



**H.B. 476**

126th General Assembly  
(As Introduced)

Rep. Raga

---

**BILL SUMMARY**

- Renames as an "assistance dog" a guide dog that assists a blind person, a hearing dog that assists a hearing impaired (added by the bill) or deaf person, a service dog that assists a mobility impaired person, or a dog that serves as a seizure assistance, seizure response, or seizure alert dog for a person with a seizure disorder (the latter category of dog is included in the service dog for a mobility impaired person category under the bill).
- Expands the definition of "mobility impaired person" to also include a person with a neurological or psychological disability that limits the person's functional ability to ambulate, climb, descend, sit, rise, or perform any related function.
- Entitles the trainer of an assistance dog who is accompanied by an assistance dog to any of the advantages, facilities, and privileges of public places, and, if a person denies the trainer of any of these advantages, facilities, and privileges or charges a fee for the dog, provides that that person is guilty of a misdemeanor of the fourth degree.

---

**CONTENT AND OPERATION**

**Assistance dogs: terminology and definitions**

**Current law**

Current law provides that when an application is made for registration of a dog that is in training to become or serves as a guide or leader for a blind person or as a listener for a deaf person, that is in training to provide or provides support or assistance for a mobility impaired person, or that is in training to become or serves as a seizure assistance, seizure response, or seizure alert dog for a person with a seizure disorder, and the owner can show proof by certificate or other means that

the dog is in training or has been trained for that purpose by a nonprofit special agency engaged in such work, the owner of the dog is exempt from any fee for the registration. The registration for the dog is permanent and not subject to annual renewal so long as the dog is in training or serves. Certificates and tags stamped "Ohio Service Dog-Permanent Registration," with registration number, are issued upon registration of the dog. (R.C. 955.011.)

The Criminal Code provides penalties for the theft, assault, or harassment of a dog that is in training to become or serves as a guide or leader for a blind person or as a listener for a deaf person, that is in training to provide or provides support or assistance for a mobility impaired person, or that is in training to become or serves as a seizure assistance, seizure response, or seizure alert dog for a person with a seizure disorder. These provisions refer to such a dog as a "service dog." (R.C. 2913.01(JJ), 2913.02(B)(7), and 2913.321.)

### **The bill**

The bill replaces references to a "service dog" or a dog that is in training to become or serves as a guide or leader for a blind person or as a listener for a deaf person, that is in training to provide or provides support or assistance for a mobility impaired person, or that is in training to become or serves as a seizure assistance, seizure response, or seizure alert dog for a person with a seizure disorder, with the term "assistance dog." Under the bill, an "assistance dog" means the following types of dogs that have been trained by a nonprofit special agency (R.C. 955.011(B)(3), (4), (5), and (6), with conforming changes in R.C. 955.16, 955.43, 2913.01(JJ) and (LL), 2913.02(B)(7), and 2913.321):

(1) A "guide dog," meaning a dog that has been trained or is in training to assist a blind person;

(2) A "hearing dog," meaning a dog that has been trained or is in training to assist a deaf or hearing impaired person;

(3) A "service dog," meaning a dog that has been trained or is in training to assist a mobility impaired person.

The bill also expands the definition of "mobility impaired person" in two ways. Currently, "mobility impaired person" means any person, regardless of age, who is subject to a physiological defect or deficiency regardless of its cause, nature, or extent that renders the person unable to move about without the aid of crutches, a wheelchair, or any other form of support, or that limits the person's functional ability to ambulate, climb, descend, sit, rise, or perform any related function. The bill, first, additionally provides that "mobility impaired person" includes a person with a neurological or psychological disability that limits the

person's functional ability to ambulate, climb, descend, sit, rise, or perform any related function. Second, the bill includes a person with a seizure disorder within the definition of "mobility impaired person," thereby incorporating the former explicit reference to a seizure assistance, seizure response, or seizure alert dog for a person with a seizure disorder into the meaning of a "service dog" and consequently "assistance dog." (R.C. 955.011(B)(1).)

With respect to this terminology change, the bill specifies that the current tag issued to an assistance dog that is stamped "Ohio Service Dog-Permanent Registration" remains valid if it was issued prior to the effective date of the bill. A tag issued after the effective date of the bill is stamped "Ohio Assistance Dog-Permanent Registration." (R.C. 955.011.)

### **Persons who may accompany an assistance dog in public**

#### **Current law**

Current law requires that a blind, deaf, or mobility impaired person accompanied by a dog that serves as or is in training to become a guide, leader, listener, or support dog for the person be entitled, subject to certain restrictions, to the full and equal accommodations, advantages, facilities, and privileges of all public conveyances, hotels, lodging places, all places of public accommodation, amusement, or resort, all institutions of education, and other places to which the general public is invited. The person must prove by certificate or otherwise that the dog has been or is being trained for that purpose by a nonprofit special agency engaged in such work. A person who deprives a blind, deaf, or mobility impaired person accompanied by an assistance dog of any of these advantages, facilities, and privileges or who charges the blind, deaf or hearing impaired, or mobility impaired person a fee for the dog is guilty of a misdemeanor of the fourth degree. (R.C. 955.43(A) and (B) and 955.99(D).)

#### **The bill**

The bill replaces the references to the various types of dogs with a general reference to an assistance dog and specifically includes a hearing impaired person as a person to whom the rights discussed in "**Current law**" apply. These changes are consistent with the use of assistance dog as a replacement term for guide dog, hearing dog, service dog, and listening dog as discussed above under "**Assistance dogs: terminology and definitions**." The bill additionally provides that if the trainer of an assistance dog is accompanied by an assistance dog, the trainer is entitled to any of the advantages, facilities, and privileges described above under "**Current law**." If a person denies the trainer of any of these advantages, facilities, and privileges or charges a fee for the dog, that person is also guilty of a misdemeanor of the fourth degree. (R.C. 955.43(A) and (B) and 955.99(D).)

---

## HISTORY

ACTION

DATE

Introduced

01-18-06

h0476-i-126.doc/kl

