

**609.833 MISREPRESENTATION OF SERVICE ANIMAL.**

Subdivision 1. **Definitions.** As used in this section:

- (1) "place of public accommodation" has the meaning given in section 363A.03, subdivision 34; and
- (2) "service animal" has the meaning given in Code of Federal Regulations, title 28, section 36.104, as amended through March 1, 2018.

Subd. 2. **Prohibited conduct.** A person may not, directly or indirectly through statements or conduct, intentionally misrepresent an animal in that person's possession as a service animal in any place of public accommodation to obtain any rights or privileges available to a person who qualifies for a service animal under state or federal law knowing that the person is not entitled to those rights or privileges.

Subd. 3. **Penalty.** (a) Except as provided in paragraph (b), a person who violates subdivision 2 is guilty of a petty misdemeanor.

(b) A person who violates subdivision 2 a second or subsequent time is guilty of a misdemeanor.

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

"NOTICE

Service Animals Welcome. It is illegal for a person to misrepresent an animal in that person's possession as a service animal."

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

**History:** 2018 c 106 s 2