

Dear Members of the Committee,

I am writing to express my strong opposition to Bill 2222, which seeks to amend the North Dakota Century Code regarding the certification and sale of assistance animals, as well as the documentation requirements for individuals seeking reasonable accommodation for such animals in rental housing. This bill is identical to Bill 2193, which has already been passed, making this legislation redundant and unnecessary. Additionally, this bill creates unnecessary barriers for individuals with disabilities and undermines their rights under the Fair Housing Act and the Americans with Disabilities Act.

### **Unnecessary and Redundant Legislation**

Bill 2222 is essentially a duplication of Bill 2193, which has already been enacted. Introducing redundant legislation not only wastes legislative resources but also creates confusion and additional administrative burdens for individuals who rely on assistance animals. If the intent is to strengthen the enforcement of existing laws, that should be addressed through proper implementation rather than duplicative legislation.

### **Restrictive and Burdensome Documentation Requirements**

The bill imposes stringent requirements on health care providers, including mandating multiple in-person or remote sessions and requiring a clinical evaluation at least 30 days before issuing documentation. These requirements:

- Create unnecessary delays for individuals who need an assistance animal for their well-being and housing stability.
- Make it harder for individuals in rural areas or with limited access to specialized healthcare providers to obtain necessary documentation.
- Disproportionately impact low-income individuals who may not have the resources to engage in repeated medical consultations.

Under the Fair Housing Act, landlords are only permitted to request documentation that is reasonable and necessary to establish the need for an assistance animal. This bill goes beyond what is federally required and places undue burdens on individuals with disabilities, potentially leading to discrimination and housing insecurity.

### **Criminalization of Disability-Related Needs**

The bill imposes penalties, including infractions and misdemeanors, for individuals who allegedly misrepresent their need for an assistance animal. While preventing fraudulent claims is a valid concern, the approach taken in Bill 2222 risks penalizing individuals with legitimate needs. The subjective nature of assessing an individual's disability and need for an assistance animal could lead to discriminatory enforcement and unnecessary legal consequences.

### **Violation of Fair Housing and Disability Rights**

Although the bill includes language stating that it does not override federal protections, the practical impact of its restrictions contradicts the spirit and intent of the Fair Housing Act and the Americans with Disabilities Act. Federal law recognizes the importance of assistance animals in providing emotional and

physical support to individuals with disabilities and requires reasonable accommodations in housing. The restrictions in Bill 2222 could result in individuals being wrongfully denied housing accommodations, exacerbating discrimination against people with disabilities.

### **Conclusion**

Bill 2222 does not provide any meaningful benefits beyond what existing laws already accomplish. Instead, it introduces unnecessary bureaucratic hurdles, disproportionately harms individuals with disabilities, and contradicts federal fair housing protections. Rather than advancing this bill, I urge the legislature to focus on ensuring fair and consistent enforcement of existing laws while promoting accessibility and inclusivity for all North Dakota residents.

At the heart of this issue is the well-being and dignity of our fellow North Dakotans. We should all be so fortunate to live long enough to experience a disability. The reality is that at some point, this bill will not only impact the most vulnerable members of our community today but will eventually affect one of your loved ones—or even you. Disability is a natural part of life, and we must ensure that when the time comes, we have a society built on dignity, inclusion, and fairness. We have a responsibility to protect the rights and independence of all people, ensuring that everyone has access to safe and fair housing. I implore you to reject this bill and stand up for the people of North Dakota.

I respectfully urge you to vote against Bill 2222 and protect the rights of individuals with disabilities who rely on assistance animals for their independence and well-being.

Thank you for your time and consideration.

Brianna Ozaki