



SPONSOR: Rep. Dorsey Walker & Sen. Gay
Reps. Griffith, K. Johnson, Spiegelman, Yearick; Sens.
Hansen, S. McBride, Pettyjohn, Richardson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 383

AN ACT TO AMEND TITLE 31 RELATING TO "SEEING EYE DOGS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 2117, Title 31 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 2117. Relating to persons who are blind and "seeing eye dogs"; penalties. [Repealed.]

4 ~~(a) Any person who by reason of loss or impairment of eyesight or hearing is accompanied by a dog described as a~~
5 ~~"seeing eye dog," or any dog educated by a recognized training agency or school, which is used as a leader or guide, is~~
6 ~~entitled to the full and equal accommodations, advantages, facilities and privileges of all public conveyances, hotels,~~
7 ~~lodging places, all places of public accommodation, amusement or resort and other places to which the general public is~~
8 ~~invited and shall be entitled to take the dog into such conveyances and places, subject only to the conditions and limitations~~
9 ~~applicable to all persons not so accompanied; provided, that the dog shall not occupy a seat in any public conveyance.~~

10 ~~(b) Any person, firm or corporation who deprives any person suffering from such loss or impairment of eyesight or~~
11 ~~hearing of any right conferred by subsection (a) of this section shall be fined not more than \$100, or be imprisoned for a~~
12 ~~period not exceeding 3 months, or both and for every such offense such person shall forfeit and pay a sum of not more than~~
13 ~~\$100 to any person aggrieved thereby, to be recovered in any court of competent jurisdiction in the county where such~~
14 ~~offense was committed.~~

SYNOPSIS

This Act repeals § 2117, Title 31, which relates to an individual who, by reason of loss or impairment of eyesight or hearing, has a right to be accompanied by a "seeing eye dog," also known as a "guide dog," in public conveyances; hotels; lodging places; all places of accommodation, amusement, or resort; and other places to which the general public is invited. This Act is a result of the Joint Legislative Oversight and Sunset Committee's review of the Division for the Visually Impaired, and furthers the goal of modernizing Chapter 21, Title 31.

Section 2117 is antiquated and no longer appropriate to include in Chapter 21, Title 31. The rights of an individual who is accompanied by a service dog are adequately and more appropriately protected through Chapter 45, Title 6 (Equal Accommodations), Chapter 95, Title 16 (Delaware White Cane Law); and § 1917, Title 2 (Transportation Networks – No discrimination; accessibility).