

62A-5b-102 Definitions.

As used in this chapter:

- (1) "Disability" has the same meaning as defined in 42 U.S.C. 12102 of the Americans With Disabilities Act of 1990, as may be amended in the future, and 28 C.F.R. 36.104 of the Code of Federal Regulations, as may be amended in the future.
- (2) "Restaurant":
 - (a) includes any coffee shop, cafeteria, luncheonette, soda fountain, dining room, or fast-food service where food is prepared or served for immediate consumption; and
 - (b) does not include:
 - (i) any retail establishment whose primary business or function is the sale of fuel or food items for off-premise, but not immediate, consumption; and
 - (ii) except for a dinner theater, a theater that sells food items.
- (3)
 - (a) "Service animal" includes any dog that:
 - (i) is trained, or is in training, 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;
 - (ii) performs work or tasks, or is in training to perform work or tasks, that are directly related to the individual's disability, including:
 - (A) assisting an individual who is blind or has low vision with navigation or other tasks;
 - (B) alerting an individual who is deaf or hard of hearing to the presence of people or sounds;
 - (C) providing non-violent protection or rescue work;
 - (D) pulling a wheelchair;
 - (E) assisting an individual during a seizure;
 - (F) alerting an individual to the presence of an allergen;
 - (G) retrieving an item for the individual;
 - (H) providing physical support and assistance with balance and stability to an individual with a mobility disability; or
 - (I) helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.
 - (b) "Service animal" does not include:
 - (i) an animal other than a dog, whether wild or domestic, trained or untrained; or
 - (ii) an animal used solely to provide:
 - (A) a crime deterrent;
 - (B) emotional support;
 - (C) well-being;
 - (D) comfort; or
 - (E) companionship.

Amended by Chapter 94, 2011 General Session