

Act No. 147
Public Acts of 2015
Approved by the Governor
October 19, 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. Rutledge, Hughes, Moss, Kelly, LaVoy, Driskell, Darany, Dianda, Pscholka, Glenn, Lyons, Singh, Townsend, Barrett, Faris and Potvin

ENROLLED HOUSE BILL No. 4527

AN ACT to amend 1981 PA 82, entitled "An act to prohibit the use of certain collars or harnesses and leashes on dogs in public places, except by deaf, audibly impaired, or otherwise physically limited persons; and to prescribe penalties," by amending the title and sections 1, 2, and 3 (MCL 752.61, 752.62, and 752.63), the title and sections 1 and 2 as amended by 1984 PA 111, and by adding section 4.

The People of the State of Michigan enact:

TITLE

An act to prohibit a person from representing that he or she is in possession of a service animal in public places, unless that person is a person with a disability; and to prescribe penalties.

Sec. 1. As used in this act:

(a) "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.

(b) As used in subdivision (a), "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.

(c) "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.

(d) "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. 2. A person shall not falsely represent that he or she is in possession of a service animal, or a service animal in training, in any public place.

Sec. 3. A person who knowingly violates this act 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.

Sec. 4. The department of civil rights shall use its existing telephone complaint hotline to receive reports of a person falsely representing that he or she is in possession of a service animal or a service animal in training. The department may refer an alleged violation of this act to the appropriate law enforcement agency for investigation.

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

Enacting section 2. This amendatory 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. 4521.

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. 4521 was filed with the Secretary of State October 20, 2015, and became 2015 PA 146, Eff. Jan. 18, 2016.