



**SUPPORT HB1563 – An Act Relative to a Commission to Study the
Intentional Misrepresentation of a Service Animal
Rep. Kimberly Ferguson (R)**

Referred to Joint Committee on the Judiciary

WHAT THIS BILL DOES:

The study shall review current federal, state, and local laws and procedures governing the use of service animals in the Commonwealth; examining the use and benefit of service animals by individuals with disabilities in the Commonwealth; investigating the presence, prevalence, and impact of fraud, misrepresentation, and other misuse of service animals in the Commonwealth; researching laws and practices in other jurisdictions with the objective to deter the misuse of service animals; identifying training and educational opportunities aimed at increasing understanding of laws governing the use of service animals amongst public officials, law enforcement, business owners, and members of the public in the Commonwealth; recommending changes to Massachusetts law governing service animals if any, including the definition of “service animal” and whether to introduce legislation prohibiting and civilly penalizing service animal fraud; and determining feasibility of certification, registration, or licensing of service animals in the Commonwealth.

WHY YOU SHOULD SUPPORT THIS BILL:

It is important to make sure that only true service dogs and service-dogs-in-training are afforded the privileges of being a service dog. This study will help the government understand the scope of this problem and understand possible solutions.

We agree with the American Kennel Club and strongly condemn characterizing dogs as service animals when they are not, or attempting to benefit from a dog's service dog status when the individual using the dog is not a person with a disability.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Mrs. Rebecca Leonard; 5inWayland@gmail.com; 508-653-6139

Mrs. Julie Rembrandt Seeley; jrembrandtseeley@charter.net; 978-456-8644

05/15/21

HOUSE No. 1563

The Commonwealth of Massachusetts

PRESENTED BY:

Kimberly N. Ferguson

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/17/2021</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>2/18/2021</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/18/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/19/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/22/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/23/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/23/2021</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/23/2021</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>2/23/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/23/2021</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/23/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/23/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/23/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/23/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/23/2021</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/23/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/23/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/24/2021</i>

<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>2/25/2021</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>2/25/2021</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/25/2021</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>2/26/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/26/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/26/2021</i>

HOUSE No. 1563

By Mrs. Ferguson of Holden, a petition (accompanied by bill, House, No. 1563) of Kimberly N. Ferguson and others for an investigation by a special commission (including members of the General Court) relative to the intentional misrepresentation of a service animal. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to a commission to study the intentional 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 animals, including emotional support, companion, or comfort animals, and 1 of whom shall be a
20 member of an association advocating for the interests of restaurant owners and/or retailers in the
21 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, 2022, 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.