IDENTIFICATION AND PATCH FOR SERVICE ANIMAL
Act 146 of 2015

AN ACT to provide for the voluntary issuance of identification and patches for service animals; and to provide for certain powers and duties of the department of civil rights.

History: 2015, Act 146, Eff. Jan. 18, 2016.

The People of the State of Michigan enact:

37.301 Definitions.

Sec. 1. As used in this act:

(a) "Department" means the department of civil rights.

(b) "Person with a disability" means a person who has a disability as defined in section 12102 of the Americans with disabilities act of 1990, 42 USC 12102, and 28 CFR 36.104.

(c) As used in subdivision (b), "person with a disability" includes a veteran who has been diagnosed with 1 or more of the following:

(*i*) Post-traumatic stress disorder.

(*ii*) Traumatic brain injury.

(*iii*) Other service-related disabilities.

(d) "Service animal" means all of the following:

(*i*) That term as defined in 28 CFR 36.104.

(*ii*) A miniature horse that has been individually trained to do work or perform tasks as described in 28 CFR 36.104 for the benefit of a person with a disability.

(e) "Veteran" means any of the following:

(*i*) A person who performed military service in the armed forces for a period of more than 90 days and separated from the armed forces in a manner other than a dishonorable discharge.

(*ii*) A person discharged or released from military service because of a service-related disability.

(*iii*) A member of a reserve branch of the armed forces at the time he or she was ordered to military service during a period of war, or in a campaign or expedition for which a campaign badge is authorized, and was released from military service in a manner other than a dishonorable discharge.

History: 2015, Act 146, Eff. Jan. 18, 2016.

CAUTION! This document is from an archive and may contain outdated information.

37.303 Voluntary identification and patch for service animal; development and availability; eligibility.

Sec. 3. (1) Subject to subsection (2), the department shall develop and make available upon request a voluntary identification and patch for a service animal for a person with a disability.

(2) To be eligible to receive the voluntary identification and patch described in subsection (1), the person seeking the materials shall provide all of the following:

(a) An affidavit signed by the person seeking the identification and patch attesting that the service animal for which the identification and patch are being sought has been trained to be a service animal for use by a person with a disability.

(b) Documentation from an appropriate health care or rehabilitation professional that the individual requires the assistance of a service animal due to a disability.

History: 2015, Act 146, Eff. Jan. 18, 2016.

37.305 Telephone complaint hotline; use by department to receive reports; referral to law enforcement agency.

Sec. 5. The department shall use its existing telephone complaint hotline to receive reports of problems encountered by a person with a disability using a service animal and to receive reports of a person impersonating a person with a disability and using a service animal. The department may refer an alleged violation of section 3(2)(a) to the appropriate law enforcement agency for investigation.

History: 2015, Act 146, Eff. Jan. 18, 2016.

37.307 False or fraudulent affidavit as misdemeanor; penalty.

Sec. 7. A person who knowingly or willingly submits a false or fraudulent affidavit under section 3(2)(a) is guilty of a misdemeanor punishable by 1 or more of the following:

(a) Imprisonment for not more than 90 days.

(b) A fine of not more than $500.00.

© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov

(c) Community service for not more than 30 days.

History: 2015, Act 146, Eff. Jan. 18, 2016.

CAUTION! This document is from an archive and may contain outdated information.

© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov