



**House Judiciary Committee
Representative Fred Patton, Chair**

Testimony - House Bill 2523

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Thank you for the opportunity to express our concerns regarding House Bill 2523. Independence, Inc., a Center for Independent Living in Lawrence, Kansas serving people with disabilities in Jefferson, Douglas and Franklin counties. Our mission is to maximize independence for people with disabilities through advocacy, peer support, training, transportation and community education.

We have serious concerns that HB 2523 would impose unnecessary barriers to individuals with disabilities right to have an assistance animal as a reasonable accommodation in rental housing. HB 2523 is not consistent with guidance issued by the U.S. Department of Housing and Urban Development (HUD) on January 28, 2020, "Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act."

<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalINC1-28-2020.pdf>

Rights provided by Fair Housing and other civil rights laws at the state level, and the enforcement of those rights, is most effectively accomplished when state law is consistent with federal law. The assessment process including in the above HUD guidance is based on decades of experience that HUD has providing effective enforcement guidance about individuals with a disabilities right to receive a reasonable accommodation so they may have an assistance animal in rental housing that alleviates or helps them manage the disability. Included in the HUD guidance are responsibilities that go along with exercising and maintaining this right over time. Criminal penalties are not included.

This type of consistency is essential for education efforts to be effective in bringing about understanding of rights and responsibilities under the law, cooperation, and preventing discrimination from occurring. Thank you.

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