

**POLICE SERVICE K-9 RIGHTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

House Sponsor: Brad R. Wilson

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Human Services Code to allow police service canines who are in training to accompany their trainers to all areas currently allowed to service animals for disabled persons.

**Highlighted Provisions:**

This bill:

- ▶ provides that a police service canine that is in training may accompany its trainer to any of the places that a service animal for disabled persons is authorized to access, consistent with Section 62A-5b-103.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**62A-5b-104**, as last amended by Laws of Utah 2009, Chapter 110

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **62A-5b-104** is amended to read:

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



28 **Discrimination -- Liability -- Identification.**

29 (1) (a) A person with a disability has the right to be accompanied by a service animal,  
30 unless the service animal is a danger or nuisance to others as interpreted under the Americans  
31 with Disabilities Act of 1990, 42 U.S.C. Sec. 12102:

- 32 (i) in any of the places specified in Section 62A-5b-103; and
- 33 (ii) without additional charge for the service animal.

34 (b) This section does not prohibit an owner or lessor of private housing  
35 accommodations from charging a person, including a person with a disability, a reasonable  
36 deposit as security for any damage or wear and tear that might be caused by a service animal if  
37 the owner or lessor would charge a similar deposit to other persons for potential wear and tear.

38 (c) An owner or lessor of private housing accommodations may not, in any manner,  
39 discriminate against a person with a disability on the basis of the person's possession of a  
40 service animal.

41 (2) A person who is not a person with a disability has the right to be accompanied by  
42 an animal that is in training to become a service animal or a police service canine, as defined in  
43 Section 53-16-102:

- 44 (a) in any of the places specified in Section 62A-5b-103; and
- 45 (b) without additional charge for the animal.

46 (3) A person with a disability is liable for any loss or damage caused or inflicted to the  
47 premises by the person's service animal.

48 (4) A person accompanied by a service animal is encouraged to identify the animal by  
49 exhibiting one or more of the following:

- 50 (a) the animal's laminated identification card;
- 51 (b) the animal's service vest; or
- 52 (c) another form of identification.

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**Legislative Review Note**  
as of 2-17-12 11:03 AM

**Office of Legislative Research and General Counsel**