1	SENATE FLOOR VERSION April 10, 2018
2	AS AMENDED
3	ENGROSSED HOUSE BILL NO. 3282 By: Kannady of the House
4	and
5	
6	David of the Senate
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8	<pre>[landlord and tenant - documentation of disability - codification - effective date]</pre>
9	codification effective date]
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11	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
12	SECTION 1. NEW LAW A new section of law to be codified
13	in the Oklahoma Statutes as Section 113.2 of Title 41, unless there
14	is created a duplication in numbering, reads as follows:
15	A landlord may require reliable supporting documentation be
16	provided by a tenant of a rental dwelling if the tenant asserts a
17	disability requiring a service animal or assistance animal,
18	including but not limited to dogs, cats, peacocks, monkeys or
19	miniature horses, be allowed as an accommodation on the rented
20	premises under any provision of law. Reliable supporting
21	documentation may be provided by a physician or licensed medical
22	professional who does not operate in this state solely to provide
23	certification for service or assistance animals. Reliable
24	supporting documentation must confirm the tenant's disability and

- 1 | the relationship between the tenant's disability and the need for
- 2 | the requested accommodation. A landlord may not require supporting
- 3 | documentation from a tenant if the tenant's disability or
- 4 disability-related need for a service animal or assistance animal is
- 5 readily apparent or already known to the landlord. A landlord shall
- 6 | not be liable for injuries by a person's service animal or
- 7 assistance animal permitted on the landlord's property as a
- 8 reasonable accommodation to assist the person with a disability
- 9 pursuant to the Fair Housing Act, as amended, 42 U.S.C., Section
- 10 | 3601 et seq., the Americans with Disabilities Act of 1990, 42
- 11 | U.S.C., Section 12101 et seq., and Section 504 of the Rehabilitation
- 12 Act of 1973, as amended, 29 U.S.C., Section 701 or any other
- 13 | federal, state or local law.
- 14 SECTION 2. NEW LAW A new section of law to be codified
- 15 | in the Oklahoma Statutes as Section 113.3 of Title 41, unless there
- 16 is created a duplication in numbering, reads as follows:
- 17 A. It shall be unlawful for an individual, in an attempt to
- 18 obtain a reasonable housing accommodation under Section 1 of this
- 19 act, to knowingly make a false claim of having a disability that
- 20 requires the use of a service animal or assistance animal or
- 21 | knowingly provide fraudulent supporting documentation in connection
- 22 | with such a claim.
- 23 B. If the individual pleads quilty or is convicted of the
- 24 offense of providing fraudulent disability documentation under

1	subsection A of this section, a lessor may evict a tenant and be
2	awarded damages and fees associated with eviction. In addition, the
3	lessor is entitled to a damage fee not to exceed One Thousand
4	Dollars (\$1,000.00) from a lessee. Any lessee convicted pursuant to
5	subsection A of this section shall perform thirty (30) hours of
6	community service for an organization that serves individuals with
7	disabilities, or for another entity or organization at the
8	discretion of the court, to be completed not more than six (6)
9	months after the conclusion of the court case.
10	SECTION 3. This act shall become effective November 1, 2018.
11	COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
12	April 10, 2018 - DO PASS AS AMENDED
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