

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 33
97TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Pensions, January 31, 2013, with recommendation that the Senate Committee Substitute do pass.

0097S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons 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Section A. Sections 209.150, 209.152, and 209.200, RSMo, are repealed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 three new sections enacted in lieu thereof, to be known as sections 209.150,
3 209.152, and 209.200, to read as follows:

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

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

14 3. Every person with a visual, aural or [physical] **other** disability, **as**
15 **defined in section 213.010**, shall have the right to be accompanied by a guide
16 dog, hearing dog, or service dog, which is especially trained for the purpose, in

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

17 any of the places listed in subsection 2 of this section without being required to
18 pay an extra charge for the guide dog, hearing dog or service dog; provided that
19 such person shall be liable for any damage done to the premises or facilities by
20 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;

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) "**Search and rescue dog**", a dog that is being or has been
18 **trained to search for or prevent a person with a mental disability,**

19 including but not limited to verbal and nonverbal autism, from
20 becoming lost;

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

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