

Act No. 146
Public Acts of 2015
Approved by the Governor
October 20, 2015
Filed with the Secretary of State
October 20, 2015
EFFECTIVE DATE: January 18, 2016

STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2015

Introduced by Reps. Barrett, Heise, Moss, Kelly, Hughes, Chatfield, Rutledge, Tedder, Lucido, Sheppard, LaVoy, Hooker, Outman, Bumstead, Faris, Talabi, Chang, Glenn and Cole

ENROLLED HOUSE BILL No. 4521

AN ACT to provide for the voluntary issuance of identification and patches for service animals; and to provide for certain powers and duties of the department of civil rights.

The People of the State of Michigan enact:

Sec. 1. As used in this act:

(a) "Department" means the department of civil rights.

(b) "Person with a disability" means a person who has a disability as defined in section 12102 of the Americans with disabilities act of 1990, 42 USC 12102, and 28 CFR 36.104.

(c) As used in subdivision (b), "person with a disability" includes a veteran who has been diagnosed with 1 or more of the following:

(i) Post-traumatic stress disorder.

(ii) Traumatic brain injury.

(iii) Other service-related disabilities.

(d) "Service animal" means all of the following:

(i) That term as defined in 28 CFR 36.104.

(ii) A miniature horse that has been individually trained to do work or perform tasks as described in 28 CFR 36.104 for the benefit of a person with a disability.

(e) "Veteran" means any of the following:

(i) A person who performed military service in the armed forces for a period of more than 90 days and separated from the armed forces in a manner other than a dishonorable discharge.

(ii) A person discharged or released from military service because of a service-related disability.

(iii) A member of a reserve branch of the armed forces at the time he or she was ordered to military service during a period of war, or in a campaign or expedition for which a campaign badge is authorized, and was released from military service in a manner other than a dishonorable discharge.

Sec. 3. (1) Subject to subsection (2), the department shall develop and make available upon request a voluntary identification and patch for a service animal for a person with a disability.

(2) To be eligible to receive the voluntary identification and patch described in subsection (1), the person seeking the materials shall provide all of the following:

(a) An affidavit signed by the person seeking the identification and patch attesting that the service animal for which the identification and patch are being sought has been trained to be a service animal for use by a person with a disability.

(b) Documentation from an appropriate health care or rehabilitation professional that the individual requires the assistance of a service animal due to a disability.

Sec. 5. The department shall use its existing telephone complaint hotline to receive reports of problems encountered by a person with a disability using a service animal and to receive reports of a person impersonating a person with a disability and using a service animal. The department may refer an alleged violation of section 3(2)(a) to the appropriate law enforcement agency for investigation.

Sec. 7. A person who knowingly or willingly submits a false or fraudulent affidavit under section 3(2)(a) is guilty of a misdemeanor punishable by 1 or more of the following:

(a) Imprisonment for not more than 90 days.

(b) A fine of not more than \$500.00.

(c) Community service for not more than 30 days.

Enacting section 1. This act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

(a) Senate Bill No. 298.

(b) Senate Bill No. 299.

(c) House Bill No. 4527.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved.....

Governor

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:

Senate Bill No. 298 was filed with the Secretary of State October 20, 2015, and became 2015 PA 144, Eff. Jan. 18, 2016.

Senate Bill No. 299 was filed with the Secretary of State October 20, 2015, and became 2015 PA 145, Eff. Jan. 18, 2016.

House Bill No. 4527 was filed with the Secretary of State October 20, 2015, and became 2015 PA 147, Eff. Jan. 18, 2016.