

Introduced: 2/6/85
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY DUNCAN AND COLLINS

2

HOUSE BILL NO. 172

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the rights of blind, hearing
7 impaired, disabled, and physically handicapped
8 persons."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 18.06.020 is amended to read:

11 Sec. 18.06.020. RIGHTS. (a) The blind, the visually handi-
12 capped, and the otherwise [PHYSICALLY] disabled have the same right as
13 the able-bodied to the full and free pedestrian use of the streets,
14 highways, sidewalks, walkways, public buildings, public facilities,
15 and other public places.

16 (b) The blind, the visually handicapped, and the otherwise
17 [PHYSICALLY] disabled are entitled to full and equal accommodations,
18 advantages, facilities, and privileges of all common carriers, air-
19 planes, motor vehicles, railroad trains, motor buses, street cars,
20 boats or any other public conveyances or modes of transportation,
21 hotels, lodging places, places of public accommodation, amusement or
22 resort, and other places to which the general public is invited,
23 subject only to the conditions and limitations established by law and
24 applicable alike to all persons.

25 (c) Totally or partially blind persons, persons with impaired
26 hearing, and otherwise disabled persons have the right to be accom-
27 panied or assisted by a service animal that is certified by a training
28 facility for service animals as being able to function in a public
29 setting [GUIDE DOG, ESPECIALLY TRAINED FOR THE PURPOSE], in any of the

1 places listed in (b) of this section without being required to pay an
2 extra charge for the service animal [GUIDE DOG]; however, the person
3 with the animal [GUIDE DOG] is liable for any damage done to the
4 premises or facilities by the animal [DOG].

5 * Sec. 2. AS 18.06.030 is amended to read:

6 Sec. 18.06.030. RIGHTS AS PEDESTRIANS. The driver of a motor
7 vehicle approaching a totally or partially blind pedestrian or other-
8 wise disabled pedestrian who is carrying a cane predominantly white or
9 metallic in color, with or without a red tip, or using a service
10 animal [GUIDE DOG] shall take all necessary precautions to avoid
11 injury to the pedestrian, and a driver who fails to take all necessary
12 precautions and causes injury to the pedestrian is liable in damages
13 for the injury caused. A totally blind or partially blind pedestrian
14 or otherwise disabled pedestrian not carrying a cane as described in
15 this section or using a service animal [GUIDE DOG] in any of the
16 places, accommodations or conveyances set out under AS 18.06.020 has
17 all of the rights and privileges conferred by law upon other persons,
18 and the failure of a totally or partially blind pedestrian or other-
19 wise disabled pedestrian to carry a cane as described in this section
20 or to use a service animal [GUIDE DOG] is not by itself evidence of
21 [CONTRIBUTORY] negligence.

22 * Sec. 3. AS 18.80.240 is amended to read:

23 Sec. 18.80.240. UNLAWFUL PRACTICES IN THE SALE OR RENTAL OF REAL
24 PROPERTY. It is unlawful for the owner, lessee, manager or other
25 person having the right to sell, lease or rent real property

26 (1) to refuse to sell, lease or rent the real property to a
27 person because of sex, marital status, changes in marital status,
28 pregnancy, race, religion, physical handicap, use of a prosthesis or
29 service animal, color or national origin; however, nothing in this

1 paragraph prohibits the sale, lease or rental of classes of real
2 property commonly known as housing for "singles" or "married couples"
3 only;

4 (2) to discriminate against a person because of sex, mari-
5 tal status, changes in marital status, pregnancy, race, religion,
6 physical handicap, use of a prosthesis or service animal, color or
7 national origin in a term, condition or privilege relating to the use,
8 sale, lease or rental of real property; however, nothing in this
9 paragraph prohibits the sale, lease or rental of classes of real
10 property commonly known as housing for "singles" or "married couples"
11 only;

12 (3) to make a written or oral inquiry or record of the sex,
13 marital status, changes in marital status, race, religion, physical
14 handicap, use of a prosthesis or service animal, color or national
15 origin of a person seeking to buy, lease or rent real property;

16 (4) to offer, solicit, accept, use or retain a listing of
17 real property with the understanding that a person may be discrimi-
18 nated against in a real estate transaction or in the furnishing of
19 facilities or sources in connection therewith because of a person's
20 sex, marital status, changes in marital status, pregnancy, race,
21 religion, physical handicap, use of a prosthesis or service animal,
22 color, national origin or age;

23 (5) to represent to a person that real property is not
24 available for inspection, sale, rental, or lease when in fact it is so
25 available, or to refuse a person to inspect real property because of
26 the race, religion, physical handicap, use of a prosthesis or service
27 animal, color, national origin, age, sex, marital status, change in
28 marital status or pregnancy of that person or of any person associated
29 with that person;

1 (6) to engage in blockbusting;
2 (7) to make, print or publish, or cause to be made, printed
3 or published, any notice, statement or advertisement, with respect to
4 the sale or rental of real property that indicates any preference,
5 limitation, or discrimination based on race, color, religion, physical
6 handicap, use of a prosthesis or service animal, sex, or national
7 origin, or an intention to make the preference, limitation or dis-
8 crimination.