

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative Killebrew offered the following:

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Remove lines 44-93 and insert:

request and approval by a landlord, be allowed to keep such
animal in the dwelling as a reasonable accommodation in housing,
and such person may not be required to pay extra compensation
for such animal.

(3) Unless otherwise prohibited by federal law, rule, or
regulation, a landlord may:

(a) Prohibit an emotional support animal if such animal
poses a direct threat to the safety or health of others or poses
a direct threat of physical damage to the property of others
which cannot be reduced or eliminated by another reasonable
accommodation.

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17 (b) If a person's disability or disability-related need is
18 not readily apparent, request written documentation prepared by
19 a health care practitioner, as defined in s. 456.001, which
20 verifies that the person has a disability or a disability-
21 related need and has been under the practitioner's care or
22 treatment for such disability or need, and the animal provides
23 support to alleviate one or more identified symptoms or effects
24 of the person's disability or disability-related need. If a
25 person requests to keep more than one emotional support animal,
26 the landlord may request such written documentation establishing
27 the need for each animal. The written documentation must be
28 prepared in a format prescribed by the Department of Health in
29 rule and may not be prepared by a health care practitioner whose
30 exclusive service to the person with a disability is preparation
31 of the written documentation in exchange for a fee. The
32 department shall adopt rules to administer this paragraph.

33 (c) Require proof of compliance with state and local
34 requirements for licensing and vaccination of an emotional
35 support animal.

36 (4) A person who falsifies written documentation, as
37 described in subsection (3), for an emotional support animal or
38 otherwise knowingly and willfully misrepresents herself or
39 himself, through conduct or verbal or written notice, as having
40 a disability or disability-related need and being qualified to
41 use an emotional support animal commits a misdemeanor of the

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42 second degree, punishable as provided in s. 775.082 or s.
43 775.083, and must perform 30 hours of community service for an
44 organization that serves persons with disabilities, or for
45 another entity or organization at the discretion of the court,
46 to be completed within 6 months after conviction.

47 (5) (a) A person with a disability or disability-related
48 need is liable for any damage done to the premises or to another
49 person on the premises by her or his emotional support animal.

50 (b) A landlord is not liable for any damage done to the
51 premises or to any person on the premises by an emotional
52 support animal if the landlord approved a reasonable
53 accommodation request for an emotional support animal, and if
54 the person's disability or disability-related need was not
55 readily apparent, the landlord requested written documentation
56 verifying the disability-related need for an emotional support
57 animal authorized under this section, the federal Fair Housing
58 Act, s. 504 of the Rehabilitation Act of 1973, or any other
59 federal, state, or local law.