

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Assistance and Service Animal Integrity Act.

6 Section 5. Section 5. Definitions. In this Act:

7 "Assistance animal" means an animal, other than a service  
8 animal, that qualifies as a reasonable accommodation under the  
9 Fair Housing Act, 42 U.S.C. 3601, Section 504 of the  
10 Rehabilitation Act of 1973, 29 U.S.C. 794, or local law,  
11 including an emotional support animal if the animal qualifies  
12 as a reasonable accommodation.

13 "Disability" means a physical or mental impairment which  
14 substantially limits one or more major life activities.

15 "Service animal" means an animal, other than an assistance  
16 animal, that qualifies as a service animal under the federal  
17 Americans with Disabilities Act of 1990 and is trained to  
18 perform the relevant tasks for a person with a disability.

19 "Therapeutic relationship" means the provision of medical  
20 care, program care, or personal care services, in good faith,  
21 for and with actual knowledge of, the disability and  
22 disability-related need of the individual requesting  
23 accommodations by: (1) a physician or other medical

1 professional; (2) a mental health service provider; or (3) a  
2 non-medical individual or entity in good standing with a valid  
3 state license, certification, or registration to serve persons  
4 with disabilities, not including care or services to the  
5 individual where services use electronically transmitted  
6 patient-specific data between a remote location unless those  
7 services are provided under the Telehealth Act.

8 Section 10. Documentation of disability and  
9 disability-related need.

10 (a) A landlord who receives a request from a person to make  
11 an exception to the landlord's policy prohibiting animals on  
12 the landlord's property because the person requires the use of  
13 an assistance animal or service animal may require the person  
14 to produce reliable documentation, which may be a standardized  
15 form, of the disability and disability-related need for the  
16 animal only if the disability or disability-related need is not  
17 readily apparent or known to the landlord. A request for an  
18 exception is allowed for only one animal, unless documentation  
19 under subsection (b) specifically indicates more than one is  
20 required.

21 (b) Any documentation that a person is disabled and  
22 requires the use of an assistance animal or service animal as a  
23 reasonable accommodation in housing under the Fair Housing Act,  
24 the Rehabilitation Act of 1973, the Americans with Disabilities  
25 Act of 1990, the Illinois Human Rights Act or local law shall:

1 (1) be in writing;

2 (2) be made by any person whom the individual requesting  
3 accommodation has a therapeutic relationship; and

4 (3) describe the person's disability-related need for the  
5 assistance animal or service animal.

6 (c) A landlord may deny a documented request for  
7 accommodation or rescind a granted request under this Act if:

8 (1) the accommodation imposes either: (1) an undue  
9 financial and administrative burden; or (2) a fundamental  
10 alteration to the nature of the operations of the landlord;  
11 or

12 (2) the assistance animal or service animal: (1) poses  
13 a direct threat to the health or safety of others that  
14 cannot be reduced or eliminated by another reasonable  
15 accommodation; (2) causes substantial physical damage to  
16 the property of others that cannot be reduced or eliminated  
17 by another reasonable accommodation; or (3) the animal is  
18 out of control and its handler does not take effective  
19 action to control it.

20 (d) A landlord may require additional supporting  
21 documentation when necessary to evaluate the reasonableness of  
22 either the requested accommodation or any identified  
23 alternative accommodation.

24 (e) A landlord may consider the disability accommodation of  
25 other tenants on the property when evaluating the  
26 reasonableness of either the requested accommodation or any

1 identified alternative accommodation under this Act.

2 (f) A landlord may require a tenant to cover the costs of  
3 repairs for damage the animal causes to the tenant's dwelling  
4 unit or the common areas, reasonable wear and tear excepted;  
5 however, a landlord may not require a tenant to pay a  
6 pet-related deposit that is otherwise required for tenants who  
7 are not requesting accommodation under this Act.

8 (g) Nothing in this Act shall be construed as requiring  
9 documentation of a specific diagnosis regarding a disability or  
10 disability-related need.

11 Section 15. Immunity. Notwithstanding any other provision  
12 of law to the contrary, a landlord shall not be liable for  
13 injuries caused by a person's assistance animal or service  
14 animal permitted on the landlord's property as a reasonable  
15 accommodation to assist the person with a disability under the  
16 Fair Housing Act, Section 504 of the Rehabilitation Act of  
17 1973, the Americans with Disabilities Act of 1990, the Illinois  
18 Human Rights Act, or any other federal, State, or local law.