
SERVICE ANIMALS AND THERAPY OR EMOTIONAL SUPPORT ANIMALS

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Understanding the Law: Is your animal a Service Animal or a Therapy or Emotional Support Animal?

Service Animals are defined by the Americans with Disabilities Act (ADA) Title II and III as dogs that are individually trained to do work or perform tasks for people with disabilities, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, guiding a person who is blind, or reminding a person to take medication.

Service Animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

These conditions count as a disability:

- deafness or another hearing impairment
- a visual impairment
- a speech impairment
- a mental disability
- a physical disability
- an intellectual or developmental disability
- post-traumatic stress disorder
- any health impairment for which the person needs special ambulatory services or devices

Under the ADA, **Service Animals** must be allowed to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. Allergies and fear of dogs are not valid reasons for denying access to people using service animals.

Although not required by the ADA, a blue vest, ID tag, etc. may help identify a service dog.

Therapy or Emotional Support Animals are often used as part of a medical treatment plan as comfort animals, **but they are not considered Service Animals under the ADA.**

These support animals (pets) provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities. The animal may be identified by a red or green vest, ID tag, etc.

In accordance with the Texas and ADA laws, **ONLY Service animals will be permitted in Sun City Evacuation Centers. All others, including emotional support and therapy animals, will be directed to the Pet Center.**

When it is not obvious what service an animal provides, you can ask only the following two questions:

- Is the dog a service animal required because of a disability? (You may not ask what the disability is.)
- What work or task has the dog been trained to perform?

The service animal must be controlled at all times. Under the ADA guidelines, all service animals must be harnessed, leashed, or tethered.

If a service animal behaves in an unacceptable way and the person with a disability does not control the animal, they can be denied access to the facility. Uncontrolled barking, jumping on other people, or running away from the handler are examples of unacceptable behavior for a service animal.

Texas Service Animal Laws - Fraudulent Representation:

A person who uses an assistance animal with a harness or leash of the type commonly used by persons with disabilities to represent that his or her animal is a specially trained service animal when not trained as such, is guilty of a misdemeanor, punishable by a fine of not more than \$300 and 30 hours of community service. (T. C. A., Human Resources Code §121.006.)