

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 33

97TH GENERAL ASSEMBLY

2013

0097S.04T

AN ACT

To repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof four new sections relating to individuals with mental disabilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 209.150, 209.152, and 209.200, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as sections 9.149,
3 209.150, 209.152, and 209.200, to read as follows:

9.149. December fourth shall be designated as "PKS Day" in
2 **Missouri. Pallister-Killian Mosaic Syndrome, commonly known as**
3 **Pallister-Killian Syndrome or PKS, is a disorder usually caused by the**
4 **presence of an abnormal extra chromosome and is characterized by**
5 **vision and hearing impairments, seizure disorders, and early childhood,**
6 **intellectual disability, distinctive facial features, sparse hair, areas of**
7 **unusual skin coloring, weak muscle tone, and other birth defects. It is**
8 **recommended to the people of the state that this day be appropriately**
9 **observed by participating in awareness and educational activities on**
10 **the symptoms and impact of Pallister-Killian Syndrome and to support**
11 **programs of research, education, and community service.**

209.150. 1. Every person with a visual, aural or [physical] **other**
2 **disability including diabetes, as defined in section 213.010,** shall have the
3 same rights afforded to a person with no such disability to the full and free use
4 of the streets, highways, sidewalks, walkways, public buildings, public facilities,
5 and other public places.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

6 2. Every person with a visual, aural or [physical] **other** disability
7 **including diabetes, as defined in section 213.010**, is entitled to full and
8 equal accommodations, advantages, facilities, and privileges of all common
9 carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars,
10 boats or any other public conveyances or modes of transportation, hotels, lodging
11 places, places of public accommodation, amusement or resort, and other places to
12 which the general public is invited, subject only to the conditions and limitations
13 established by law and applicable alike to all persons.

14 3. Every person with a visual, aural or [physical] **other** disability
15 **including diabetes, as defined in section 213.010**, shall have the right to be
16 accompanied by a guide dog, hearing dog, or service dog, which is especially
17 trained for the purpose, in any of the places listed in subsection 2 of this section
18 without being required to pay an extra charge for the guide dog, hearing dog or
19 service dog; provided that such person shall be liable for any damage done to the
20 premises or facilities by such dog.

21 4. As used in sections 209.150 to 209.190, the term "service dog" means
22 any dog specifically trained to assist a person with a **physical or mental**
23 disability by performing necessary [physical] tasks **or doing work** which the
24 person cannot perform. Such tasks shall include, but not be limited to, pulling
25 a wheelchair, retrieving items, [and] carrying supplies, **and search and rescue**
26 **of an individual with a disability**.

 209.152. **Not to exceed the provisions of the Americans With**
2 **Disabilities Act**, any trainer, from a recognized training center, of a guide dog,
3 hearing assistance dog or service dog, **or any member of a service dog team,**
4 **as defined in section 209.200**, shall have the right to be accompanied by such
5 dog in or upon any of the premises listed in section 209.150 while engaged in the
6 training of the dog without being required to pay an extra charge for such
7 dog. Such trainer **or service dog team member** shall be liable for any damage
8 done to the premise of facilities by such dog.

 209.200. As used in sections 209.200 to 209.204, **not to exceed the**
2 **provisions of the Americans With Disabilities Act**, the following terms shall
3 mean:

- 4 (1) "Disability", as defined in section 213.010 **including diabetes**;
- 5 (2) "Service dog", a dog that is being or has been specially trained to do
6 work or perform tasks which benefit a particular person with a disability. Service
7 dog includes **but is not limited to**:

8 (a) "Guide dog", a dog that is being or has been specially trained to assist
9 a particular blind or visually impaired person;

10 (b) "Hearing dog", a dog that is being or has been specially trained to
11 assist a particular deaf or hearing-impaired person;

12 (c) "Medical alert or respond dog", a dog that is being or has been trained
13 to alert a person with a disability that a particular medical event is about to
14 occur or to respond to a medical event that has occurred;

15 (d) "Mobility dog", a dog that is being or has been specially trained to
16 assist a person with a disability caused by physical impairments;

17 (e) **"Professional therapy dog", a dog which is selected, trained,**
18 **and tested to provide specific physical therapeutic functions, under the**
19 **direction and control of a qualified handler who works with the dog as**
20 **a team as a part of the handler's occupation or profession. Such dogs,**
21 **with their handlers, perform such functions in institutional settings,**
22 **community-based group settings, or when providing services to specific**
23 **persons who have disabilities. Professional therapy dogs do not**
24 **include dogs, certified or not, which are used by volunteers in**
25 **visitation therapy;**

26 (f) "Search and rescue dog", a dog that is being or has been
27 trained to search for or prevent a person with a mental disability,
28 including but not limited to verbal and nonverbal autism, from
29 becoming lost;

30 (3) "Service dog team", a team consisting of a trained service dog,
31 a disabled person or child, and a person who is an adult and who has
32 been trained to handle the service dog.

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