

JOINT RESOLUTION ON SERVICE ANIMALS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca Chavez-Houck

Senate Sponsor: Luz Escamilla

LONG TITLE

General Description:

This resolution encourages the creation of a voluntary registration program for service animals.

Highlighted Provisions:

This resolution:

- ▶ recognizes provisions in the Americans with Disabilities Act of 1990 pertaining to service animals; and
- ▶ encourages local political subdivisions to establish voluntary registration programs for individuals with disabilities who use service animals.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, there are approximately 300,000 individuals with disabilities living in Utah;

WHEREAS, an individual's disability is not always visible to others;

WHEREAS, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability;

WHEREAS, the task performed by the animal must be directly related to the individual's disability;



28 WHEREAS, for many Utahns, service animals provide a valuable service performing
29 tasks directly related to the individual's disability;

30 WHEREAS, "guide dogs" have been used for nearly a century, the use of service
31 animals to assist individuals with disabilities is much more recent;

32 WHEREAS, individuals with disabilities using service animals are entitled to the
33 protections provided under the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. Sec.
34 12101 et seq.) that relate to access to workplaces, public events, private businesses, and other
35 places, mitigating the isolation many individuals with disabilities have experienced;

36 WHEREAS, a person may not require documentation, such as proof that the service
37 animal has been certified, trained, or licensed as a service animal, as a condition for entry;

38 WHEREAS, service animals are not required to wear a vest, ID tag, patch, or special
39 harness to identify the animal as a service animal;

40 WHEREAS, individuals who have service animals are not exempt from local animal
41 control or public health requirements, making service animals subject to the same licensing and
42 vaccination rules that are applied to all animals;

43 WHEREAS, under the ADA, a covered entity's employees may only ask two specific
44 questions in situations where it is not obvious that the animal is a service animal:

45 (1) is the animal a service animal required because of a disability?; and

46 (2) what work or task has the animal been trained to perform?;

47 WHEREAS, Utahns with service animals continue to have their legal rights denied at
48 what are otherwise considered nearly unrestricted public access places;

49 WHEREAS, many communities offer voluntary registration programs for service
50 animals and their owners in an effort to inform the public about the role of service animals, to
51 provide the public the benefit of being able to recognize a service animal, and for an individual
52 with a service animal to have his or her animal set apart from untrained animals that are used
53 for emotional support, therapy, comfort, or companionship; and

54 WHEREAS, the state of Utah or its municipalities may offer a voluntary registration
55 program for individuals with disabilities who use service animals provided that the registration
56 is voluntary and may not be required as a condition of being permitted in public places.

57 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
58 recognizes the important work that service animals perform for individuals with disabilities

59 and the rich value that they add to individuals' lives.

60 BE IT FURTHER RESOLVED that the Legislature of the state of Utah encourages
61 local political subdivisions to establish voluntary registration programs for service animals,
62 which may provide a benefit and ease to a person with a disability with a service animal.

Legislative Review Note
Office of Legislative Research and General Counsel