

62A-5b-104 Right to be accompanied by service animal -- Security deposits -- Discrimination -- Liability -- Identification.

- (1)
 - (a) A person with a disability has the right to be accompanied by a service animal, unless the service animal is a danger or nuisance to others as interpreted under the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102:
 - (i) in any of the places specified in Section 62A-5b-103; and
 - (ii) without additional charge for the service animal.
 - (b) This section does not prohibit an owner or lessor of private housing accommodations from charging a person, including a person with a disability, a reasonable deposit as security for any damage or wear and tear that might be caused by a service animal if the owner or lessor would charge a similar deposit to other persons for potential wear and tear.
 - (c) An owner or lessor of private housing accommodations may not, in any manner, discriminate against a person with a disability on the basis of the person's possession of a service animal.
- (2) A person who is not a person with a disability has the right to be accompanied by an animal that is in training to become a service animal or a police service canine, as defined in Section 53-16-102:
 - (a) in any of the places specified in Section 62A-5b-103; and
 - (b) without additional charge for the animal.
- (3) A person with a disability is liable for any loss or damage caused or inflicted to the premises by the person's service animal.
- (4) A person accompanied by a service animal is encouraged to identify the animal by exhibiting one or more of the following:
 - (a) the animal's laminated identification card;
 - (b) the animal's service vest; or
 - (c) another form of identification.

Amended by Chapter 389, 2012 General Session