

HOUSE BILL No. 5374

February 27, 2014, Introduced by Reps. Knezek, Santana, Franz, Abed, Lamonte, Brinks, Hooker, Kurtz, Kivela, Cavanagh, Slavens, Cotter, Schor, Poleski, Muxlow, Yonker, Graves, Darany, Phelps, Yanez, Hobbs, Driskell, Dianda, Cochran, LaVoy, Stanley, Brown, Segal, Hovey-Wright, Kandrevas, McCann, Banks, Durhal, Zemke, Lane, Faris, Smiley, Geiss, Irwin, Kosowski, Roberts, Brunner, Kowall, Schmidt, Lyons, Daley, Jenkins, VerHeulen, Kesto, Kelly, Haines and Townsend and referred to the Committee on Military and Veterans Affairs.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 502c (MCL 750.502c), as amended by 1998 PA 38.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 502c. (1) A person who is an owner, lessee, proprietor,
2 manager, superintendent, agent, or employee of any place of public
3 or private housing, accommodation, amusement, or recreation,
4 including but not limited to any inn, hotel, motel, apartment
5 building, trailer park, restaurant, barbershop, billiard parlor,
6 store, public conveyance on land or water, theater, motion picture
7 house, public or private educational institution, or elevator, who
8 refuses to permit a person with disabilities to enter or use the
9 place when the place is available because the person with
10 disabilities is being led or accompanied by a guide or leader dog,

1 hearing dog, or service dog is guilty of a misdemeanor if the guide
2 or leader dog is wearing a harness or if the hearing dog or service
3 dog is wearing a blaze orange leash and collar, hearing dog cape,
4 or service dog backpack, and the person with disabilities being led
5 or accompanied has in his or her possession a pictured
6 identification card certifying that the dog was trained by a
7 qualified organization or trainer. The department of ~~labor~~
8 **LICENSING AND REGULATORY AFFAIRS** shall maintain a list of
9 organizations or trainers that train guide or leader dogs, hearing
10 dogs, and service dogs.

11 (2) A person who is an owner, lessee, proprietor, manager,
12 superintendent, agent, or employee of any place of public or
13 private housing, accommodation, amusement, or recreation,
14 including, but not limited to, the places listed in subsection (1),
15 who refuses to permit a trainer of guide or leader dogs, hearing
16 dogs, or service dogs to enter or use the place when the place is
17 available because the trainer is being led or accompanied by a
18 guide or leader dog, hearing dog, or service dog is guilty of a
19 misdemeanor if the guide or leader dog is wearing a harness or if
20 the hearing dog or service dog is wearing a hearing dog cape or
21 service dog backpack, if the trainer is being led or accompanied by
22 an adult dog for the purpose of training the dog, and if the
23 trainer has in his or her possession picture identification and
24 identification stating that he or she is a representative or
25 employee of an organization or trainer, or is a trainer, included
26 on the department of ~~labor~~-**LICENSING AND REGULATORY AFFAIRS** list of
27 organizations or trainers that train guide or leader dogs, hearing

1 dogs, or service dogs.

2 (3) As used in this section:

3 (a) "Adult dog" means a domestic dog of the species canis
4 familiaris that is 12 months of age or older.

5 (b) "Audibly impaired" means audibly impaired as defined in
6 section 1 of 1981 PA 82, MCL 752.61.

7 (c) "Blind person" means a blind person as defined in section
8 1 of 1978 PA 260, MCL 393.351.

9 (d) "Deaf person" means a deaf person as defined in section 1
10 of 1981 PA 82, MCL 752.61.

11 (e) "Person with disabilities" means a person who ~~is~~ **MEETS 1**
12 **OR MORE OF THE FOLLOWING CONDITIONS:**

13 (i) **IS** audibly impaired, blind, deaf, or otherwise physically
14 limited.

15 (ii) **IS A VETERAN WHO HAS BEEN DIAGNOSED WITH 1 OR MORE OF THE**
16 **FOLLOWING:**

17 (A) **SYMPTOMS ASSOCIATED WITH POST-TRAUMATIC STRESS DISORDER.**

18 (B) **SYMPTOMS ASSOCIATED WITH TRAUMATIC BRAIN INJURY.**

19 (C) **OTHER SERVICE-RELATED DISABILITIES.**

20 (f) "Physically limited" means physically limited as defined
21 in section 1 of 1966 PA 1, MCL 125.1351.

22 (G) **"VETERAN" MEANS ANY OF THE FOLLOWING:**

23 (i) **A PERSON WHO SERVED ON ACTIVE DUTY IN THE ARMED FORCES FOR**
24 **A PERIOD OF MORE THAN 180 DAYS AND SEPARATED FROM THE ARMED FORCES**
25 **IN A MANNER OTHER THAN A DISHONORABLE DISCHARGE.**

26 (ii) **A PERSON DISCHARGED OR RELEASED FROM ACTIVE DUTY BECAUSE**
27 **OF A SERVICE-RELATED DISABILITY.**

1 (iii) A MEMBER OF A RESERVE BRANCH OF THE ARMED FORCES AT THE
2 TIME HE OR SHE WAS ORDERED TO ACTIVE DUTY DURING A PERIOD OF WAR,
3 OR IN A CAMPAIGN OR EXPEDITION FOR WHICH A CAMPAIGN BADGE IS
4 AUTHORIZED, AND WAS RELEASED FROM ACTIVE DUTY IN A MANNER OTHER
5 THAN A DISHONORABLE DISCHARGE.