the consumers who purchase these products are aware that the claims are false, given the official-looking nature of many of the products of sale.

3. This bill is intended to prevent sellers of emotional support dogs and equipment from misleading consumers about the legal status of their dogs

This bill is intended to reduce the confusion around, or abuse of, the emotional support animal system in two ways. First, the bill requires the seller of an emotional support dog, or emotional support dog gear, to provide a written notice with the pet or the equipment with specific language making clear that the emotional support dog will not be entitled to the same rights and privileges as a service dog, and that knowingly representing a non-service dog as a service dog is a misdemeanor. The notice requirement is limited to dogs and products for dogs, even though emotional support animals can be any animal; according to the author and sponsor, this limitation is logical because service animals are nearly always dogs, so there is little chance that other emotional support animals will be confused for ADA-protected service animals. The author has agreed to amendments expanding the notice requirement for gear vendors to apply to gear intended for any emotional support animal – not just dogs – to prevent vendors from evading the notice requirement simply presenting their products as animal-neutral. The author has also agreed to amend the definition of “emotional support dog” and “emotional support animal” so that it matches the corresponding definition under FEHA regulations; the change is nonsubstantive.

Second, the bill establishes requirements for when, and under what circumstances, a medical professional may provide a letter to a patient stating that the patient needs an emotional support dog.⁸ This portion of the bill was analyzed by the Senate Business, Professions and Economic Development Committee.

⁷ *Ibid.*

⁸ This Committee’s staff found multiple websites that sold emotional support animal gear bundled with an online mental health exam that could be completed “in minutes” and then transmitted to a medical

4. This bill provides for civil penalties for a vendor who violates the notice requirements

This bill provides two potential enforcement mechanisms: professional licensure sanctions for a medical health professional who violates the bill's requirements, and civil penalties for a vendor of dogs or equipment. The Senate Business and Professions Committee has considered the possible licensing consequences, so this analysis focuses on the civil penalties.

This bill authorizes the Attorney General, a district attorney, a county counsel, or a city attorney to pursue an action for civil penalties for either of the following acts:

- Knowingly and fraudulently representing, selling, or offering for sale, or attempting to represent, sell, or offer for sale, an emotional support dog as being entitled to the rights and privileges accorded by law to a guide, signal, or service dog.
- Violating the written notice requirements for vendors of emotional support dogs and related gear.

The civil penalty structure is tiered: \$500 for the first violation, \$1,000 for the second violation, and \$2,500 for third and subsequent violations.

5. This bill likely does not impose an undue burden on commercial speech by requiring accurate notices about the limitations on emotional support dogs' rights and privileges

Commercial speech is protected under the state and federal guarantees of free speech, but to a lesser degree than noncommercial speech.⁹ Generally speaking, requiring a seller to provide factual, uncontroversial product information is permissible "as long as the disclosure requirements are reasonably related to the State's interest in preventing deception of consumers."¹⁰ In light of the author's concerns and evidence regarding confusion over the rights of emotional support dogs relative to service dogs, it is probable that this bill's notice requirement satisfies this lenient test.

Similarly, to the extent the bill creates a civil penalty for a vendor who misrepresents that an emotional support dog has the same rights and privileges as a service dog, the "government may ban forms of communication more likely to deceive the public than to inform it."¹¹ Thus, this bill's prohibition on those misrepresentations are highly unlikely to present a constitutional impediment to the bill.

provider licensed in the state who would provide a signed letter stating that the purchaser needs an emotional support animal.

⁹ See *Gerawan Farming, Inc. v. Lyons* (2004) 33 Cal.4th 1, 22.

¹⁰ *Zaudurer v. Office of Disciplinary Counsel of Supreme Court* (1985) 471 U.S. 626, 651.

¹¹ *Central Hudson Gas & Elec. Corp. v. Public Serv. Comm'n* (1980) 447 U.S. 557, 563.

6. Amendments

As noted above in Part 5, the author has agreed to amendments to (1) expand the notice requirement to sellers of emotional support animal gear, not merely emotional support dog gear, and (2) bring certain definitions into conformity with the regulatory definitions under FEHA. The amendments also add coauthors to the bill at the request of the author. The amendments are as follows, subject to additional technical and conforming changes Legislative Counsel may make:

Amendment 1

Add Senators Archuleta, Bates, Jones, and Newman as coauthors.

Amendment 2

In the title, strike out “dogs” and insert “animals”

Amendment 3

On page 3, in line 1, strike out “Dogs” and insert “Animals”

Amendment 4

On page 3, in line 18, strike out “dog” and insert “animal”

Amendment 5

On page 3, in line 22, strike out “dog” and insert “animal”

Amendment 6

On page 5, strike out lines 6 to 14, inclusive, and in line 15, strike out “(c)” and insert “(b)”

Amendment 7

On page 5, below line 23, insert:

“122319.5. For purposes of this article, the following definitions apply:

(a) “Emotional support animal” means an animal that provides emotional, cognitive, or other similar support to an individual with a disability, and that does not need to be trained or certified.

(b) “Emotional support dog” means a dog that provides emotional support, cognitive, or other similar support to an individual with a disability, and that does not need to be trained or certified.

(c) "Guide, signal, or service dog" has the meaning set forth in subdivisions (d), (e), and (f) of Section 365.5 of the Penal Code, and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code."

7. Arguments in support

According to bill co-sponsor Guide Dogs for the Blind:

AB 468 is designed to address the growing online sale of fraudulent service animal certificate by unscrupulous opportunists. These certificates are often sold online with the promise of providing pets public access equal to that of service dogs as defined by federal law under the ADA. In addition to misleading people, these unscrupulous business practices have also resulted in putting innocent untrained animals in uncomfortable, scary, and even dangerous situations. These so-called "emotional support animals" are pets with little or no specialized training. Both legitimate service dogs as well as innocent bystanders have unfortunately also been attacked and hurt by these untrained animals...

Guide Dogs for the Blind strongly supports the passage of AB 468 and is proud to sponsor this legislation. In recent years, confusion between legitimate service dogs and pets has been fueled by the growing availability of service dog certificates and vests via the internet. This confusion makes it more difficult for our guide teams to travel without being harassed. [Passing the bill] will reduce a fundamental threat to access and independence that legitimate guide dogs and other service dogs enable.

According to bill co-sponsor Canine Companions:

The impact of the pet and emotional support animal sector on task-trained service dogs has been extreme. Vendors of emotional support animals and credentials perpetuate misinformation around the access rights of emotional support, pet, and service dogs. The result is a dramatic rise in the number of incidents of untrained pet dogs in public accommodations, the number of altercations and effects of untrained pet dogs on legitimate task-trained service dogs assisting people with disabilities, and an increase in access denials for people with disabilities who rely on legitimate service dogs for independence...

Currently, individuals seeking an emotional support dog or credentials including medical documentation can establish a one-time relationship with mental healthcare providers to receive documentation of need in less than 10 minutes, without a legitimate evaluation of need for an emotional support animal.

SUPPORT

Canine Companions (co-sponsor)
Guide Dogs for the Blind (co-sponsor)
California Apartment Association
California Assisted Living Association
Humane Society of the United States
Western Manufactured Housing Communities Association

OPPOSITION

None known

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

AB 2888 (Friedman, 2019) would have implemented substantially similar requirements and prohibitions relating to emotional support dogs, but with criminal penalties for violations. AB 2888 died in the Assembly Public Safety Committee.

AB 1705 (Low, Ch. 669, Stats. 2017) repealed the State Board of Guide Dogs for the Blind and enacted existing restrictions on who may hold themselves out as a guide dog instructor.

AB 1569 (Caballero, 2017) would have authorized persons renting housing to a person requesting an accommodation to keep an animal on the property, where the disability is not readily apparent, to request and require the tenant to provide reliable verification regarding the disability-related need for the animal, and specified that certain types of documentation are not, in and of themselves, reliable documentation. AB 1569 died in the Assembly Judiciary Committee.

AB 2760 (Mathis, 2015) would have authorized the inclusion of certain requirements in residential leases relating to emotional support animals, the definition of which excluded service animals. AB 2760 died in the Assembly Judiciary Committee.

PRIOR VOTES:

Senate Business and Professions Committee (Ayes 13, Noes 0)
Assembly Floor (Ayes 75, Noes 0)
Assembly Appropriations Committee (Ayes 16, Noes 0)
Assembly Business and Professions Committee (Ayes 18, Noes 0)
