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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3157

03/01/2018 Authored by Green, O'Neill, Freiberg, Lohmer, Carlson, L., and others
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to public safety; establishing a crime for misrepresenting an animal as a
1.3 service animal; proposing coding for new law in Minnesota Statutes, chapter 609.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 609.833 MISREPRESENTATION OF SERVICE ANIMAL.

1.6 Subdivision 1. Definition. For the purposes of this section, "service animal" has the
1.7 meaning given under the federal Americans with Disabilities Act, as amended.

1.8 Subd. 2. Crime. A person who knowingly misrepresents an animal in that person's
1.9 possession as a service animal or service animal in training in any place, accommodation,
1.10 or conveyance to obtain the rights and privileges available to a person who qualifies for a
1.11 service animal under state or federal law is guilty of a crime.

1.12 Subd. 3. Penalty. (a) A person who is convicted of a first violation of subdivision 2 is
1.13 guilty of a petty misdemeanor and may be sentenced to payment of a fine of not more than
1.14 \$100.

1.15 (b) A person who is convicted of a second or subsequent offense of subdivision 2 is
1.16 guilty of a misdemeanor and, in addition to any other penalty, the court shall order the
1.17 person to complete 30 hours of community service for an organization that serves individuals
1.18 with disabilities.

1.19 Subd. 4. Notice. (a) A conspicuous sign may be posted in a location accessible to public
1.20 view at a place, accommodation, or conveyance that contains the following, or substantially
1.21 similar, language:

2.1

"NOTICE

2.2 Service Animals Welcome. It is a misdemeanor for a person to knowingly misrepresent
2.3 an animal in that person's possession as a service animal or service animal in training."

2.4 (b) The Council on Disability may prepare and make available to businesses a brochure
2.5 detailing permissible questions a business owner may ask in order to determine whether an
2.6 animal is a service animal, proper answers to those questions, and guidelines defining
2.7 unacceptable behavior.

2.8 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
2.9 committed on or after that date.