

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 1178

By: Stark of the House

5 and

6 Bullard of the Senate

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8

9 AS INTRODUCED

10 An Act relating to service animals; amending 4 O.S.
11 2021, Section 801, which relates to public
12 accommodations for service animals; making certain
acts unlawful; providing penalty; and providing an
effective date.

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

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

18 Section 801. A. For purposes of this section:

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

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

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

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

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

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

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

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
11 OVERSIGHT, dated 03/06/2025 - DO PASS.
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