

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3606

02/20/2020 Authored by Fischer and Theis
The bill was read for the first time and referred to the Housing Finance and Policy Division

1.1 A bill for an act
1.2 relating to housing; permitting a landlord to require a tenant to provide
1.3 documentation supporting the tenant's need for a service or assistance animal;
1.4 providing civil penalties; proposing coding for new law in Minnesota Statutes,
1.5 chapter 504B.

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

1.7 Section 1. 504B.113] SERVICE AND ASSISTANCE ANIMAL DOCUMENTATION.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.9 the meanings given.

1.10 (b) "Service animal" means a service animal as defined by the Americans with Disabilities
1.11 Act, United States Code, title 42, section 12101, as amended.

1.12 (c) "Assistance animal" means an assistance animal as defined under the Fair Housing
1.13 Act, United States Code, title 42, sections 3601 to 3619 and 3631, as amended, or section
1.14 504 of the Rehabilitation Act of 1973, United States Code, title 29, section 701, as amended.

1.15 (d) "Tenant" means a current tenant or a prospective tenant.

1.16 (e) "Health care provider" means a provider who:

1.17 (1) is a physician licensed under chapter 147, a mental health professional licensed under
1.18 chapter 148B, or a social worker licensed under chapter 148E;

1.19 (2) is qualified to diagnose and treat the tenant's disability or disability-related need for
1.20 a service or assistance animal; and

1.21 (3) does not operate in the state solely to provide certification for service or assistance
1.22 animals.

2.1 Subd. 2. Request for documentation permitted. (a) A landlord may require a tenant  
2.2 to provide supporting documentation for each service or assistance animal if the tenant  
2.3 requests a service or assistance animal be allowed as an accommodation on the rented  
2.4 premises under any provision of law. A landlord must not require supporting documentation  
2.5 from a tenant if the tenant's disability or disability-related need for a service or assistance  
2.6 animal is readily apparent or already known to the landlord.

2.7 (b) Upon a landlord's request, the tenant must provide supporting documentation from  
2.8 a health care provider confirming the tenant's disability and the relationship between the  
2.9 tenant's disability and the need for a service or assistance animal.

2.10 Subd. 3. Prohibited conduct. A tenant must not, directly or indirectly through statements  
2.11 or conduct, knowingly:

2.12 (1) misrepresent themselves as a person with a disability that requires the use of a service  
2.13 or assistance animal; or

2.14 (2) provide fraudulent supporting documentation under this section.

2.15 Subd. 4. Penalty. (a) A violation of subdivision 3 is grounds for an eviction action under  
2.16 this chapter. A tenant who violates subdivision 3 is liable to the landlord for a penalty not  
2.17 to exceed \$1,000.

2.18 (b) If the tenant violates subdivision 2 or 3, the landlord may deny the tenant's rental  
2.19 application or request for a service or assistance animal.