



Living Independently for Today & Tomorrow
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<http://www.liftt.org>

Testimony

TO: Montana Senate Committee on Public Health, Welfare and Safety

FROM: Carlos Ramalho, Executive Director, Living Independently for Today and Tomorrow (LIFTT)

DATE: February 19, 2025

RE: In strong support of SB 300: Strengthening Protections for Service Animals and Their Handlers

Chairman Lenz and Members of the Senate Committee on Public Health, Welfare and Safety,

This memorandum urges your support for SB 300, a bill designed to significantly enhance the protections afforded to service animals and their handlers in Montana. This legislation directly addresses a critical gap in our state's legal framework, aligning Montana with 48 other states that have already recognized the necessity of these provisions. The proposed legislation goes beyond simple animal welfare; it strikes at the very heart of ensuring independence and equal access for individuals with disabilities.

Defining Service Animals and Their Vital Role

SB 300 clearly defines "service animal" consistent with 49-4-203, MCA, acknowledging the crucial role these trained animals play in the lives of individuals with disabilities. These animals are not mere pets; they are highly



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trained partners, essential for mitigating the effects of various disabilities. They provide indispensable support, enabling independence in daily life, and enhancing access to public accommodations. Crucially, SB 300 does not add unnecessary requirements to the existing definition, preserving the intent of the ADA that focuses on the animal's training and its function to support the handler.

The Urgent Need for SB 300: Addressing a Critical Gap

Montana is one of only two states lacking comprehensive legal protections for service animals and their handlers. This absence leaves individuals with disabilities vulnerable to significant financial and emotional distress should their service animals be attacked, stolen, or have their work interfered with. SB 300 directly addresses this gap.

SB 300's Comprehensive Approach

SB 300 establishes clear legal consequences for those who harass, harm, or take unauthorized control of service animals. The bill details the following:

- 1. Harassment or Harm:** The bill defines offenses such as continuing behavior that interferes with a service animal's work after receiving a warning, negligently causing harm to the animal, or negligently allowing one's own animal to interfere with a service animal's work. These offenses are classified as misdemeanors, carrying a fine of up to \$1,000.



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2. **Unauthorized Control:** The purposeful or knowing taking of a service animal with intent to deprive the handler is addressed as misdemeanor theft, with penalties determined by 45-6-301, MCA.
3. **Restitution:** Critically, SB 300 mandates full restitution for all damages, encompassing: the value of the service animal (including initial cost, training, and equipment), the retraining costs of an affected animal, veterinary expenses, the handler's medical costs, lost wages, and handler retraining.

These provisions offer a comprehensive and much-needed legal framework that accounts for the financial and emotional burden placed on service animal handlers when their partners are harmed. The specific inclusion of restitution ensures financial recovery to replace, retrain or provide medical care for the animal, and the handler's subsequent loss of income or need for medical and/or emotional care.

Illustrative Scenarios Highlighting the Need for SB 300

The following scenarios, based on real-life experiences across the United States, illustrate the critical need for SB 300's protections in Montana. While names and details are changed to protect individual privacy, these examples demonstrate the significant consequences faced by individuals with disabilities when their service animals are harmed or their work is interfered with:

1. **Guide Dog Attack:** Imagine a visually impaired individual, relying entirely on their guide dog for navigation and safety, suddenly facing a severe setback after their trusted partner is brutally attacked. The emotional trauma and the



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substantial cost of replacing and retraining a guide dog represent a devastating loss of independence and security.

2. **Service Dog Theft:** Picture a person with mobility impairments whose service dog is stolen, leaving them isolated and significantly compromising their ability to participate in their daily lives. The financial burden of replacing this highly specialized animal, not to mention the immeasurable emotional toll, emphasizes the vital need for restitution.
3. **Medical Alert Dog Interference:** Consider an individual whose life depends on a medical alert dog for timely warnings of impending medical emergencies. A deliberate act that disrupts or diminishes the dog's effectiveness creates an immediate and potentially life-threatening situation. Restitution in this circumstance isn't simply about monetary compensation but about securing access to critical support.
4. **Psychiatric Service Dog Injury:** For an individual with mental health conditions, a service dog offers invaluable support and stability. A severe injury to this animal can trigger a relapse or worsen their condition, leading to additional therapy costs and a prolonged period of hardship.
5. **Guide Dog Disruption:** The deliberate disruption of a guide dog's work, be it through verbal abuse or other forms of interference, not only jeopardizes the handler's safety but causes immense stress and emotional distress, compounding the challenges of daily life.



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- 6. Diabetic Alert Dog Harmed:** For individuals with diabetes, a diabetic alert dog is more than a pet; it is an essential medical device providing critical life support. Any harm to the animal puts the handler at serious risk.
- 7. Mobility Assistance Dog Interference:** The intentional obstruction of a mobility assistance dog's work results in physical injury and potential long-term disability for the handler.
- 8. Hearing Dog Misuse:** Imagine the indignity and frustration of having an individual deliberately interfere with a hearing dog, prioritizing their own convenience over the handler's critical communication needs.
- 9. Seizure Response Dog Attacked:** A seizure response dog is trained to assist its handler during a medical emergency. An attack that incapacitates this animal leaves the handler vulnerable to serious injury or even death during a seizure.
- 10. PTSD Service Dog Stolen:** The theft of a PTSD service dog leaves a highly vulnerable individual without their critical support system, exacerbating an already challenging condition.

These scenarios, drawn from real-life experiences, demonstrate the significant, far-reaching consequences of harming or interfering with service animals. The emotional distress, the financial burdens, and the severe disruptions to independence highlight the pressing need for Montana to enact SB 300. This bill offers not only monetary compensation but also the affirmation that the vital contributions of service animals to the well-being of individuals with disabilities will be protected.



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Conclusion

SB 300 is not merely a matter of animal welfare; it is fundamentally about ensuring the safety, security, and independence of Montanans with disabilities. The bill aligns Montana with the vast majority of other states, providing essential legal protections that are long overdue. We urge this committee to give strong consideration to the merits of SB 300 and its potential to positively impact the lives of so many and send it on to the full senate with a recommendation of “Do Pass”.

Thank You,

Carlos A. Ramalho, Executive Director

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LIFTT is a Montana 501(c)3 corporation organized as a Center for Independent Living (CIL) with offices in Billings and Glendive. LIFTT provides services to people with disabilities in 18 counties in South and Central Eastern Montana: Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Garfield, Golden Valley, McCone,



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Musselshell, Powder River, Prairie, Richland, Rosebud, Stillwater, Treasure, Wibaux, and Yellowstone.

Our Vision: Empowering aging and disabled individuals to LIFTT themselves above the barriers of life.

Our Mission: Living Independently for Today and Tomorrow – LIFTT’s mission is to empower aging and disabled individuals to live independently through education, support, and opportunities.

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