

1.1 Senator moves to amend S.F. No. 256 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[125A.081] SERVICE ANIMAL SUPPORT.**

1.4 Subdivision 1. **Student access to service animals.** A school district is prohibited from
1.5 denying a student access to their service animal. A student has a right to make autonomous
1.6 decisions regarding supported access to their service animal in an educational setting.

1.7 Subd. 2. **Definitions.** (a) For purposes of this section and section 125A.08, the following
1.8 term has the meaning given.

1.9 (b) "Service animal" means a dog or miniature horse that has been trained to assist or
1.10 perform tasks for an individual with a disability.

1.11 Subd. 3. **Service animals; policies and procedures.** (a) A district must ensure that its
1.12 policies and procedures permit the use of a service animal by an individual with a disability
1.13 in accordance with Code of Federal Regulations, title 28, section 35.136.

1.14 (b) If a student with a disability needs support utilizing their service animal due to the
1.15 student's disability, the school district must provide, on any written support plan for the
1.16 student, staff support to access and utilize the service animal as a related service.

1.17 (c) A student must be able to access or have support to access a service animal activated
1.18 by learned cues.

1.19 Subd. 4. **Service animal under handler's control.** (a) A service animal must be under
1.20 the control of its handler. A service animal must have a harness, leash, or other tether, unless
1.21 either the handler is unable because of a disability to use a harness, leash, or other tether,
1.22 or the use of a harness, leash, or other tether would interfere with the animal's safe, effective
1.23 performance of work or tasks, in which case the service animal must be otherwise under
1.24 the handler's control such as by voice control, signals, or other effective means.

1.25 (b) Except under exigent circumstances, a district must not untether a service animal
1.26 from a student with a disability without the consent of the student's parent or legal guardian,
1.27 or, if the student is an adult, consent of the adult student.

1.28 Subd. 5. **Care or supervision.** A district must not be responsible for the care or
1.29 supervision of a service animal, including but not limited to toileting, feeding, grooming,
1.30 and veterinary care of the animal.

1.31 Subd. 6. **Handler.** The handler of a service animal is presumed to be the individual with
1.32 a disability. A district must permit a student with a disability to serve as the handler of their

2.1 own service animal in school and must not require the student to provide a third-party
2.2 handler for the service animal.

2.3 Subd. 7. **Modifications to policies and procedures.** By January 1, 2026, a district must
2.4 modify its policies and procedures to permit the use of a service animal by an individual
2.5 with a disability in accordance with Title II of the federal Americans with Disabilities Act
2.6 and Code of Federal Regulations, title 28, section 35.136.

2.7 **EFFECTIVE DATE.** This section is effective the day following final enactment."