

Sections 1-4: No specific feedback from DRW; just a note that from what we saw in other states what was required for an ESA was a letter from a physician, not a prescription - but that's just a comment, not anything we have a position on. *(I do want to amend this slightly from what I originally shared with the lead sponsors to say I should have stated the letter could be from a physician or another individual providing therapeutic services to the individual, i.e. a mental health therapist)*

**Section 5: remove "by a service animal trainer" at the end of that section;** service animals are not required to go through a professional training program.

**Section 6:** while we recognize that misrepresentation of pets/emotional support animals as service animals causes significant issues, including safety issues for actual service animals and their owners, **we still hold concern for how this would be enforced and the potential for individuals with service animals to be unintentionally negatively impacted.** We understand the intent of this section is to dissuade individuals from misrepresenting their non-service animals as service animals, but how it will be determined if someone's animal is a not service animal is unclear. Individuals with service animals are not required - and cannot be required, per the ADA - to acquire any kind of certification or provide any kind of proof their animal is a service animal, so it would be really hard to enforce. We haven't come across a good "fix" for this in other state's laws so don't have proposed alternate language, but if we hear anything from our counterparts in other states about something they think works well, we'll let you know.

**We recommend removing "for an organization that serves persons with disabilities" in 106.52 (6) (a) 1 and 2.** This kind of provision ends up being what amounts to an unfunded mandate for organizations, often with little to no meaningful benefit to the organization while adding administrative burden.

Utah has language in their existing law that holds someone "liable for any loss or damage the individual's accompanying service animal, support animal, or animal...causes or inflicts to the premises of a place", so you may want to consider something like that (again, just a comment, not a specific DRW recommendation).

**Section 7: an entity with expertise in the ADA should be included in the development of these materials.**