

(Without Reference to File)

SENATE THIRD READING
SB 774 (Hertzberg)
As Amended August 29, 2022
Majority vote

SUMMARY

Establishes requirements related to emotional support animals for unhoused individuals who are in need of temporary shelter.

Major Provisions

- 1) Create an exemption to the requirement that a health care practitioner establish a client-provider relationship with an individual seeking documentation for an emotional support dog when that individual is verified to be homeless.
- 2) Provide for any of the following methods for verifying an individual's homelessness status:
 - a) Identification through the local Homeless Management Information System.
 - b) Via a continuum of care, or a homeless services provider that is contracting with a continuum of care.
 - c) Visual confirmation by a homeless services provider of individuals dwelling in a homeless shelter, homeless encampment, outdoor makeshift shelter, or vehicle.
- 3) Create an exemption to the requirement that a health care practitioner establishes a client provider relationship with an individual seeking documentation for an emotion support dog when that individual is verified to be unhoused.
- 4) Provide for any of the following method for verifying an individual's homeless status:
 - a) Identification through the local Homeless Management Information System.

COMMENTS

Currently homeless service agencies are struggling with the implementation of AB 468 (Friedman), Chapter 168, Statutes of 2021, which tightens up the process for certifying emotional support animals.

According to the Author

No author's statement on file.

Arguments in Support

According to The Los Angeles Homeless Service Authority, currently homeless service agencies are struggling with the implementation of AB 468 (Friedman, 2021), which tightens up the process for certifying emotional support animals. We know the bill is well-intentioned and seeking to prevent fraudulent practices, but by creating a requirement for a clinician to have a relationship with a client for at least 30 days before certifying their pet as an ESA, it is creating

big barriers for homeless service providers that are seeking to move people into shelter when that person has a pet.

Essentially, the bill means that we can't move folks with pets into shelter settings quickly and it closes off the options for where we can bring someone indoors and keep them together with their pet--as you know, being able to keep ones pet is one of the biggest reasons unsheltered folks might be hesitant to move into a shelter site. In many cases, having a clinician provide an on the spot assessment that the animal can serve as an ESA gives us flexibility to get that person inside. This has become all the more urgent with the array of sit/sleep/lie restrictions we are seeing popping up in cities around the state.

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

Unknown.

VOTES

SENATE FLOOR: 27-10-3

YES: Archuleta, Atkins, Becker, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Gonzalez, Hertzberg, Hueso, Hurtado, Kamlager, Laird, Leyva, McGuire, Min, Newman, Pan, Portantino, Roth, Rubio, Skinner, Umberg, Wieckowski, Wiener

NO: Bates, Borgeas, Dahle, Glazer, Grove, Jones, Melendez, Nielsen, Ochoa Bogh, Wilk

ABS, ABST OR NV: Allen, Limón, Stern

ASM JUDICIARY: 8-3-0

YES: Stone, Chau, Chiu, Lorena Gonzalez, Holden, Kalra, Maienschein, Reyes

NO: Gallagher, Davies, Kiley

ASSEMBLY FLOOR: 59-18-2

YES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Bryan, Burke, Calderon, Carrillo, Cervantes, Chau, Chiu, Cooley, Cooper, Daly, Frazier, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, Maienschein, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Ward, Akilah Weber, Wicks, Wood, Rendon

NO: Bigelow, Chen, Choi, Cunningham, Davies, Flora, Fong, Gallagher, Kiley, Lackey, Mathis, Nguyen, Patterson, Seyarto, Smith, Valladares, Voepel, Waldron

ABS, ABST OR NV: Megan Dahle, Gray

ASM BUSINESS AND PROFESSIONS: 15-0-3

YES: Berman, Flora, Mia Bonta, Chen, Megan Dahle, Fong, Gipson, Grayson, Lee, McCarty, McKinnor, Medina, Salas, Ting, Akilah Weber

ABS, ABST OR NV: Alvarez, Cunningham, Irwin

UPDATED

VERSION: August 29, 2022

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