



2025 ASSEMBLY BILL 238

May 2, 2025 - Introduced by Representatives GREEN, ANDRACA, MURSAU, O'CONNOR and PIWOWARCZYK, cosponsored by Senators JAMES and WANGGAARD. Referred to Committee on Commerce.

1 **AN ACT** *to create* 106.52 (1) (ce), 106.52 (1) (fe) and 106.52 (3) (as) of the
2 statutes; **relating to:** prohibiting hotels, inns, and motels from discriminating
3 against dog handlers who are accompanied by search and rescue dogs.

Analysis by the Legislative Reference Bureau

This bill prohibits hotels, inns, and motels from discriminating against dog handlers who are accompanied by search and rescue dogs in the provision of accommodations.

Under current law, a public place of accommodation, including a lodging establishment, may not refuse entrance into, or use of, or otherwise deny the full and equal enjoyment of the establishment to a person with a disability or to a service animal trainer because the person is accompanied by a service animal, unless accommodation of the service animal would result in a fundamental alteration in the nature of the accommodations, goods, or services provided or would jeopardize the safe operation of the public accommodation. Also under current law, a public accommodation may not charge a person with a disability or a trainer a higher price than the regular rate, including a deposit or surcharge, for the full and equal enjoyment of the public accommodation because the person is accompanied by a service animal, and a public accommodation is prohibited from communicating, in writing, that entrance into, the use of, or the full and equal enjoyment of the public accommodation will be denied to a person with a disability

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or a trainer because he or she is accompanied by a service animal or that the patronage of such a person is unwelcome, objectionable, or unacceptable because he or she is accompanied by a service animal.

In addition, current law requires a public accommodation to modify its policies, practices, and procedures to allow the full and equal enjoyment of the public accommodation by a person with a disability or a trainer who is accompanied by a service animal and requires those policies, practices, and procedures to ensure that a person with a disability or a trainer who is accompanied by a service animal is not separated from the service animal, that the service animal is allowed to accompany the person with a disability or the trainer to all areas of the public accommodation that are open to the general public, and that the person with a disability or the trainer is not segregated from other patrons of the public accommodation.

This bill provides the same protections for a dog handler who is accompanied by a search and rescue dog that is wearing a harness or cape to identify the dog as a search and rescue dog in a public accommodation that is a hotel, inn, or motel. The bill also provides that a dog handler who is accompanied by a search and rescue dog in a hotel, inn, or motel is responsible for any damage the dog causes to the establishment.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 106.52 (1) (ce) of the statutes is created to read:

106.52 (1) (ce) “Dog handler” means an individual who is trained to work with a search and rescue dog.

SECTION 2. 106.52 (1) (fe) of the statutes is created to read:

106.52 (1) (fe) “Search and rescue dog” means a dog that is trained or is being trained by a state or nationally recognized search and rescue agency to locate lost or missing individuals and victims of disasters in search and rescue activities.

SECTION 3. 106.52 (3) (as) of the statutes is created to read:

106.52 (3) (as) 1. In this paragraph, “hotel,” “inn,” and “motel” have the meaning given for “hotel” in s. 97.01 (7).

2. Subject to subds. 3. to 6., no person may do any of the following:

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1 a. Refuse to allow entrance into, or use of, or otherwise deny the full and equal
2 enjoyment of a hotel, inn, or motel to a dog handler because the dog handler is
3 accompanied by a search and rescue dog.

4 b. Charge an individual a higher price than the regular rate, including a
5 deposit or surcharge, for the full and equal enjoyment of a hotel, inn, or motel
6 because the individual is a dog handler and is accompanied by a search and rescue
7 dog.

8 c. Directly or indirectly publish, circulate, display, or mail any written
9 communication that the communicator knows is to the effect that entrance into, or
10 use of, or the full and equal enjoyment of any of the facilities of the hotel, inn, or
11 motel will be denied to an individual because the individual is a dog handler
12 accompanied by a search and rescue dog or that the patronage of such an individual
13 is unwelcome, objectionable, or unacceptable because the individual is accompanied
14 by a search and rescue dog.

15 3. The prohibitions specified in subd. 2. apply only if the dog accompanying
16 the dog handler is wearing a harness or cape that indicates that the dog is a search
17 and rescue dog and the search and rescue dog is leashed. Subdivision 2. does not
18 prohibit a dog handler who is accompanied by a dog from being asked whether the
19 dog is a search and rescue dog and does not prohibit the dog handler from being
20 required to produce a certification or other credential that verifies that the dog is a
21 search and rescue dog.

22 4. A person may exclude a search and rescue dog from a hotel, inn, or motel if
23 accommodation of the search and rescue dog would result in a fundamental

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1 alteration in the nature of the accommodations provided or would jeopardize the
2 safe operation of the hotel, inn, or motel. If a search and rescue dog must be
3 separated from the dog handler accompanying the search and rescue dog, it is the
4 responsibility of that dog handler to arrange for the care and supervision of the
5 search and rescue dog during the period of separation.

6 5. A dog handler who is accompanied by a search and rescue dog in a hotel,
7 inn, or motel is liable for sanitation with respect to the search and rescue dog and
8 damage to the establishment caused by the search and rescue dog.

9 6. A hotel, inn, or motel shall modify its policies, practices, and procedures to
10 permit the full and equal enjoyment of the hotel, inn, or motel by a dog handler who
11 is accompanied by a search and rescue dog. Those policies, practices, and
12 procedures shall ensure that a dog handler who is accompanied by a search and
13 rescue dog is not separated from the search and rescue dog, that the search and
14 rescue dog is allowed to accompany the dog handler to all areas of the hotel, inn, or
15 motel that are open to the general public, and that the dog handler is not segregated
16 from other patrons of the hotel, inn, or motel.

17 (END)