

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB309

Chairperson: Senator Steve Lathrop

Committee: Judiciary

Date of Hearing: February 04, 2021

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 309 would adopt the Assistance Animal Integrity in Housing Act. It seeks to protect both tenants and landlords from fraudulent online assistance animal (service or emotional support animals) and disability documentation scams, which are designed to exploit and financially harm them. Many tenants with a legitimate disability, not knowing the requirements of state and federal fair housing laws, are lured into purchasing worthless and unnecessary online documentation for assistance animals. Other individuals purchase online documentation to fraudulently get around landlord pet bans and pet fees, misrepresenting their pet as an assistance animal.

To help reduce these problems, LB 309 clarifies that a landlord may verify a disability that is *not* readily apparent of an individual when that individual makes a request for an accommodation for an assistance animal. The bill defines what "reliable disability-related information" tenants may use as verification and what it should verify. LB 309 defines "health service provider" as a currently licensed provider who has "personal knowledge" of the tenant, which is also defined.

In addition, the bill creates new Class III misdemeanor offenses for knowingly engaging in certain fraudulent acts.

Principal Introducer: _____

Senator Robert Clements