

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	No
GOVERNOR'S SIGNING STATEMENT	Yes

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REPORTS:	No
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HEARINGS:	No
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NEWSPAPER ARTICLES:	No
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LAW/RWH

P.L.2011, CHAPTER 156, *approved January 5, 2012*
Senate, No. 1797 (*Second Reprint*)

1 AN ACT concerning the use of service ¹**["dogs] animals** by certain
2 students and supplementing chapter 46 of Title 18A of the New
3 Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that: service ¹**["dogs]**
9 **animals** have a long history of performing crucial tasks and
10 fulfilling a significant role in the daily activities of many people
11 with ¹**["certain"]** physical disabilities; in addition to their traditional
12 roles, service ¹**["dogs] animals** can be trained to be a calming
13 influence and provide a connection to the familiar in unfamiliar
14 surroundings for students with autism or other developmental
15 disabilities; ¹under the federal Americans with Disabilities Act of
16 1990, service animals are permitted in schools, other public areas,
17 and places of public accommodation;¹ allowing a student with
18 autism or other ¹**["developmental"]** disability to bring a
19 ¹**["medically-recommended"]** service ¹**["dog] animal** to class and
20 on school grounds will enhance the learning process and help the
21 student reach his full academic potential.

22
23 2. a. A student ¹**["who is classified as eligible for special**
24 **education programs and services for] with a disability, including**¹
25 **autism** ¹**["or other developmental disability may keep a medically-**
26 **recommended] , shall be permitted access** ²**["to] for**² ¹**a**
27 ¹**["dog] animal** in school buildings, including the classroom, and on
28 school grounds ¹**["as authorized in accordance with the provisions of**
29 **subsection b. of this section]**¹ .

30 b. ¹**["The parent or guardian of a student who seeks**
31 **authorization for a service dog in accordance with the provisions of**
32 **subsection a. of this section shall provide the school district with:**
33 (1) a written recommendation from a physician or other medical
34 professional that the student be allowed to bring the service dog in
35 school buildings, including the classroom, and on school grounds;
36 and (2) certification that the service dog has been trained by a

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted June 16, 2011.

²Assembly floor amendments adopted June 23, 2011.

1 recognized training agency or school] A school official may
2 inquire as to whether the service animal is required due to a
3 disability and what task or work the service animal has been trained
4 to perform, unless the student's disability and the work or task that
5 the service animal will perform are readily apparent. A school
6 official may require: (1) certification from a veterinarian that the
7 service animal is properly vaccinated and does not have a
8 contagious disease that may harm students or staff; and (2)
9 documentation that any license required by the municipality in
10 which the student resides has been obtained for the service animal.

11 c. The service animal shall be under a handler's control at all
12 times by use of a leash, tether, voice control, signal, or other
13 suitable means. The school shall not be responsible or liable for the
14 care or supervision of the service animal. The school shall provide
15 reasonable accommodations to allow the handler to provide for the
16 care and feeding of the service animal while on school grounds or at
17 a school function¹.

18

19 3. This act shall take effect immediately.

20

21

22

23

24 Allows students with disabilities to bring service animal to
25 school.

SENATE, No. 1797

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED MARCH 15, 2010

Sponsored by:

Senator DONALD NORCROSS
District 5 (Camden and Gloucester)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Allows student who is eligible for special education programs and services for autism or other developmental disability to bring medically-recommended service dog to school.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/29/2011)

S1797 NORCROSS

2

1 AN ACT concerning the use of service dogs by certain students and
2 supplementing chapter 46 of Title 18A of the New Jersey
3 Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. The Legislature finds and declares that: service dogs have a
9 long history of performing crucial tasks and fulfilling a significant
10 role in the daily activities of many people with certain physical
11 disabilities; in addition to their traditional roles, service dogs can be
12 trained to be a calming influence and provide a connection to the
13 familiar in unfamiliar surroundings for students with autism or
14 other developmental disabilities; allowing a student with autism or
15 other developmental disability to bring a medically-recommended
16 service dog to class and on school grounds will enhance the
17 learning process and help the student reach his full academic
18 potential.

19

20 2. a. A student who is classified as eligible for special
21 education programs and services for autism or other developmental
22 disability may keep a medically-recommended service dog in
23 school buildings, including the classroom, and on school grounds as
24 authorized in accordance with the provisions of subsection b. of this
25 section.

26

27 b. The parent or guardian of a student who seeks authorization
28 for a service dog in accordance with the provisions of subsection a.
29 of this section shall provide the school district with: (1) a written
30 recommendation from a physician or other medical professional that
31 the student be allowed to bring the service dog in school buildings,
32 including the classroom, and on school grounds; and (2)
33 certification that the service dog has been trained by a recognized
34 training agency or school.

34

35 3. This act shall take effect immediately.

36

37

38

STATEMENT

39

40 This bill allows a student classified as eligible for special
41 education programs and services for autism or other developmental
42 disability to bring a medically-recommended service dog in school
43 buildings, including the classroom, and on school grounds. Under
44 the bill, the parent or guardian of a student who seeks authorization
45 for a service dog is required to provide the school district with: (1) a
46 written recommendation from a physician or other medical
47 professional that the student be allowed to bring the service dog in a
48 school building, including the classroom, and on school grounds;

S1797 NORCROSS

3

- 1 and (2) certification that the service dog has been trained by a
- 2 recognized training agency or school.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1797

STATE OF NEW JERSEY

DATED: MARCH 10, 2011

The Senate Education Committee favorably reports Senate Bill No. 1797.

This bill allows a student classified as eligible for special education programs and services for autism or other developmental disability to bring a medically-recommended service dog in school buildings, including the classroom, and on school grounds. Under the bill, the parent or guardian of a student who seeks authorization for a service dog is required to provide the school district with: (1) a written recommendation from a physician or other medical professional that the student be allowed to bring the service dog in a school building, including the classroom, and on school grounds; and (2) certification that the service dog has been trained by a recognized training agency or school.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1797

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 2011

The Assembly Education Committee favorably reports Senate Bill No. 1797 with committee amendments.

As amended, this bill allows a student with a disability, including autism, to have access to a service animal on school grounds. A school official may inquire about the necessity of the service animal and the tasks the service animal will perform, unless the information is readily apparent. A school official may require: 1) certification from a veterinarian that the service animal has been properly vaccinated and does not have a contagious disease that may harm students or staff, and 2) documentation that any license required by the municipality in which the student resides has been obtained. The bill stipulates that the service animal must be under a handler's control, and that the school is not responsible for the service animal's care or supervision. However, the school must make reasonable accommodations to allow for the service animal's care and feeding.

The committee amended the bill to:

- use the term "service animal" rather than "service dog";
- omit the requirement that the animal had to be medically recommended;
- remove the requirement that a parent or guardian seek authorization for a student to use a service animal in school;
- provide conditions under which a school official may question the need for a service animal;
- allow a school official to require certification of the service animal's health and documentation that a license has been obtained for the service animal as required by the municipality in which the student resides; and
- stipulate that the school is not responsible for the service animal's care or supervision, but require that the school makes reasonable accommodations for the animal's care and feeding.

As amended and reported by committee, this bill is identical to Assembly Bill No. 1718, which was also reported by the committee on the same date.

STATEMENT TO
[First Reprint]
SENATE, No. 1797

with Assembly Floor Amendments
(Proposed by Assemblyman BURZICHELLI)

ADOPTED: JUNE 23, 2011

This floor amendment makes a technical change to clarify that a student with a disability, including autism, will have access for a service animal on school grounds, but that the school is not obligated to provide a service animal.

ASSEMBLY, No. 1718

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Salem, Cumberland and Gloucester)
Assemblywoman L. GRACE SPENCER
District 29 (Essex and Union)
Assemblyman VINCENT PRIETO
District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblyman Gusciora

SYNOPSIS

Allows student who is eligible for special education programs and services for autism or other developmental disability to bring medically-recommended service dog to school.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 5/20/2011)

1 AN ACT concerning the use of service dogs by certain students and
2 supplementing chapter 46 of Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that: service dogs have a
9 long history of performing crucial tasks and fulfilling a significant
10 role in the daily activities of many people with certain physical
11 disabilities; in addition to their traditional roles, service dogs can be
12 trained to be a calming influence and provide a connection to the
13 familiar in unfamiliar surroundings for students with autism or
14 other developmental disabilities; allowing a student with autism or
15 other developmental disability to bring a medically-recommended
16 service dog to class and on school grounds will enhance the
17 learning process and help the student reach his full academic
18 potential.

19
20 2. a. A student who is classified as eligible for special
21 education programs and services for autism or other developmental
22 disability may keep a medically-recommended service dog in
23 school buildings, including the classroom, and on school grounds as
24 authorized in accordance with the provisions of subsection b. of this
25 section.

26 b. The parent or guardian of a student who seeks authorization
27 for a service dog in accordance with the provisions of subsection a.
28 of this section shall provide the school district with: (1) a written
29 recommendation from a physician or other medical professional that
30 the student be allowed to bring the service dog in school buildings,
31 including the classroom, and on school grounds; and (2)
32 certification that the service dog has been trained by a recognized
33 training agency or school.

34
35 3. This act shall take effect immediately.

36
37

38 STATEMENT

39

40 This bill allows a student classified as eligible for special
41 education programs and services for autism or other developmental
42 disability to bring a medically-recommended service dog in school
43 buildings, including the classroom, and on school grounds. Under
44 the bill, the parent or guardian of a student who seeks authorization
45 for a service dog is required to provide the school district with: (1) a
46 written recommendation from a physician or other medical
47 professional that the student be allowed to bring the service dog in a

A1718 BURZICHELLI, SPENCER

3

- 1 school building, including the classroom, and on school grounds;
- 2 and (2) certification that the service dog has been trained by a
- 3 recognized training agency or school.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1718

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 16, 2011

The Assembly Education Committee favorably reports Assembly Bill No. 1718 with committee amendments.

As amended, this bill allows a student with a disability, including autism, to have access to a service animal on school grounds. A school official may inquire about the necessity of the service animal and the tasks the service animal will perform, unless the information is readily apparent. A school official may require: 1) certification from a veterinarian that the service animal has been properly vaccinated and does not have a contagious disease that may harm students or staff, and 2) documentation that any license required by the municipality in which the student resides has been obtained. The bill stipulates that the service animal must be under a handler's control, and that the school is not responsible for the service animal's care or supervision. However, the school must make reasonable accommodations to allow for the service animal's care and feeding.

The committee amended the bill to:

- use the term "service animal" rather than "service dog";
- omit the requirement that the animal had to be medically recommended;
- remove the requirement that a parent or guardian seek authorization for a student to use a service animal in school;
- provide conditions under which a school official may question the need for a service animal;
- allow a school official to require certification of the service animal's health and documentation that a license has been obtained for the service animal as required by the municipality in which the student resides; and
- stipulate that the school is not responsible for the service animal's care or supervision, but require that the school makes reasonable accommodations for the animal's care and feeding.

As amended and reported by the committee, this bill is identical to Senate Bill No. 1797, which was also reported by the committee on the same date.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 1718

with Assembly Floor Amendments
(Proposed by Assemblyman BURZICHELLI)

ADOPTED: JUNE 29, 2011

This floor amendment makes a technical change to clarify that a student with a disability, including autism, will have access for a service animal on school grounds, but that the school is not obligated to provide a service animal.

**GOVERNOR'S STATEMENT UPON SIGNING
SENATE BILL NO. 1797**

Senate Bill No. 1797, which I have signed today, allows students with disabilities to bring their service animals to school. Service animals are frequently a key component of a disabled person's life, and I am committed to ensuring that every student in this State has the tools he or she requires to ensure the highest potential of academic success. However, I am concerned about the well-being of children who may be allergic to service animals that are brought into a classroom. It is one of the highest priorities of this Administration that all children are afforded a safe and comfortable environment in which to be educated. Therefore, I urge school districts to make reasonable accommodations for children who suffer from allergies to animals, and who may be affected by the introduction of a service animal into the classroom. With the expectation for these accommodations, I am hereby signing this bill.

Date: 1/5/12

/s/Chris Christie

[seal]

Governor

Attest:

/s/ Kevin M. O'Dowd

Deputy Chief Counsel to the Governor