

An Act

ENROLLED HOUSE
BILL NO. 1178

By: Stark of the House

and

Bullard of the Senate

An Act relating to service animals; amending 4 O.S. 2021, Section 801, which relates to public accommodations for service animals; making certain acts unlawful; providing penalty; and providing an effective date.

SUBJECT: Service animals

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 4 O.S. 2021, Section 801, is amended to read as follows:

Section 801. A. For purposes of this section:

1. The terms "place of public accommodation", "public accommodation" and "service animal" shall have the same meaning as such terms are defined in 28 C.F.R., Section 36.104. "Service animal" does not include an emotional support animal or a therapy animal;

2. "Emotional support animal" means an animal selected to reside with an individual with a disability that does not work or perform tasks for the benefit of an individual with a disability and does not accompany at all times an individual with a disability; and

3. "Therapy animal" means a personal pet who is certified to make therapeutic visits with a trained volunteer to places including, but not limited to, nursing facilities, schools and hospitals to bring therapeutic benefit, comfort and cheer to others.

B. A public accommodation may adopt a policy to prohibit animals, except service animals, from entering the place of public accommodation.

C. A public accommodation which adopts such a policy shall post a sign in a conspicuous location outside the entrance of the place of public accommodation stating which animals or types of animals are prohibited. Such sign shall also state that service animals are permitted.

D. If a public accommodation inquires into the qualification of a service animal, the public accommodation shall comply with 28 C.F.R., Section 36.302(c)(6).

E. Any person who is not an individual with a disability or is not trained to assist individuals with disabilities, who uses a service animal in an attempt to gain treatment or benefits as an individual with a disability shall, upon conviction, be guilty of a misdemeanor.

F. No person shall knowingly present any animal or therapy animal as a service animal or intentionally misrepresent entitlement to an animal in his or her possession as a qualified service animal for the purpose of obtaining any of the rights or privileges set forth in state or federal law for an individual with a disability. Any person who violates this subsection shall, upon conviction, be guilty of a misdemeanor.

SECTION 2. This act shall become effective November 1, 2025.

Passed the House of Representatives the 18th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 6th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____