



# House of Representatives

General Assembly

**File No. 189**

February Session, 2004

House Bill No. 5452

*House of Representatives, March 23, 2004*

The Committee on General Law reported through REP. FOX of the 144th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING ENTRANCE TO PUBLIC ACCOMMODATIONS FOR THE TRAINING OF THERAPY DOGS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-44 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) Any blind, deaf or mobility impaired person or any person  
4 training a dog as a guide dog for a blind person, [or] a dog to assist a  
5 deaf or mobility impaired person or a therapy dog to be used by  
6 another person or persons may travel on a train or on any other mode  
7 of public transportation, and may enter any other place of public  
8 accommodation which caters or offers its services or facilities or goods  
9 to the general public, including but not limited to, any public building,  
10 inn, restaurant, hotel, motel, tourist cabin, place of amusement, resort  
11 or any facility of any such public accommodation, accompanied by  
12 [his] a guide dog, [or] assistance dog or therapy dog, and [he] such  
13 person may keep such dog with [him] such person at all times in any

14 such public accommodation or facility thereof at no extra charge,  
15 provided such dog shall be in the direct custody of such person and  
16 shall be wearing a harness or an orange-colored leash and collar.

17 (b) Any blind, deaf or mobility impaired person or any person  
18 training a dog as a guide dog for a blind person, [or] a dog to assist a  
19 deaf or mobility impaired person or a therapy dog to be used by  
20 another person or persons shall be entitled to visit any place of public  
21 accommodation, resort or amusement or a dwelling as a guest of a  
22 lawful occupant thereof, accompanied by [his] a guide dog, [or]  
23 assistance dog or therapy dog, and [he] such person may keep such  
24 dog with [him] such person at all times in such public accommodation,  
25 resort, amusement or dwelling at no extra charge, provided such dog  
26 shall be in the direct custody of such person and shall be wearing a  
27 harness or an orange-colored leash and collar. No such blind, deaf or  
28 mobility impaired person or person training a dog as a guide dog for a  
29 blind person, [or] a dog to assist a deaf or mobility impaired person or  
30 a therapy dog to be used by another person or persons shall be  
31 charged any fee not applicable alike to all guests, provided the owner  
32 of such dog shall be liable for any damage done to the premises or  
33 facilities by such dog. For the purposes of this subsection, (1) a "place  
34 of public accommodation, resort or amusement" means any  
35 establishment which caters or offers its services or facilities or goods to  
36 the general public, including, but not limited to, any commercial  
37 building lot, on which it is intended that a commercial property or  
38 building will be constructed or offered for sale or rent, and (2)  
39 "dwelling" means any building, structure, mobile manufactured home  
40 park or portion thereof which is occupied as, or designed or intended  
41 for occupancy as, a residence by one or more families, and any vacant  
42 land which is offered for sale or lease for the construction or location  
43 thereon of any such building, structure, mobile manufactured home  
44 park or portion thereof, provided the provisions of this subsection  
45 shall not apply to (A) the rental of a room or rooms in a single-family  
46 dwelling unit if the owner actually maintains and occupies part of  
47 such living quarters as [his] the owner's residence or (B) a unit in a  
48 dwelling containing living quarters occupied or intended to be

49 occupied by no more than two families living independently of each  
50 other, if the owner actually maintains and occupies the other such  
51 living quarters as [his] the owner's residence.

52 (c) Any person who denies the rights afforded to blind, deaf or  
53 mobility impaired persons or persons training a dog as a guide dog for  
54 a blind person, [or] a dog to assist a deaf or mobility impaired person  
55 or a therapy dog to be used by another person or persons under  
56 subsections (a) and (b) of this section shall be guilty of a class C  
57 misdemeanor, provided such blind, deaf or mobility impaired person  
58 or person training a dog as a guide dog for a blind person or a dog to  
59 assist a deaf or mobility impaired person complies with the applicable  
60 provisions of subsection (a) or (b) of this section.

61 (d) For purposes of this section, (1) "guide dog" or "assistance dog"  
62 includes a dog being trained as a guide dog or assistance dog, [and] (2)  
63 "person training a dog as a guide dog for a blind person or a dog to  
64 assist a deaf or mobility impaired person" means a person who is  
65 employed by and authorized to engage in designated training  
66 activities by a guide dog organization or assistance dog organization  
67 that complies with the criteria for membership in a professional  
68 association of guide dog or assistance dog schools and who carries  
69 photographic identification indicating such employment and  
70 authorization, and (3) "therapy dog" means a dog trained to aid the  
71 emotional health of patients in hospitals and residents of nursing  
72 homes and retirement homes.

This act shall take effect as follows:	
Section 1	October 1, 2004

**GL**            *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Judicial Dept.	GF - Revenue Gain	Potential Minimal	Potential Minimal
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill allows persons who are training therapy dogs the same rights of use as persons training guide dogs. It expands the existing criminal sanction<sup>1</sup> for denying the rights of use and entry to someone training a guide dog for the blind to include someone training a “therapy dog.” Annual revenue from fines is estimated to be less than \$1,000 since few offenses are anticipated: there were no offenses under current law in FY 02 or FY 03.

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<sup>1</sup> It is a class C misdemeanor, which is punishable by up to three months’ imprisonment and/or a fine of up to \$500.

**OLR Bill Analysis**

HB 5452

**AN ACT CONCERNING ENTRANCE TO PUBLIC ACCOMMODATIONS FOR THE TRAINING OF THERAPY DOGS****SUMMARY:**

This bill gives the same rights of use and entry to someone training a therapy dog as currently enjoyed by someone training a guide dog for the blind. It defines "therapy dog" as a dog trained to aid the emotional health of hospital patients and nursing and retirement home residents. Specifically, it allows a trainer to travel on any mode of public transportation and to enter any place of public accommodation offering its services to the public. It makes it a class C misdemeanor (punishable by up to three months in prison, a fine of up to \$500, or both) to deny a trainer and dog access.

EFFECTIVE DATE: October 1, 2004

**WHERE THE DOG MUST BE ADMITTED**

The bill requires a dog and trainer to be admitted to a train or other mode of public transportation and to any place of public accommodation offering services, facilities, or goods to the public, including public buildings, inns, restaurants, hotels, motels, tourist cabins, and places of amusement. The bill also applies to dwellings when the trainer is a guest of a lawful occupant, but owner-occupied, two-family houses and room-rentals are exempt.

**RESTRICTIONS AND LIMITATIONS**

The dog must be in the direct custody of the trainer and wear a harness or orange colored leash and collar. The trainer cannot be charged an extra fee for the dog, but he is liable for damage the dog causes in places of public accommodation and dwellings.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Report  
Yea 19    Nay 0