

SENATE BILL REPORT

SHB 1491

As Reported By Senate Committee On:
Human Services & Corrections, April 2, 1997

Title: An act relating to dog guides and service animals.

Brief Description: Changing references from guide or service dog to dog guide or service animal.

Sponsors: House Committee on Children & Family Services (originally sponsored by Representatives Cody, Cooke, Tokuda, Dyer, Murray, Ogden and Costa).

Brief History:

Committee Activity: Human Services & Corrections: 3/20/97, 4/2/97 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Long, Chair; Zarelli, Vice Chair; Franklin, Hargrove, Kohl, Schow and Stevens.

Staff: Richard Rodger (786-7461)

Background: The State of Washington has provided protection and regulation of guide and services dogs under the "White Cane Law" since 1969. The White Cane Law provides totally or partially blind, hearing impaired, or otherwise physically disabled people the right to be accompanied by a guide or service dog into any public place without being required to pay an extra charge. It is illegal to deny or interfere with admittance to, or enjoyment of, any public facility by a person with an enumerated handicapping condition.

State law related to guide and service dogs is inconsistent with the Americans with Disabilities Act enacted by Congress. Enforcement of laws requiring access to public and private facilities by persons with guide and service dogs is difficult under the White Cane Law.

Summary of Amended Bill: Guide and service dogs are referred to as dog guides and service animals. Service animals are trained to assist people who are sensory, mentally or physically disabled. Enforcement of the access requirements for people with dog guides or service animals is assumed by the Human Rights Commission. The commission has no duty to investigate the injury or killing of dog guides or service animals. References to dogs in training are removed from the definitions of dog guide and service animal. The current statute prohibiting discrimination against disabled drivers at service stations is transferred from the White Cane Law to the Law Against Discrimination. Implementing rules must be adopted by March 1, 1998.

Amended Bill Compared to Substitute Bill: The definition of service animals— is expanded to animals who assist persons with sensory or mental disabilities. The commission’s investigative duties are clarified. Implementing rules must be adopted by a specified date.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The changes in state law proposed by this bill are necessary to comply with the Americans with Disabilities Act. These changes are needed to enable disabled people to have equal access to public and private facilities. These changes will help restaurant owners and other businesses serve disabled customers.

Testimony Against: None.

Testified: Representative Code, original prime sponsor; Mary Rook, NW Aid Dog Foundation (pro); Alen Goodwin, Governor’s Commission on Disability Issues and Employment (pro); Idolina Reta, WSHRC (pro).