



House of Representatives

General Assembly

File No. 537

February Session, 2018

Substitute House Bill No. 5566

House of Representatives, April 17, 2018

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING EMOTIONAL SUPPORT ANIMALS AND HOUSING ACCOMMODATIONS.

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

1 Section 1. (NEW) (*Effective from passage*) The Department of
2 Consumer Protection shall, within available appropriations, develop a
3 pamphlet concerning reasonable accommodations that certain housing
4 providers must allow for a person with mental and emotional
5 disabilities who lives with an emotional support animal, as provided
6 in the federal Fair Housing Act, 42 USC Part 3604 et seq. and Title I of
7 the Rehabilitation Act of 1973, 29 USC 701 et seq., each as amended
8 from time to time, and any regulation adopted thereunder. Not later
9 than January 1, 2019, the department shall (1) make such pamphlet
10 available to educational providers for the purposes of courses for (A)
11 licensure under section 20-314 of the general statutes of a real estate
12 broker or real estate salesperson, each as defined in section 20-311 of
13 the general statutes, or (B) continuing education under section 20-319
14 of the general statutes for a real estate broker or real estate salesperson,

15 and (2) make such pamphlet publically available electronically on the
16 department's Internet web site and in hard copy form, upon request.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Consumer Protection, Dept.	GF - Cost	20,000	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill requires the Department of Consumer Protection to develop a pamphlet concerning accommodations that certain housing providers must allow for a person with mental and emotional disabilities that lives with an emotional support animal and results in a cost to the state. The department does not have the expertise to develop the pamphlet and will need to hire a contractor to produce, design, and print it for an estimated cost of \$20,000.

The Out Years

None.

OLR Bill Analysis**sHB 5566*****AN ACT CONCERNING EMOTIONAL SUPPORT ANIMALS AND HOUSING ACCOMMODATIONS.*****SUMMARY**

This bill requires the Department of Consumer Protection (DCP), within available appropriations, to develop a pamphlet concerning reasonable accommodations that certain housing providers must make, as provided under certain federal laws and related regulations, for individuals with a disability who live with an emotional support animal (see BACKGROUND).

It additionally requires DCP, by January 1, 2019, to make the pamphlet available to educational providers for courses for (1) licensure as a real estate salesperson or broker and (2) continuing education for such salespeople and brokers. The department must also make the pamphlet publicly available electronically on the DCP website and, by request, in hard copy.

EFFECTIVE DATE: Upon passage

BACKGROUND***Reasonable Accommodation Requirements in Federal Law***

The federal Fair Housing Act (FHA) (42 U.S.C. § 3601 et seq.) prohibits discrimination in housing sales or rentals towards various protected classes, including individuals with disabilities. The Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.) protects individuals with disabilities from discrimination by entities that receive federal financial assistance (including from the Department of Housing and Urban Development). Under these laws, an individual has a disability if he or she (1) has a physical or mental impairment that substantially limits one or more of his or her major life activities, (2) has a record of

having such an impairment, or (3) is regarded as having such an impairment. Under both laws, discrimination includes failure to make reasonable accommodations as necessary to afford the individual the opportunity to use and enjoy a dwelling.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 3 (04/03/2018)