

# STATE OF NEW YORK

1073

2019-2020 Regular Sessions

## IN ASSEMBLY

January 14, 2019

Introduced by M. of A. CROUCH, BARCLAY, HAWLEY, KOLB, RAIA -- read once  
and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to the training and  
socialization of guide dogs

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

Section 1. 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 provisions. 1. Persons with a disability accom-  
panied 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 immedi-  
ate 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]~~  
including walking the dog when it is still a puppy, and a person with a  
disability for whom the dog is being trained, shall have the same rights  
and privileges as set forth in this section for persons with a disabili-  
ty ~~[in this article]~~, provided that such trainer is engaged in training

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

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1 activities with the dog; and provided, further, that the dog must be  
2 held on a leash, must be identified by wearing a jacket, vest, collar,  
3 or other item with the official logo of the school or foundation that is  
4 training the dog, and the person accompanying the dog must have a  
5 certificate from the school or foundation proving that such dog is being  
6 trained as a guide dog, hearing dog, or service dog, in order for such  
7 person and dog to be able to enter a public facility.

8 4. For purposes of this section, the term "training" shall include  
9 raising and socializing the prospective guide dog, hearing dog, or  
10 service dog, which occurs prior to the dog's formalized guide dog train-  
11 ing or walking the dog during its first year while such dog is a puppy.

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

17 [5-] 6. For the purposes of this article the term "disability" shall  
18 have the same meaning as provided for in subdivision twenty-one of  
19 section two hundred ninety-two of the executive law.

20 [6-] 7. Any law, rule, or regulation conflicting with any provision of  
21 this article is, to the extent of said conflict only, deemed to be  
22 superseded by the provisions of this article.

23 [7-] 8. "Service dog" means any dog under the control[~~, consistent~~  
24 ~~with federal regulations implementing the Americans with Disabilities~~  
25 ~~Act, Title III, at 28 CFR 36.302(e),~~] of the person using or training  
26 it, and that has been or is being individually trained to do work or  
27 perform tasks for the benefit of a person with a disability.

28 § 2. This act shall take effect immediately.