

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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1 Committee/Subcommittee hearing bill: Children, Families &  
2 Seniors Subcommittee  
3 Representative Killebrew offered the following:

**Amendment (with title amendment)**

Remove lines 66-133 and insert:

prepared in a format prescribed by the commission in rule.

(c) Require proof of compliance with state and local requirements for licensing and vaccination of an emotional support animal.

(4) A person who falsifies written documentation, as described in subsection (3), for an emotional support animal or otherwise knowingly and willfully misrepresents herself or himself, through conduct or verbal or written notice, as having a disability or disability-related need and being qualified to use an emotional support animal commits a misdemeanor of the

Amendment No.

17 second degree, punishable as provided in s. 775.082 or s.  
18 775.083, and must perform 30 hours of community service for an  
19 organization that serves persons with disabilities, or for  
20 another entity or organization at the discretion of the court,  
21 to be completed within 6 months after conviction.

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

25 (b) A landlord is not liable for any damage done to the  
26 premises or to any person on the premises by an emotional  
27 support animal if the landlord approved a reasonable  
28 accommodation request for an emotional support animal and, if  
29 the person's disability or disability-related need was not  
30 readily apparent, the landlord requested written documentation  
31 verifying the disability or disability-related need for an  
32 emotional support animal authorized under this section, the  
33 federal Fair Housing Act, s. 504 of the Rehabilitation Act of  
34 1973, or any other federal, state, or local law.

35 (6) This section does not apply to a service animal as  
36 defined in s. 413.08.

37 Section 2. Paragraph (b) of subsection (6) of section  
38 413.08, Florida Statutes, is amended to read:

39 413.08 Rights and responsibilities of an individual with a  
40 disability; use of a service animal; prohibited discrimination

Amendment No.

41 in public employment, public accommodations, and housing  
42 accommodations; penalties.—

43 (6) An individual with a disability is entitled to rent,  
44 lease, or purchase, as other members of the general public, any  
45 housing accommodations offered for rent, lease, or other  
46 compensation in this state, subject to the conditions and  
47 limitations established by law and applicable alike to all  
48 persons.

49 (b) An individual with a disability who has a service  
50 animal or who obtains a service animal is entitled to full and  
51 equal access to all housing accommodations provided for in this  
52 section, and such individual ~~a person~~ may not be required to pay  
53 extra compensation for such animal. However, such individual ~~a~~  
54 ~~person~~ is liable for any damage done to the premises or to  
55 another individual ~~person~~ on the premises by the animal. A  
56 housing accommodation may request proof of compliance with  
57 vaccination requirements. This paragraph does not apply to an  
58 emotional support animal as defined in s. 760.27.

59 Section 3. Paragraph (e) of subsection (1) of section  
60 419.001, Florida Statutes, is amended to read:

61 419.001 Site selection of community residential homes.—

62 (1) For the purposes of this section, the term:

63 (e) "Resident" means any of the following: a frail elder  
64 as defined in s. 429.65; a person who has a disability ~~handicap~~  
65 as defined in s. 760.22(3)(a) ~~s. 760.22(7)(a)~~; a person who has

Amendment No.

66 a developmental disability as defined in s. 393.063; a  
67 nondangerous person who has a mental illness as defined in s.  
68 394.455; or a child who is found to be dependent as defined in  
69 s. 39.01 or s. 984.03, or a child in need of services as defined  
70 in s. 984.03 or s. 985.03.

71 Section 4. Paragraph (pp) is added to subsection (1) of  
72 section 456.072, Florida Statutes, to read:

73 456.072 Grounds for discipline; penalties; enforcement.—

74 (1) The following acts shall constitute grounds for which  
75 the disciplinary actions specified in subsection (2) may be  
76 taken:

77 (pp) Providing a written document for an emotional support  
78 animal under s. 760.27 to a patient for whom the exclusive  
79 service by the health care practitioner is the preparation of  
80 the written document in exchange for a fee.

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**T I T L E A M E N D M E N T**

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Remove lines 10-17 and insert:

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under certain circumstances; requiring the Florida Commission on  
86 Human Relations to adopt rules; prohibiting the falsification of  
87 written documentation or other misrepresentation regarding the  
88 use of an emotional support animal; providing penalties;  
89 specifying that a person with a disability or disability-related  
90 need is liable for certain damage done by her or his emotional

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 209 (2020)

Amendment No.

91 support animal; providing applicability; amending s. 413.08,  
92 F.S.; providing applicability; amending s. 456.072, F.S.;  
93 prohibiting a practitioner from providing documentation for an  
94 emotional support documentation as an exclusive service to a  
95 patient; amending s.