

57-21-4 Conduct and requirements excluded -- Defenses.

- (1) Except as provided in Subsection 57-21-5(4), this chapter does not:
- (a) require any person to exercise a higher degree of care toward a person who has a disability than toward a person who does not have a disability;
 - (b) relieve any person of obligations generally imposed on all persons regardless of disability in a written lease, rental agreement, contract of purchase or sale, mortgage, trust deed, or other financing agreement; or
 - (c) prohibit any program, service, facility, or privilege intended to habilitate, rehabilitate, or accommodate a person with a disability.
- (2) It is a defense to a complaint or action brought under this chapter that the complainant has a disability that, in the circumstances and even with reasonable accommodation, poses a serious threat to the health or safety of the complainant or others. The burden of proving this defense is upon the respondent.

Amended by Chapter 114, 1993 General Session