



398482

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2014	.	
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The Committee on Commerce and Tourism (Abruzzo) recommended the following:

Senate Amendment (with title amendment)

Delete lines 159 - 221
and insert:
discretion of the court, to be completed in not more than 6 months.

(5) It is the policy of this state that an individual with a disability be employed in the service of the state or political subdivisions of the state, in the public schools, and in all other employment supported in whole or in part by public



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11 funds, and an employer may not refuse employment to such a
12 person on the basis of the disability alone, unless it is shown
13 that the particular disability prevents the satisfactory
14 performance of the work involved.

15 (6) An individual with a disability is entitled to rent,
16 lease, or purchase, as other members of the general public, any
17 housing accommodations offered for rent, lease, or other
18 compensation in this state, subject to the conditions and
19 limitations established by law and applicable alike to all
20 persons.

21 (a) This section does not require any person renting,
22 leasing, or otherwise providing real property for compensation
23 to modify her or his property in any way or provide a higher
24 degree of care for an individual with a disability than for a
25 person who is not disabled.

26 (b) An individual with a disability who has a service
27 animal or an emotional support animal or who obtains a service
28 animal or an emotional support animal is entitled to full and
29 equal access to all housing accommodations provided for in this
30 section, and such a person may not be required to pay extra
31 compensation for such ~~the service~~ animal. However, such a person
32 is liable for any damage done to the premises or to another
33 person on the premises by the ~~such an~~ animal. A housing
34 accommodation may request proof of compliance with vaccination
35 requirements. This section does not limit the rights or remedies
36 of a housing accommodation or a person with a disability which
37 are granted by federal law or another law of this state and
38 which relate to service animals or emotional support animals.

39 (c) Except when the disability and the need for the service



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40 or emotional support animal are readily apparent, such as when
41 it is observed guiding, pulling, or providing physical
42 assistance to an individual who is blind, has low vision, uses a
43 wheelchair, or needs the animal for stability, a landlord may
44 request medical documentation that a tenant has a qualifying
45 disability and how the service or emotional support animal
46 alleviates one or more identified symptoms or effects of the
47 individual's disability.

48 (7) An employer covered under subsection (5) who
49 discriminates against an individual with a disability in
50 employment, unless it is shown that the particular disability
51 prevents the satisfactory performance of the work involved, or
52 any person, firm, or corporation, or the agent of any person,
53 firm, or corporation, providing housing accommodations as
54 provided in subsection (6) who discriminates against an
55 individual with a disability, commits a misdemeanor of the
56 second degree, punishable as provided in s. 775.082 or s.
57 775.083.

58 (8) Any trainer of a service animal, while engaged in the
59 training of such an animal, has the same rights and privileges
60 with respect to access to public facilities and the same
61 liability for damage as is provided for those persons described
62 in subsection (3) accompanied by service animals.

63 (9) A person who knowingly and willfully misrepresents
64 herself or himself, through conduct or verbal or written notice,
65 as using a service animal and being qualified to use a service
66 animal or as a trainer of a service animal commits a misdemeanor
67 of the second degree, punishable as provided in s. 775.082 or s.
68 775.083 and must perform 30 hours of community service for an



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69 organization that serves individuals with disabilities, or for
70 another entity or organization at the discretion of the court,
71 to be completed in not more than 6 months.

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73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete line 16

76 and insert:

77 penalty for knowing and willful misrepresentation with
78 respect to use or training of