
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 416 Session of
2017

INTRODUCED BY MURT, BIZZARRO, V. BROWN, CALTAGIRONE, DEAN,
DRISCOLL, DUSH, FARRY, FREEMAN, GILLEN, JAMES, W. KELLER,
MCNEILL, D. MILLER, NEILSON, ORTITAY, READSHAW, ROZZI,
SCHWEYER, SIMMONS, SOLOMON, WARD AND WATSON, FEBRUARY 8, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 8, 2017

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 is amended to read:

9 Section 3. Right to Freedom from Discrimination in
10 Employment, Housing and Public Accommodation.--(a) The
11 opportunity for an individual to obtain employment for which he
12 is qualified, and to obtain all the accommodations, advantages,
13 facilities and privileges of any public accommodation and of any
14 housing accommodation and commercial property without
15 discrimination because of race, color, familial status,
16 religious creed, ancestry, handicap or disability, age, sex,
17 national origin, the use of a guide or support animal because of
18 the blindness, deafness or physical handicap of the user or
19 because the user is a handler or trainer of support or guide
20 animals is hereby recognized as and declared to be a civil right
21 which shall be enforceable as set forth in this act.

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

1 as set forth in this act.

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

3 Section 5.4. Therapy Dogs and Public Transportation and
4 Unlawful Discriminatory Practices.--(a) It shall be an unlawful
5 discriminatory practice for any form of public transportation
6 to:

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

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

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

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

29 (1) The term "recognized therapy dog training organization"
30 means an organization which certifies or registers therapy dogs

1 and their handlers in accordance with regulations established by
2 the Department of Agriculture under subsection (b).

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

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