

HOUSE BILL REPORT

SHB 1491

As Amended by the Senate

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

Brief History:

Committee Activity:

Children & Family Services: 2/11/97, 2/13/97 [DPS].

Floor Activity:

Passed House: 3/797, 95-0.

Senate Amended.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cooke, Chairman; Boldt, Vice Chairman; Bush, Vice Chairman; Tokuda, Ranking Minority Member; Kastama, Assistant Ranking Minority Member; Ballasiotes; Carrell; Dickerson; Gombosky; McDonald and Wolfe.

Staff: David Knutson (786-7146).

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 Bill: Guide and service dogs will be referred to as dog guides and service animals. Enforcement of the access requirements for people with dog guides or service animals will be assumed by the Human Rights Commission. 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.

EFFECT OF SENATE AMENDMENT(S): The Human Rights Commission's investigative duties are clarified. Implementing rules must be adopted by March 1, 1998. The definition of service animals– is expanded to include animals assisting sensory and mentally disabled persons.

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 Eileen Cody; Bill White, Department of Health (pro with concerns); Mary L. Rook, Northwest Aide Dog Foundation (pro); Idolina Reta, Washington State Human Rights Commission (pro); Kit Hawkins, Washington State Restaurant Association (pro with amendments); Debbie Cook, Washington Council of the Blind (pro); Toby Olson, Governor's Committee on Disability Issues (pro); and Janice Skinner, Active Disabilities of Grays Harbor (pro).