

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Killebrew offered the following:

3
4 **Amendment to Amendment (951947) by Representative Killebrew**

5
6 Remove lines 50-125 of the amendment and insert:
7 regulatory body in another state, only if such out of state
8 practitioner has provided in-person care or services to the
9 tenant on at least one occasion. Such information is reliable if
10 the practitioner or provider has personal knowledge of the
11 person's disability and is acting within the scope of his or her
12 practice to provide the supporting information.

13 5. Information from any other source the housing provider
14 reasonably determines to be reliable in accordance with the
15 federal Fair Housing Act and s. 504 of the Rehabilitation Act of
16 1973.

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17 (c) If a person's disability-related need for an emotional
18 support animal is not readily apparent, request reliable
19 information that reasonably supports the person's need for the
20 particular emotional support animal being requested. Supporting
21 information may include:

22 1. Information identifying the particular assistance or
23 therapeutic emotional support provided by the specific animal
24 from a licensed health care practitioner, as defined in s.
25 456.001, a telehealth provider, as defined in s. 456.47, or any
26 other similarly licensed or certified practitioner in good
27 standing with his or her profession's regulatory body in another
28 state. Such information is reliable if the practitioner or
29 provider has personal knowledge of the person's disability and
30 is acting within the scope of his or her practice to provide the
31 supporting information.

32 2. Information from any other source the housing provider
33 reasonably determines to be reliable in accordance with the
34 federal Fair Housing Act and s. 504 of the Rehabilitation Act of
35 1973.

36 (d) If a person requests to keep more than one emotional
37 support animal, request information regarding the specific need
38 for each animal.

39 (e) Require proof of compliance with state and local
40 requirements for licensing and vaccination of each emotional
41 support animal.

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42 (3) REQUEST LIMITATIONS.—

43 (a) Notwithstanding the authority to request information
44 under subsection (2), a housing provider is not entitled to
45 request information disclosing the diagnosis or severity of a
46 tenant's disability or medical records relating to the
47 disability. However, a tenant may disclose such information at
48 his or her own will.

49 (b) A housing provider may develop and make available to
50 tenants a routine method for receiving and processing reasonable
51 accommodation requests for emotional support animals; however, a
52 housing provider may not require the use of a specific form or
53 notarized statements or deny a request solely because a tenant
54 did not follow the housing provider's routine method.

55 (c) An emotional support animal registration of any kind,
56 including, but not limited to, an identification card, patch,
57 certificate, or similar registration obtained from the internet
58 is not, by itself, sufficient information to reliably establish
59 that a person has a disability or disability-related need for an
60 emotional support animal.

61 (4) LIABILITY.—

62 (a) A person with a disability or disability-related need
63 is liable for any damage done to the premises or to another
64 person on the premises by his or her emotional support animal.

65 (5) APPLICABILITY.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 209 (2020)

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66 | (a) This section does not apply to a service animal as
67 | defined in s. 413.08.