

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1272

Page 1, line 1, remove "a new"

Page 1, line 1, replace "to chapter 47-16" with "47-16-07.6"

Page 1, line 3, after the semicolon insert "to amend and reenact section 47-16-07.5 of the North Dakota Century Code, relating to disability documentation for service or assistance animals in a rental dwelling;"

Page 1, replace lines 5 through 22 with:

"SECTION 1. AMENDMENT. Section 47-16-07.5 of the North Dakota Century Code is amended and reenacted as follows:

47-16-07.5. Disability documentation for service or assistance animal in rental dwelling.

A landlord may require reliable supporting documentation be provided by a tenant of a rental dwelling that is subject to a no pets policy, if the tenant asserts a disability requiring a service animal or assistance animal be allowed as an accommodation on the rented premises under any provision of law. Reliable supporting documentation may be provided by a physician or medical professional who does not operate primarily to provide certification for service or assistance animals. Reliable supporting documentation must confirm the tenant's disability and the relationship between the tenant's disability and the need for the requested accommodation. A landlord may not require supporting documentation from a tenant if the tenant's disability or disability-related need for a service animal or assistance animal is readily apparent or already known to the landlord.

SECTION 2. Section 47-16-07.6 of the North Dakota Century Code is created and enacted as follows:

47-16-07.6. Service animals - Housing - Penalties for furnishing fraudulent disability documentation.

An individual is guilty of an infraction if the individual, in an attempt to obtain a reasonable housing accommodation under section 47-16-07.5, provides fraudulent disability documentation indicating a disability that requires the use of a service animal. A lessor may evict a lessee and the lessor is entitled to a damage fee of one month's rent, not to exceed one thousand dollars, from a lessee if the lessee provides fraudulent disability documentation indicating a disability requiring the use of a service animal."

Renumber accordingly