

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

April 8, 2019

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1309

By: Stark of the House

and

# Stanley of the Senate

## COMMITTEE SUBSTITUTE

An Act relating to animals; defining terms; allowing a public accommodation to adopt certain policy; requiring certain signage; requiring certain conformance with federal law; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 801 of Title 4, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. The terms "place of public accommodation", "public accommodation" and "service animal" shall have the same meaning as such terms are defined in 28 C.F.R., Section 36.104. "Service animal" does not include an emotional support animal or a therapy animal;

1        2. "Emotional support animal" means an animal selected to  
2 reside with an individual with a disability that does not work or  
3 perform tasks for the benefit of an individual with a disability and  
4 does not accompany at all times an individual with a disability; and

5        3. "Therapy animal" means a personal pet who is certified to  
6 make therapeutic visits with a trained volunteer to places  
7 including, but not limited to, nursing facilities, schools and  
8 hospitals to bring therapeutic benefit, comfort and cheer to others.

9        B. A public accommodation may adopt a policy to prohibit  
10 animals, except service animals, from entering the place of public  
11 accommodation.

12        C. A public accommodation which adopts such a policy shall post  
13 a sign in a conspicuous location outside the entrance of the place  
14 of public accommodation stating which animals or types of animals  
15 are prohibited. Such sign shall also state that service animals are  
16 permitted.

17        D. If a public accommodation inquires into the qualification of  
18 a service animal, the public accommodation shall comply with 28  
19 C.F.R., Section 36.302(c)(6).

20        SECTION 2. This act shall become effective November 1, 2019.

21 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
22 April 8, 2019 - DO PASS AS AMENDED  
23  
24