

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1466 Session of
2015

INTRODUCED BY MURT, ACOSTA, BISHOP, BIZZARRO, V. BROWN,
CALTAGIRONE, FEE, GROVE, PHILLIPS-HILL, W. KELLER, McNEILL,
READSHAW, ROZZI, SCHLOSSBERG, SCHREIBER, THOMAS, WARD AND
HARHAI, JULY 21, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JULY 21, 2015

AN ACT

1 Amending the act of October 27, 1955 (P.L.744, No.222),
2 entitled, as amended, "An act prohibiting certain practices
3 of discrimination because of race, color, religious creed,
4 ancestry, age or national origin by employers, employment
5 agencies, labor organizations and others as herein defined;
6 creating the Pennsylvania Human Relations Commission in the
7 Governor's Office; defining its functions, powers and duties;
8 providing for procedure and enforcement; providing for
9 formulation of an educational program to prevent prejudice;
10 providing for judicial review and enforcement and imposing
11 penalties," further providing for findings and declaration of
12 policy and for right to freedom from discrimination in
13 employment, housing and public accommodation; and providing
14 for therapy dogs and public transportation and unlawful
15 discriminatory practices.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 2 of the act of October 27, 1955
19 (P.L.744, No.222), known as the Pennsylvania Human Relations
20 Act, is amended by adding a subsection to read:

21 Section 2. Findings and Declaration of Policy.--

22 * * *

23 (b.1) It is hereby declared to be the public policy of this

1 Commonwealth to safeguard the rights of all individuals with
2 disabilities, owners or handlers of therapy dogs and persons
3 licensed to train therapy dogs to use all forms of public
4 transportation regardless of the use of accompanying therapy
5 dogs because of disabilities of the users or because the users
6 are handlers or trainers of therapy dogs.

7 * * *

8 Section 2. Section 3 of the act, amended December 20, 1991
9 (P.L.414, No.51), is amended to read:

10 Section 3. Right to Freedom from Discrimination in
11 Employment, Housing and Public Accommodation.--

12 (a) The opportunity for an individual to obtain employment
13 for which he is qualified, and to obtain all the accommodations,
14 advantages, facilities and privileges of any public
15 accommodation and of any housing accommodation and commercial
16 property without discrimination because of race, color, familial
17 status, religious creed, ancestry, handicap or disability, age,
18 sex, national origin, the use of a guide or support animal
19 because of the blindness, deafness or physical handicap of the
20 user or because the user is a handler or trainer of support or
21 guide animals is hereby recognized as and declared to be a civil
22 right which shall be enforceable as set forth in this act.

23 (b) The opportunity for an individual with a disability, an
24 owner or handler of a therapy dog or a person licensed to train
25 therapy dogs to obtain all the accommodations, advantages,
26 facilities and privileges of any form of public transportation
27 without discrimination because of the use of an accompanying
28 therapy dog properly harnessed for purposes of aiding and
29 guiding a disabled person and riding on all vehicles operated
30 for public transportation is hereby recognized as and declared

1 to be a civil right which shall be enforceable as set forth in
2 this act.

3 Section 3. The act is amended by adding a section to read:

4 Section 5.4. Therapy Dogs and Public Transportation and
5 Unlawful Discriminatory Practices.--

6 (a) It shall be an unlawful discriminatory practice for any
7 form of public transportation to:

8 (1) Deny, limit, discourage or attempt to discourage or
9 impose burdens or penalties on an individual with a disability,
10 an owner or handler of a therapy dog or a person licensed to
11 train therapy dogs with respect to accessing any accommodations,
12 advantages, facilities or privileges of any form of public
13 transportation because of the use of an accompanying therapy dog
14 properly harnessed for purposes of aiding and guiding a disabled
15 person and riding on all vehicles operated for public
16 transportation.

17 (2) Deny or limit a therapy dog properly harnessed,
18 accompanying a person with a disability or an owner or handler
19 of a therapy dog or a person licensed to train therapy dogs from
20 aiding and guiding a disabled person or from riding on all
21 vehicles operated for public transportation, or to charge a fee
22 for the transportation of such dog.

23 (b) The Department of Agriculture shall establish criteria
24 and standards with which a recognized therapy dog training
25 organization must comply regarding the certification and
26 registration of therapy dogs and their handlers.

27 (c) The following words and phrases shall have the meanings
28 given to them in this subsection unless the context clearly
29 indicates otherwise:

30 (1) The term "recognized therapy dog training organization"

1 means an organization which certifies or registers therapy dogs
2 and their handlers in accordance with regulations established by
3 the Department of Agriculture under this subsection.

4 (2) The term "therapy dog" means any dog that is trained to
5 work or perform specific tasks for the benefit of persons,
6 including those with special needs, autism, drug addiction,
7 distress due to emotional and physical abuse and clinical
8 depression or bipolar disease by a recognized therapy dog
9 training organization and is actually used for such purpose.

10 Section 4. This act shall take effect in 60 days.