



**49651 Shenandoah Circle
Canton, MI 48187**

May 22, 2024

Representative Kelly A. Breen
Chair, House Judiciary Committee
Michigan Legislature

Re: Support HBs 5404, 5405 and 5525, House Judiciary Committee Meeting, May 22, 2024

Via email: Melissa Sweet, msweet@house.mi.gov

Dear Chair Breen, Committee Members, and Representative Paiz:

Thank you for the opportunity to testify. My name is Bee Friedlander, and I am the president of the Board of Directors of Michigan-based Attorneys for Animals, Inc., a non-profit and 501(c)(3) organization of legal professionals and animal advocates. Its Board of Directors voted to support HBs 5404, 5405 and 5525. These bills would revise existing lawⁱ penalizing harm to “dog guides” used by blind individuals who use travel aids (5404 and 5405) and allow civil suits for injury or death to service animals in addition to current criminal penalties (5525).ⁱⁱ

My testimony will focus on the limited number of animals these bills cover and put these bills in context by reviewing with similar laws in other states.

- All states except for Alabama, Alaska, Iowa, Montana, and West Virginia appear to have criminal penalties for interference with service dogs according to a 2023 report by MSU College of Law’s Animal Legal & Historical Center.ⁱⁱⁱ
- “Service animal” has been a legally recognized category in federal law since the Americans with Disabilities Act (ADA) passed in 1990 and the term entered the legal lexicon. The ADA prohibits public entities and places of public accommodation from discriminating against persons with disabilities in their programs, services, or activities; and must allow service animals to accompany persons with disabilities into areas where the public is allowed.
- The definition of “service animal” is *limited*. The language of the ADA itself applies only to dogs; miniature horses, have been added by regulation.
- Michigan law defines “service animal” as a dog or miniature horse individually trained to do work or perform tasks that are directly related to and mitigate the handler’s disability.
- “Service animals” are not “Emotional Support Animals.”
- A number of states have both criminal and civil penalties for harm to service animals.^{iv}

www.attorneysforanimals.org
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- Three other states authorize non-economic damages, as would HB 5525. They are Illinois, Massachusetts and Utah.^v

We urge the Committee to report these bills.

Very Truly Yours,



Beatrice M. Friedlander, JD
Board President

ⁱ MCL §752.51a and §752.53

ⁱⁱ MCL §750.50a

ⁱⁱⁱ <https://www.animallaw.info/topic/table-state-assistance-animal-laws>

^{iv} *Ibid*

^v [740 I.L.C.S. 13/10](#), [M.G.L.A. 272 § 85B](#), [U.C.A. 1953 § 78B-3-702](#)