



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2049

PRINTERS NO. 3127

PRIME SPONSOR: Moul

COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
Local Funds	\$0	\$0

SUMMARY: Creates the Assistance and Service Animal Integrity Act to address documentation requirements for service animals in housing, and to establish penalties for misrepresentation. This legislation would take effect in 60 days.

ANALYSIS: This legislation creates the freestanding Assistance and Service Animal Integrity Act, which will assist landlords and owners associations with animal restriction policies when interacting with persons who request exceptions for assistance animals or service animals.

Definition of Terms: The legislation defines “assistance animal” as an animal, other than a service animal, that qualifies as a reasonable accommodation under the federal Fair Housing Act, the federal Rehabilitation Act of 1973, or local law. The term includes an emotional support animal (ESA) when such animal qualifies as a reasonable accommodation.

“Service animal” is defined as an animal, other than an assistance animal, that qualifies as a service animal under the federal Americans with Disabilities Act of 1990 (ADA) or as a guide or support animal under the PA Human Relations Act or local law.

Standards for Requested Documentation: Documentation of a person’s disability/disability-related need for an animal may be requested only if the person’s disability or need is not clear or known to the landlord or executive board of the association. This documentation must:

- be in writing;
- describe the person’s disability/ disability-related need for the assistance or service animal; and
- be reliable and based on direct knowledge.

Penalties:

- Misrepresentation of entitlement to an assistance or service animal – 3rd degree misdemeanor.
- Misrepresentation of an animal as an assistance or service animal – summary offense, punishable by a fine of up to \$1,000.

Landlord Immunity: A landlord or association will not be liable for injuries caused by an assistance or service animal.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or local funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: April 6, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.