

AN ACT

RELATING TO HUMAN RIGHTS; AMENDING SECTIONS OF THE NMSA 1978 TO PROVIDE FOR PUBLIC ACCESS FOR ASSISTANCE ANIMALS AND THEIR TRAINERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 28-11-2 NMSA 1978 (being Laws 1989, Chapter 242, Section 1) is amended to read:

"28-11-2. DEFINITIONS.--As used in Section 28-11-3 NMSA 1978, "qualified assistance animal" means:

A. a dog trained or being trained by a recognized school for training dogs to assist persons with disabilities;

B. an animal recognized as a service animal pursuant to the Americans with Disabilities Act of 1990; or

C. any other animal approved by the governor's committee on concerns of the handicapped as acceptable in public places and trained to provide some special assistance to a person with a disability."

Section 2. Section 28-11-3 NMSA 1978 (being Laws 1989, Chapter 242, Section 2) is amended to read:

"28-11-3. ADMITTANCE OF QUALIFIED ASSISTANCE ANIMALS.-

- Notwithstanding any other provision of law, a qualified assistance animal shall be admitted to any building open to the public and to all public accommodations such as restaurants, hotels, hospitals, swimming pools, stores, common carriers and theaters; provided that the qualified assistance animal is under the control of a person with a disability or a trainer of assistance animals. No person shall be required to pay any additional charges for his

qualified assistance animal, but shall be liable for any
damage done by his qualified assistance animal."