**Tenessee Service Animal Statutes**

**Title 62. Professions, Businesses and Trades. Chapter 7. Hotels and Places of Public Accommodation.**

**§ 62-7-112. Guide dogs; admission**

(a)

(1)

No proprietor, employee or other person in charge of any place of public accommodation, amusement or recreation, including, but not limited to, any inn,

hotel, restaurant, eating house, barber shop, billiard parlor, store, public conveyance on land or water, theater, motion picture house, public educational

institution or elevator, shall refuse to permit a blind, physically disabled or deaf or hard of hearing person to enter the place or to make use of the

accommodations provided when the accommodations are available, for the reason that the blind, physically disabled or deaf or hard of hearing person is

being led or accompanied by a dog guide. A dog guide shall be under the control of its handler. A place of public accommodation shall not require documentation,

such as proof that the animal has been certified, trained or licensed as a dog guide.

(2)

(A)

No proprietor, employee or other person in charge of any place of public accommodation, amusement or recreation, including, but not limited to, any inn,

hotel, restaurant, eating house, barber shop, billiard parlor, store, public conveyance on land or water, theater, motion picture house, public educational

institution or elevator, shall refuse to permit a dog guide trainer to enter such place or to make use of the accommodations provided in those places,

when the accommodations are available, for the reason that the dog guide trainer is being led or accompanied by a dog guide in training; provided, that

the dog guide in training, when led or accompanied by a dog guide trainer, is wearing a harness and is held on a leash by the dog guide trainer or, when

led or accompanied by a dog guide trainer, is held on a leash by the dog guide trainer; and provided, further, that the dog guide trainer shall first have

presented for inspection credentials issued by an accredited school for training dog guides.

(B)

(i)

For purposes of this section, "dog guide in training" includes dogs being raised for an accredited school for training dog guides; provided, however, that

a dog being raised for that purpose is:

(a)

Being held on a leash and is under the control of its raiser or trainer, who shall have available for

HB 35

inspection credentials from the accredited school for which

the dog is being raised; and

(b)

Wearing a collar, leash or other appropriate apparel or device that identifies the dog with the accredited school for which it is being raised.

(ii)

"Dog guide in training" also includes the socialization process that occurs with the dog's trainer or raiser prior to the dog's advanced training; provided,

that the socialization process is under the authorization of an accredited school.

(3)

A place of public accommodation may ask a person to remove a dog guide or dog guide in training from the premises if:

(A)

The dog guide or dog guide in training is out of control and its handler does not take effective action to control it; or

(B)

The dog guide or dog guide in training is not housebroken.

(b) A violation of this section is a Class C misdemeanor.

CREDIT(S)

1955 Pub.Acts, c. 1, §§ 1, 2; 1980 Pub.Acts, c. 488, § 3; 1982 Pub.Acts, c. 748, § 1; 1984 Pub.Acts, c. 612, § 1; 1989 Pub.Acts, c. 591, § 113; 1996 Pub.Acts, c. 668, § 1, eff. March 22, 1996; 2001 Pub.Acts, c. 174, § 13, eff. July 1, 2001; 2003 Pub.Acts, c. 123, § 1, eff. May 13, 2003.

**West's Tennessee Code Annotated. Title 66. Property. Chapter 7. Leases.**

**§ 66-7-104. Physically disabled persons; housing access**

(a) Totally or partially blind persons and other physically disabled persons shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease or compensation in this state, subject to the conditions and limitations established by law and applicable to all persons.

(b) “Housing accommodations” means any real property or portion thereof which is used to occupy or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one (1) or more human beings, but does not include any single family residence, the occupants of which rent, lease or furnish for compensation not more than one (1) room in the residence.

(c)(1) Nothing in this section shall require any person renting, leasing, or providing for compensation any real property to modify such property in any way or manner or to provide a higher degree of care for a totally blind or partially blind person or other physically disabled person than for a person who is not blind or disabled.

(2)(A) Notwithstanding subdivision (c)(1), any person renting, leasing, or providing for compensation any real property that is three (3) or more stories tall shall give priority in access to housing units on floors one (1) and two (2) of such property to physically disabled persons whose disability would prevent such persons from having reasonable access to units located on higher floors; provided, that the person shall not be required to seek out physically disabled occupants or forego occupancy of the unit for any period of time if a physically disabled occupant is not available. Nothing in this subdivision (c)(2) shall prevent the lessor from using or applying other factors in determining whether or not to rent to a disabled person.

(B) A violation of subdivision (c)(2)(A) is a Class C misdemeanor punishable only by a fine not to exceed fifty dollars ($50.00).

(d) Every totally blind or partially blind person who has a guide dog, or who obtains a guide dog, shall be entitled to full and equal access to all housing accommodations included within subsection (a) or any accommodations provided for in §§ 71-4-201, 71-4-202 and this section, and such person shall not be required to pay extra compensation for such guide dog, but shall be liable for any damages done to the premises by such animal.

CREDIT(S)

1972 Pub.Acts, c. 480, § 3; 2005 Pub.Acts, c. 215, § 1, eff. May 27, 2005.

**§ 66-7-106. Blind persons**

(a) Any legally blind person in this state whose loss of sight necessitates a guide dog for mobility purposes, which has been obtained from a recognized school of training for such purposes, may not be denied the right to lease an apartment or other types of dwellings as a consequence of having a guide dog.

(b) Because the guide dog is essential to the mobility of its master, no deposit may be required to be paid, with respect to the dog, by the legally blind person to the owner, manager, landlord or agent of any such attendance.

(c) No restrictions may be imposed upon the legally blind person regarding the whereabouts of the animal so long as its master is in attendance.

(d) Any owner, manager, landlord or agent who refuses to lease living space to any legally blind person because of a guide dog, or violates a provision of this section, commits a Class C misdemeanor.

CREDIT(S)

1982 Pub.Acts, c. 951, § 1; 1989 Pub.Acts, c. 591, § 113.