

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 553**

Introduced by Clements, 2.

Read first time January 22, 2019

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to civil rights; to require reasonable
- 2 accommodation for a person with a disability to have an assistance
- 3 animal in a dwelling as prescribed; to define terms; and to provide
- 4 a written verification process.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) For purposes of this section:

2           (a) Assistance animal means an animal that works, provides  
3 assistance, or performs tasks for the benefit of a person with a  
4 disability or that provides emotional support to such person that  
5 alleviates one or more identified symptoms or effects of a person's  
6 disability;

7           (b) Disability means a physical or mental impairment that  
8 substantially limits one or more major life activities of a person;

9           (c) Dwelling means any building, structure, or portion thereof which  
10 is occupied as or designed or intended for occupancy as a residence for  
11 one or more families; and

12           (d) Health service provider means a physician, psychologist, or  
13 mental health practitioner licensed to practice in Nebraska under the  
14 Uniform Credentialing Act. It does not include a physician, psychologist,  
15 or mental health practitioner whose sole service to a resident of this  
16 state is to provide written verification, including written verification  
17 from an online or Internet source or web site, in exchange for a fee and  
18 provides no other service to such resident.

19           (2) Any person who offers to rent or otherwise make available a  
20 dwelling to a resident of this state who is a person with a disability  
21 whose disability is not readily apparent and who seeks a reasonable  
22 accommodation for an assistance animal in such dwelling may require that  
23 the person with a disability provide written verification from a health  
24 service provider that:

25           (a) He or she is a person with a disability;

26           (b) There is a disability-related need for the assistance animal;  
27 and

28           (c) The assistance animal assists the person with a disability in  
29 managing his or her disability.