

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1272

Introduced by

Representatives K. Koppelman, Kading, Kasper, Lefor, Louser, Olson

Senators Anderson, Clemens

1 A BILL for an Act to create and enact section 47-16-07.6 of the North Dakota Century Code,
2 relating to reasonable accommodations for service animals in rental dwelling units; to amend
3 and reenact section 47-16-07.5 of the North Dakota Century Code, relating to disability
4 documentation for service or assistance animals in a rental dwelling; and to provide a penalty.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 47-16-07.5 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **47-16-07.5. Disability documentation for service or assistance animal in rental**
9 **dwelling.**

10 A landlord may require reliable supporting documentation be provided by a tenant of a
11 rental dwelling that is subject to a no pets policy, if the tenant asserts a disability requiring a
12 service animal or assistance animal be allowed as an accommodation on the rented premises
13 under any provision of law. Reliable supporting documentation may be provided by a physician
14 or medical professional who does not operate primarily to provide certification for service or
15 assistance animals. Reliable supporting documentation must confirm the tenant's disability and
16 the relationship between the tenant's disability and the need for the requested accommodation.
17 A landlord may not require supporting documentation from a tenant if the tenant's disability or
18 disability-related need for a service animal or assistance animal is readily apparent or already
19 known to the landlord.

20 **SECTION 2.** Section 47-16-07.6 of the North Dakota Century Code is created and enacted
21 as follows:

1 **47-16-07.6. Service animals - Housing - Penalties for furnishing fraudulent disability**
2 **documentation.**

3 An individual is guilty of an infraction if the individual, in an attempt to obtain a reasonable
4 housing accommodation under section 47-16-07.5, provides fraudulent disability documentation
5 indicating a disability that requires the use of a service animal. A lessor may evict a lessee and
6 the lessor is entitled to a damage fee of one month's rent, not to exceed one thousand dollars,
7 from a lessee if the lessee provides fraudulent disability documentation indicating a disability
8 requiring the use of a service animal.