

1 HOUSE BILL NO. 727
 2 INTRODUCED BY S. GALLOWAY, G. NIKOLAKAKOS, B. MITCHELL, L. SHELDON-GALLOWAY, L.
 3 BREWSTER, K. SEEKINS-CROWE, F. NAVE, R. MARSHALL, E. BUTTREY, J. READ, G. OBLANDER, T.
 4 BROCKMAN, M. YAKAWICH, T. MANZELLA, J. FULLER, G. KMETZ, J. ETCHART, R. MINER, B. PHALEN,
 5 T. SMITH, E. BUTCHER, N. HASTINGS

6
 7 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE OFFENSE OF MISREPRESENTATION OF AN
 8 EMOTIONAL SUPPORT ANIMAL; PROVIDING DEFINITIONS; AND PROVIDING A PENALTY."

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 12 NEW SECTION. Section 1. Misrepresentation of an emotional support animal. (1) A person
 13 commits the offense of misrepresentation of an emotional support animal if the person is a tenant and
 14 misrepresents that a pet is an emotional support animal to evade the terms of a rental agreement.

15 (2) A person convicted of the offense of misrepresentation of a service animal shall be fined \$750.

16 (3) As used in this section, the following definitions apply:

17 (a) "Emotional support animal" means a pet prescribed by a mental health professional, as defined
 18 in 37-38-102, who is capable of issuing prescriptions.

19 (b) "Rental agreement" has the meaning provided in 70-24-103.

20 (c) "Tenant" has the meaning provided in 70-24-103.

21 (4) This section does not impact the rights of persons with service animals as provided in Title 49,
 22 chapter 4, part 2.

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 24 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
 25 integral part of Title 45, chapter 6, and the provisions of Title 45, chapter 6, apply to [section 1].

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