STATE OF NEW YORK

7967

2025-2026 Regular Sessions

IN ASSEMBLY

April 16, 2025

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to rights of persons with disabilities to be accompanied by a guide dog or service dog

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 47 of the civil rights law, as amended by chapter 404 of the laws of 1986, is amended to read as follows:

§ 47. Use of public facilities [~~by persons with a disability~~] **and other accommodations**. 1. No person shall be denied admittance to and/or the equal use of and enjoyment of any public facility solely because said person is a person with a disability and is accompanied by a guide dog, hearing dog or service dog. **No person with a disability shall be denied the right to be accompanied by a guide dog or service dog in any place of public accommodation, resort or amusement, or housing accommodation.**

2. [~~For the purposes of this section the term "public facility" shall include, but shall not be limited to, all modes of public and private transportation, all forms of public and private housing accommodations whether permanent or temporary, buildings to which the public is invited or permitted, including those maintained by the state or by any political subdivision thereof, all educational facilities and institutions, including those maintained by the state or by any political subdivision thereof, all places where food is offered for sale, all theatres, including both live playhouses and motion picture establishments and all other places of public accommodations, convenience, resort, entertainment, or business to which the general public or any classification of persons therefrom is normally or customarily invited or permitted.~~] **No extra charge or security deposit shall be imposed on a person with a disability for a guide dog or service dog in a housing accommodation; provided, however, that such person shall be liable for any damage done**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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to the premises or facilities of such housing accommodation by such guide dog or service dog.

§ 2. Section 47-b of the civil rights law, as amended by chapter 404 of the laws of 1986, subdivisions 1, 4 and 7 as amended by chapter 141 of the laws of 2015 and subdivision 3 as amended by chapter 536 of the laws of 2014, is amended to read as follows:

§ 47-b. [~~Miscellaneous~~] Definitions and miscellaneous provisions. 1. Persons with a disability accompanied by guide dogs, hearing dogs or service dogs shall be guaranteed the right to have such dogs in their immediate custody while exercising any of the rights and privileges set forth in this article, provided that in instances of employment pursuant to section forty-seven-a of this article, such dog has been trained by a qualified person. Blind persons shall, further, have the right to carry a cane in their immediate custody while exercising any of the rights and privileges set forth in this section.

2. No person or legal entity, public or private, shall attempt to impose or maintain any direct or indirect additional charge for the admittance of a guide dog, hearing dog or service dog accompanying a person with a disability, nor shall any conditions or restrictions not specifically set forth in this article be imposed on the person's rights as set forth herein.

3. A person engaged in training a dog to guide or otherwise aid persons with a disability, while engaged in such training activities, and a person with a disability for whom the dog is being trained, shall have the same rights and privileges set forth for persons with a disability in this article.

4. For the purposes of this article, the following terms shall have the following meanings:

(a) The term "guide dog", or "hearing dog" shall mean a dog that is under the control, consistent with federal regulations implementing the Americans with Disabilities Act, Title III, at 28 CFR 36.302(c), of the person using or training it and has been or is being trained to guide or otherwise to aid a person with a disability.

[~~5. For the purposes of this article the~~] (b) The term "disability" shall have the same meaning as provided for in subdivision twenty-one of section two hundred ninety-two of the executive law.

[~~6.~~] (c) The term "service dog" means any dog under the control, consistent with federal regulations implementing the Americans with Disabilities Act, Title III, at 28 CFR 36.302(c), of the person using or training it, and that has been or is being individually trained to do work or perform tasks for the benefit of a person with a disability.

(d) The term "public facility" means and shall include, but shall not be limited to, all modes of public and private transportation, TNC vehicles as defined by section sixteen hundred ninety-one of the vehicle and traffic law, all forms of public and private housing accommodations whether permanent or temporary, buildings to which the public is invited or permitted, including those maintained by the state or by any political subdivision thereof, all educational facilities and institutions, including those maintained by the state or by any political subdivision thereof, all places where food is offered for sale, all theatres, including both live playhouses and motion picture establishments and all other places of public accommodations, convenience, resort, entertainment, or business to which the general public or any classification of persons therefrom is normally or customarily invited or permitted.

(e) The term "place of public accommodation, resort or amusement" shall have the same meaning as defined by section two hundred ninety-two of the executive law.

5. Any law, rule, or regulation conflicting with any provision of this article is, to the extent of said conflict only, deemed to be superseded by the provisions of this article.

[~~7. "Service dog" means any dog under the control, consistent with federal regulations implementing the Americans with Disabilities Act, Title III, at 28 CFR 36.302(c), of the person using or training it, and that has been or is being individually trained to do work or perform tasks for the benefit of a person with a disability.~~]

§ 3. Section 47-c of the civil rights law, as amended by chapter 295 of the laws of 2004, is amended to read as follows:

§ 47-c. Penalties. 1. Any person or legal entity, public or private, violating any provision of this article shall be guilty of a violation.

2. Any person or legal entity, public or private, violating [~~section forty-seven and/or~~] subdivision one or two of section forty-seven-b of this article two or more times within a two year period shall be guilty of a violation punishable by a fine of one thousand dollars.

3. Any person or legal entity, public or private, who knowingly violates section forty-seven of this article shall be guilty of a misdemeanor and subject to a fine not exceeding two thousand five hundred dollars.

§ 4. The civil rights law is amended by adding a new section 47-d to read as follows:

§ 47-d. Public awareness and education. 1. The division of human rights, in consultation with the office of the attorney general and the office for people with developmental disabilities, shall develop and implement a public awareness and education campaign to inform the public, businesses, housing providers, transportation services, and government entities about:

(a) the rights of individuals with disabilities to be accompanied by guide dogs and service dogs as provided under this article;

(b) penalties associated with violations of this article; and

(c) appropriate conduct and reasonable accommodations for individuals accompanied by guide dogs and service dogs.

2. The public awareness and education campaign under subdivision one of this section shall include, but not be limited to:

(a) online resources, including informational materials on state agency websites;

(b) distribution of printed educational materials to places of public accommodation, resort or amusement and transportation hubs; and

(c) outreach and training programs targeting businesses, public service providers, and housing providers.

3. The division of human rights shall provide guidance for how businesses and service providers may comply with the provisions of this article and may also partner with nonprofit organizations and advocacy groups to promote awareness.

4. The public education and awareness campaign under this section shall commence no later than ninety days after the effective date of this section.

§ 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.