

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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<b>Action:</b>	Do Pass as Amended be Printed Engrossed
<b>Vote:</b>	8 - 1 - 0
<b>Yeas:</b>	Barton, Cameron, Garrett, Krieger, Olson, Tomei, Williamson, Barker
<b>Nays:</b>	Hicks
<b>Exc.:</b>	0
<b>Prepared By:</b>	Anna Braun, Counsel
<b>Meeting Dates:</b>	5/15, 5/22

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**WHAT THE MEASURE DOES:** Conforms state laws with federal Americans with Disabilities Act (ADA). Limits assistance animal definition to dogs and miniature horses and authorizes expansion of definition by Bureau of Labor and Industries (BOLI). Preserves the expansion of Oregon law to include animals in training. Covers all types of disability, including mental health. Adds transportation to public accommodation statute. Consolidates statutes regarding assistance animals. Allows public entities like zoos to impose legitimate requirements necessary for the safe operation of its services, programs or activities. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- False claims of service animal
- Questions allowed under federal law
- Inmates and public accommodation law
- HB 2668 amendments on inmates
- Religious reason for miniature horses

**EFFECT OF COMMITTEE AMENDMENT:** Mirrors United States Department of Justice regulation that allows public entities like zoos to impose legitimate requirements necessary for the safe operation of its services, programs or activities.

**BACKGROUND:** Under the ADA, State and local governments, businesses and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. Service animals must be leashed or harnessed unless the devices interfere with the service animals' work. Only limited inquiries are allowed by staff members about service animals. A staff person may ask if it is a service animal and, if it is, what service it provides. No questions about a persons' disability or requiring documentation is allowed. An owner can only ask a service animal to leave the premises if the animal is out of control or not housebroken.

Currently, Oregon has no limitations on what can be considered a service animal. Federal law states that dogs and miniature horses must be allowed as assistance animals. Senate Bill 610 B adopts that definition but also enables BOLI to make rules allowing other animals to be considered service animals.