

Insurance and Real Estate Committee JOINT FAVORABLE REPORT

Bill No.: SB-1386

AN ACT CONCERNING DOG BREED IN INSURANCE UNDERWRITING AND
EVALUATING THE FEASIBILITY OF ESTABLISHING A PENALTY FOR

Title: MISREPRESENTING A DOG AS A SERVICE ANIMAL.

Vote Date: 3/11/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/4/2025

File No.:

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SPONSORS OF BILL:

Insurance and Real Estate Committee

Rep. Tammy Nuccio, 53rd District

Sen. Christine Cohen, 12th District

REASONS FOR BILL:

This bill stemmed from outdated homeowners and tenants insurance policies that unfairly discriminate against different dog breeds, as well as the ownership of a dog that is trained or being trained as a service animal by forcing the owners of these breeds to pay higher premiums. Furthermore, this legislation also requires the Commission on Human Rights and Opportunities to evaluate the feasibility of establishing a penalty for intentional misrepresentation of a dog as a service animal to gain accommodations under the federal Americans with Disabilities Act of 1990, which will help combat bad actors who are misrepresenting their emotional support animals as service animals and unfairly receiving preferential treatment.

SUBSTITUTE LANGUAGE:

The substitute language (1) added “exclude, limit, restrict, or reduce coverage” in line 5 of Section 1, (2) added therapy animal into Section 2, and (3) added “solely” in line 24 of Section 2.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed

NATURE AND SOURCES OF SUPPORT:

Danette Chorney – Supports

Chorney opposes the bill and shares that no homeowner's or renter's insurance coverage eligibility should be determined simply by the presence of a dog in the household, regardless of the size, breed, or appearance. They believe that the deeds and behaviors of the individual dogs should be considered in the event a dog is deemed to be dangerous by existing procedures, or if the owners are found to be cruel or neglectful of the animals on the insured property.

Mabel Diamond, South Windsor Kennel Club – Supports

Diamond shares that they are in full support of Senate Bill 1386 because they believe that it's important to evaluate all dogs individually and not based on a particular group or breed of dog for purposes of insurance underwriting. They also support the state's willingness to look at the issues surrounding intentional misrepresentation of a service dog, as they have noticed that this seems to be a rising problem especially concerning air travel.

Wendy Ernst, Kirby Veterinary Hospital – Supports

Ernst shares that she supports the bill because she believes that insurance companies should determine coverage of a dog-owning household based on the dog's deeds, not the dog's breed. She also shares that she strongly supports the rights of persons who require a dog to perform essential services to access as provided by the Americans with Disabilities Act (ADA) and to be permitted to keep the service dog without regard to the dog's size, phenotype, or breed. She shares that there is an unjust impact to the fraudulent misrepresentation of pets as service dogs and has had on undermining the ability of individuals with disabilities who truly need properly trained service dogs to conduct their daily activities.

Arnold Goldman, Canton Animal Hospital – Supports

Goldman shares that he thinks that insurance companies should be fair to CT dog owners by basing coverage on an individual dog's history as opposed to just its size or breed. He also shares that ownership of dogs that match poorly defined physical characteristics are often consistently discriminated against regardless of their history of good behavior. He believes that a more individualized approach would be less discriminatory and more fair way to approach this issue.

Paul Januszewski, Enfield Landlord Association – Supports

Januszewski shares his support for section three of the bill as he has seen an onslaught of individuals claiming their emotional support animals as service dogs. He also believes that when a person presents with a valid need for either an ESA or a Service Dog, the breed of the animal should not be conditional upon insurance underwriting approval. He shares that the legislation will fight what he sees as the prevalent abuse of the claims for an exemption under the Emotional Support and Service Animal policies and that it may also help those truly needing such an animal and those housing providers subject to the exemption mandate by eliminating the blanket, arbitrary and restrictive insurance company pet/animal coverage limitations.

Kathleen Murphy, Best Friends Animal Society – Supports

Supports the bill because the Best Friends Animal society believes that Insurance companies' breed restriction lists can disproportionately impact people of color just as other underwriting guidelines have done in the past. They note published scholarly studies support the notion that singling out the breed of a dog can result in discrimination based on race. And shares that they believe, based on those studies, that a correlation exists between dog breed and race as it relates to public perception of who is more likely to own a particular dog.

[Stacey Ober, New England – American Kennel Club – Supports](#)

The American Kennel Club believes that insurance companies should determine coverage of a dog-owning household based on the dog's deeds, not the dog's breed. They believe if a dog is a well-behaved member of the household and the community, there is no reason to deny or cancel coverage. They also share that they strongly support the rights of persons who require a dog to perform essential services to access public accommodations, as provided by the Americans with Disabilities Act (ADA), and to be permitted to keep the service dog without regard to the dog's size, phenotype, or breed. They finally share that they are concerned with the fraudulent misrepresentation of pets as service dogs has unjustly undermined the ability of individuals with disabilities who truly need properly trained service dogs to conduct their daily activities in the public sphere.

[Jessica Simpson, Humane World for Animals – Supports](#)

The Humane World for Animals testified that they believe that if breed-specific policies remain in place, households with restricted but well-behaved dogs are being denied insurance coverage or charged increased premiums without justification. They share that insurance companies operate under the supervision of state governments, which have immense regulatory power to ensure that the public interest is served in the insurance marketplace. The public interest in this case is to remove barriers to access for low-risk households that have dogs with no bite history.

[Carolyn Sires, Educated Canines Assisting with Disabilities – Supports](#)

Provided general comments regarding the statutes already in place around fraudulently representing themselves as a person with a disability for the purpose of receiving the accommodations regarding service animals, as well as fraudulently representing an emotional support animal as a service animal.

[Lauren Tagliatela, Connecticut Coalition of Property Owners – Supports](#)

Lauren shared that CCOPO Landlords urge this committee to include multifamily housing providers and clear language that Emotional Support Animals are included, as part of this bill. She explains that landlords have dealt with the problems of getting penalized or canceled by insurers and having the threat of a discrimination lawsuit held over our heads when they question someone's emotional support animal legitimacy. She shares that the internet is full of fake credentials for pets to become a "Support Animal" with merely a credit card needed. She explains that in their experience, tenants do this to avoid a pet fee or live with a pet where none are allowed.

[Nia Bratton, Michelson Center for Public Policy – Supports](#)

Bratton shares that the Michelson Center for Public Policy is in support of the bill because it ensures access to housing for families and ending the harmful practice of breed-based

discrimination. They believe that it's time to end breed-based discrimination in insurance policies and give renters and homeowners the ability to make choices based on the behavior.

[Laura Cowperthwaite – Supports](#)

Laura is a veterinary technician who supports the bills sharing that she feels that breed profiling is not useful. She also supports the bill because there is absolutely a problem with fraudulent claims of service animals.

[State Senator Bob Duff – Supports](#)

Duff shared general comments in support of section 1 of the bill. He also cited a study conducted by the American Veterinary Medical Association, there is no scientific evidence that indicates one kind of dog is more likely to injure a human than another.

[Bonnie Heckert – Supports](#)

Bonnie provided general comments in support of the bill.

[Alyssa Hurley, Pet Advocacy Network – Supports](#)

The Pet Advocacy Network represents the interests and expertise of retailers, companion animal suppliers, manufacturers, distributors, pet owners, and others involved in the many aspects of pet care across the United States and they are in support of the bill because behavioral experts recognize that the breed of a dog does not dictate its disposition but rather it is the training and care of the dog that determine its tendency towards aggressiveness.

[Carol Phelps – Supports](#)

Phelps shared general comments in support of all three sections of the bill.

[John Souza, President, Connecticut Coalition of Property Owners – Supports](#)

Souza echoed [Tagliatela's testimony](#) and wrote that CCOPO Landlords wrote that they urge the committee to include multifamily housing providers and clear language that Emotional Support Animals are included, as part of this bill.

NATURE AND SOURCES OF OPPOSITION:

[Kristina Baldwin, APCIA - Opposes](#)

[Eric George, IAC – Opposes](#)

[Chris Nicolopoulos, NAMIC - Opposes](#)

Baldwin shares that even though there is no list of "dangerous" breeds, she shared that there was a joint study by the Center for Disease Control, the American Veterinary Medical Association and the Humane Society on breeds involved in fatal human attacks found that pit bull and pit bull mixes are the top breeds involved in fatal attacks. Baldwin shared that the APCIA is concerned that this legislation that bars an insurer from considering dog breed as an underwriting factor will cause premiums to increase for the carriers that utilize dog breed as an underwriting factor. In simple terms, the APCIA believes that under this legislation, non-dog owners will pay more in premiums to account for this underwriting limitation. They request as well that the committee adheres to the language promulgated by NCOIL that says that the word "solely" be added in line 23 of SB 1386 in between the words "policy" and "on", sharing that this revision would allow insurers to defend these claims.

[Travis Wattie, Assistant Vice President of Government Relations, Big I Connecticut – Opposes](#)

Wattie shares that the Big I opposes the bill citing a statistic in 2022, 56 dog bite-related fatalities occurred in the United States. Pit bull breeds contributed to 64% of these deaths, despite accounting for only 6% of the U.S. dog population. They believe that all homeowners would be unfairly required to subsidize the ownership of dogs by others, creating a moral hazard.

GENERAL COMMENTS:

[Tanya Hughes, Executive Director CT Human Rights Opportunities](#)

Hughes shares that The Commission supports Section 1 and 2 of the proposed bill because they believe that the rental market is challenging in Connecticut for tenants, especially for a tenant with an emotional support animal and/or service animal. However, they share that Section 3 of the bill presents some challenges for the Commission to implement. First, because they believe the language in the bill seems to conflate the definition of a “service animal” under the Americans with Disabilities Act and an “emotional support animal” under the state and federal fair housing acts. Hughes explains that there are differences between the two that would need to be separated and addressed. The Commission’s enforcement of the fair housing laws may also conflict with its role in evaluating and potentially implementing a penalty system for someone who intentionally misrepresents a dog as a service animal.

[Bradford Lachut, Professional Insurance Agents of Connecticut Inc.](#)

Lachut shares that PIACT does not take a formal position on S.B. 1386, however, they recommended a technical correction to prevent unintended consequences that they believe could undermine the bill’s intent if enacted.

Reported by: Allison Kyff

Date: 03/25/2025