

Office of the Governor  
COMMISSION FOR HUMAN RIGHTS  
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**RESOLUTION 2019-1**

**WHEREAS, the Alaska Human Rights Law, AS 18.80, currently prohibits discrimination against individuals with disabilities;**

**WHEREAS, “physical or mental disability” is defined in the Alaska Human Rights Law, AS 18.80.300(14)(D) as “a condition that may require the use of a prosthesis, special equipment for mobility, or service animal;”**

**WHEREAS, the Alaska State Commission for Human Rights is aware of confusion regarding the definition of service animal and the existence of conflicting definitions in Alaska’s criminal and civil statutes;**

**WHEREAS, the Alaska State Commission for Human Rights aims to remove ambiguity from the service animal definition in order to better serve the community and clarify protections for individuals with disabilities;**

**WHEREAS, the Alaska Human Rights Laws, AS.18.80, currently has a regulation before the Department of Law and the Attorney General to define “service animal” to resolve that ambiguity;**

**WHEREAS, the Alaska State Commission for Human Rights is aware of concerns among the business community of the growing number of fraudulent service animals;**

**WHEREAS, the Alaska State Commission for Human Rights is aware of legitimate service animals injured by fraudulent service animals;**

**WHEREAS, the Alaska State Commission for Human Rights is aware of at least 18 states that have passed legislation prohibiting the fraudulent representation of service animals or fraudulently representing oneself as an individual with a disability.**

**NOW, THEREFORE, BE IT RESOLVED, that the Alaska State Commission for Human Rights calls on the Alaska State Legislature to consider a fraudulent representation bill to include the following language:**

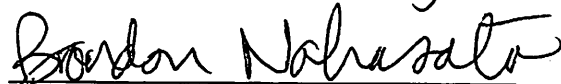
- a. A person who knowingly and willfully misrepresents, through conduct or verbal or written notice, that: (1) he/she is a person with a disability; (2) his/her animal is a service animal; (3) he/she is a trainer of service animals; or (4) his/her animal is in training to become a service animal commits a misdemeanor.**
- b. A person who knowingly and willfully misrepresents a material fact to a health care provider or social service agency for the purpose of obtaining documentation from the health care provider or social service agency necessary to designate an animal as a service animal commits a misdemeanor.**
- c. The penalty for violating (a) or (b) shall be no fewer than 30 hours of community service for an organization that serves individuals with disabilities, or for another entity**

or organization at the discretion of the court, to be completed in not more than 6 months.

d. In addition to the community service penalty in section (c), a first violation of either (a) or (b) shall be penalized by a fine of up to \$200, a second violation shall be penalized by a fine of up to \$500, and a third violation shall be penalized by a fine of up to \$1500.

Copies of this resolution shall be forwarded to the Office of the Governor and all members of the Alaska State Legislature.

ADOPTED at Anchorage, Alaska, this 11 day of February 2019.



Brandon H. Nakasato, Chairperson  
Alaska State Commission for Human Rights