



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Finance Committee

March 7, 2024

SB 796: Maryland Disability Service Animal Program – Establishment

Position: Support with Sponsor Amendments

The Maryland Developmental Disabilities Council (DD Council), a statewide public policy organization led by people with developmental disabilities and their families, creates change to make it possible for people with developmental disabilities to lead the lives they want with the support they need. SB796 is another way to make sure that happens.

Service animals can play an important role in the lives of people with disabilities, especially children – eliminating barriers, creating opportunities, and promoting independence. Service animals are different from therapy animals or support animals because they are trained differently, perform different kinds of tasks, and have access to public places at different levels.

A service animal is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.”¹ For example, a service animal may safely guide a person who is blind or deaf; alert others to medical emergencies, like seizures, or pull a wheelchair.

It is costly to provide the training and support necessary for service animals and for the people that need them – many of whom have developmental disabilities. As such, the Council strongly supports the establishment of the Maryland Disability Service Animal Program, and supports the following amendments offered by the Sponsor to ensure all people who need service animals are eligible for the Maryland Disability Service Animal Program:

- Page 3, lines 18-19: (C) “ELIGIBLE INDIVIDUAL” MEANS **A PERSON WITH A DISABILITY AS DEFINED IN THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C §12102.**
- Page 6, lines 7-20: §7-1105: (A) A NONPROFIT TRAINING ENTITY MAY DISQUALIFY A PROGRAM PARTICIPANT FROM PARTICIPATION IN THE PROGRAM IF THE NONPROFIT TRAINING ENTITY DETERMINES THAT THE PROGRAM PARTICIPANT’S INVOLVEMENT IN THE PROGRAM: (1) PRESENTS A DANGER TO THE PROGRAM PARTICIPANT’S MENTAL OR PHYSICAL WELL-BEING; **(2) HAS CAUSED OR MAY POTENTIALLY CAUSE HARM IS A DIRECT THREAT TO OTHERS AS DEFINED BY THE AMERICANS WITH DISABILITIES ACT, AN ANIMAL, OR PROPERTY;** (3) PRESENTS **A DANGER DIRECT THREAT TO THE MENTAL OR PHYSICAL WELL-BEING OF THE SERVICE ANIMAL;** OR....

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¹ 28 C.F.R. §35.104; 28 C.F.R. §36.104.