

HOUSE No. 4917

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 25, 2024.

The committee on Ways and Means, to whom was referred the Bill relative to a commission to study the intentional misrepresentation of a service animal (House, No. 4329), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4917).

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4917

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to a commission to study the intentional misrepresentation of a service animal.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the special commission to study the intentional misrepresentation of a service animal, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 (a) There shall be a special legislative commission established pursuant to section 2A of
2 chapter 4 of the General Laws to study and report on the use of service animals in the
3 commonwealth. The commission shall consist of 17 members: 2 of whom shall be the chairs of
4 the joint committee on the judiciary or their designees, who shall serve as co-chairs; 1 of whom
5 shall be appointed by the speaker of the house of representatives; 1 of whom shall be appointed
6 by the senate president; 1 of whom shall be appointed by the house minority leader; 1 of whom
7 shall be appointed by the senate minority leader; 1 of whom shall be the governor or their
8 designee; 1 of whom shall be the attorney general or their designee; 1 of whom shall be the
9 director of the Massachusetts office on disability or their designee; 1 of whom shall be the
10 executive director of the Massachusetts commission against discrimination or their designee; 1 of
11 whom shall be the executive director of the municipal police training committee established

12 pursuant to section 116 of chapter 6 of the General Laws or their designee; 1 of whom shall be
13 the executive director of the mental health legal advisors committee established pursuant to
14 section 34E of chapter 221 of the General Laws or their designee; 1 of whom shall be the
15 president and chief executive officer of the Massachusetts Restaurant Association, Inc. or their
16 designee; and 4 members who shall be appointed by the governor, 1 of whom shall be a
17 professional service dog organization headquartered in the commonwealth accredited by
18 Assistance Dogs International, specializing in public advocacy and education and the training of
19 service dogs that has been in existence for not less than 46 years and has placed not less than 900
20 service dogs in the commonwealth, 1 of whom shall be a representative from Tanglewood in the
21 town of Lenox, 1 of whom shall be a member of an association advocating for the interests of
22 retailers in the commonwealth and 1 of whom shall be a person with a disability who resides in
23 the commonwealth who is an employee of a service dog training team in which the service dog
24 has received its training from an Assistance Dogs International accredited service dog
25 organization.

26 (b) The study shall include, but shall not be limited to: (i) reviewing current federal, state
27 and local laws and procedures governing the use of service animals; (ii) examining the use and
28 benefit of service animals by individuals with disabilities; (iii) investigating the presence,
29 prevalence and impact of fraud, misrepresentation and other misuse of service animals; (iv)
30 researching laws and practices in other jurisdictions with the objective to deter the misuse of
31 service animals; and (v) identifying training and educational opportunities aimed at increasing
32 understanding of laws governing the use of service animals among public officials, law
33 enforcement, business owners and members of the public. The commission shall report on: (A)
34 recommending changes to laws governing the use of service animals, if any, including the

35 definition of “service animal” and whether to introduce legislation prohibiting and civilly
36 penalizing service animal fraud; and (B) determining the feasibility of certifying, registering or
37 licensing service animals.

38 (c) The commission shall file its report not later than April 1, 2025 with the clerks of the
39 house of representatives and the senate, the chairs of the house and senate committees on ways
40 and means and the chairs of the joint committee on the judiciary.