

**UPDATED SUMMARY  
HOUSE BILL 16-1426**

**Second Regular Session - Seventieth Colorado General Assembly**

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*This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.*

Federal law requires that reasonable accommodations be provided under some circumstances to individuals with a disability. An "assistance animal", sometimes referred to as an "emotional support animal", can assist individuals with a disability with their condition but is not necessarily trained to provide a specific task as "service animals" are. Certain providers of housing must allow an individual with a disability to reside with his or her assistance animal without charging any fees or imposing conditions that would otherwise apply if the animal were merely a pet. *Providers of public accommodations must allow an individual with a disability to use the public accommodation with his or her service animal.*

The bill requires the following medical professionals, when approached by a patient seeking an assistance animal, to make a written finding regarding whether the patient has a disability and whether the need for the animal is related to that disability, or that there is insufficient evidence to make a disability determination:

- ! Physicians, physician assistants, and anesthesiologist assistants (**section 1 2** of the bill);
- ! Nurses (**section 2 3**); and
- ! Psychologists, social workers, clinical social workers, marriage and family therapists, licensed professional counselors, and addiction counselors (**section 3 4**).

**Section 4 5** creates a class 1 2 petty offense, *or a misdemeanor for subsequent offenses*, for intentional misrepresentation of entitlement to an assistance animal *and a class 2 petty offense, or a misdemeanor for subsequent offenses, for intentional misrepresentation of a service animal.* **Section 6** *authorizes the Colorado civil rights division in the department of regulatory agencies to implement a public education program regarding the rights that accompany people with disability who use assistance and service animals.*