DON’T GET BITTEN FOR NOT KNOWING THE LAW!

Advisory Notice of Colorado’s New Law Regarding Service & Assistance Animals

- During the 2015-16 legislative session, HB16-1426 was passed and will become effective on January 1, 2017
- Fines under this new offense range from $50 - $500
- In order to be charged, a person must have had a previous warning – either written or verbal – regarding the law
- Under the new law, it is a petty offense to intentionally misrepresent that an animal is a service animal – this means it is a crime to knowingly take a non-service animal into a public business under the guise that it is actually a service animal
- It is also a petty offense to intentionally misrepresent that your animal is an assistance, companion, or emotional support animal in order to avoid pet fees or have an animal in housing that otherwise does not allow animals
- In the context of housing, the requirement in the new law that a doctor write a letter supporting that the person has a disability AND needs the animal does NOT trump federal law – while a doctor CAN write a letter supporting both factors, the need for the animal can also come from anyone “in the know” and does not have to be from a medical professional – that said, a letter from a doctor supporting both that you have a disability AND a disability-related need for the animal serves as an affirmative defense in the context of housing if an individual is charged under this law

For additional information regarding service and assistance animals, please visit our website at www.disabilitylawco.org

*** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. ***