

HOUSE No. 4609

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the misrepresentation of a service animal.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) There shall be a special commission established pursuant to section 2A
2 of chapter 4 of the General Laws to study the use of service animals in the Commonwealth. The
3 commission shall consist of 15 members: 2 of whom shall be the house and senate chairs of the
4 joint committee on the judiciary or their designees, who shall serve as co-chairs; 1 of whom shall
5 be a member of the house of representative to be appointed by the speaker of the house; 1 of
6 whom shall be a member of the house of representatives to be appointed by the house minority
7 leader; 1 of whom shall be a member of the senate to be appointed by the senate president; 1 of
8 whom shall be a member of the senate to be appointed by the senate minority leader; 1 of whom
9 shall be the attorney general or the attorney general’s designee; 1 of whom shall be the executive
10 director of the Massachusetts Office of Disability or the executive director’s designee; 1 of
11 whom shall be the chair of the Massachusetts Commission Against Discrimination or the chair’s
12 designee; 1 of whom shall be appointed by the President of the Massachusetts Chiefs of Police
13 Association; 1 of whom shall be appointed by the Commissioner of the Municipal Police
14 Training Committee; 1 of whom shall be appointed by the executive director of the Mental

15 Health Legal Advisors Committee; and 3 members who shall be appointed by the governor, 1 of
16 whom shall be a representative of a professional organization specializing in the advocacy,
17 education, and/or training of service animals, 1 of whom shall be a representative of a
18 professional organization specializing in the advocacy, education, and/or training of other
19 assistance animals, including emotional support, companion, or comfort animals, and 1 of whom
20 shall be a member of an association advocating for the interests of restaurant owners and/or
21 retailers in the Commonwealth.

22 (b) The study shall include, but not be limited to: (i) reviewing current federal,
23 state, and local laws and procedures governing the use of service animals in the Commonwealth;
24 (ii) examining the use and benefit of service animals by individuals with disabilities in the
25 Commonwealth; (iii) investigating the presence, prevalence, and impact of fraud,
26 misrepresentation, and other misuse of service animals in the Commonwealth; (iv) researching
27 laws and practices in other jurisdictions with the objective to deter the misuse of service animals;
28 (v) identifying training and educational opportunities aimed at increasing understanding of laws
29 governing the use of service animals amongst public officials, law enforcement, business
30 owners, and members of the public in the Commonwealth; (vi) recommending changes to
31 Massachusetts law governing service animals if any, including the definition of “service animal”
32 and whether to introduce legislation prohibiting and civilly penalizing service animal fraud; and
33 (vii) determining feasibility of certification, registration, or licensing of service animals in the
34 Commonwealth.

35 (c) The commission shall file findings of its study by December 31, 2020, with the clerks
36 of the house and the senate, who shall forward a copy of the report to the chairs of the house and

37 senate committees on ways and means and the house and senate chairs of the joint committee on
38 the judiciary.