



Service Animals vs. Emotional Animals Georgia Law

Under Georgia law and the federal Americans with Disabilities Act (ADA), people with disabilities may bring their **service animals** to all public accommodations, such as restaurants, museums, hotels, and stores. These laws also require those who operate transportation services to allow service animals.

Georgia law and the ADA differ in some important ways, but public accommodations in Georgia must comply with both sets of laws, and their patrons are entitled to rely on whichever law provides the most protections. Read on to learn which animals qualify as **service animals**, which public accommodations must allow them, and more.

What Counts as a Service Animal in Georgia?

Under Georgia law, those who are blind or have a visual disability, are deaf, or have another physical disability may bring a guide dog or **service dog** into public accommodations. The dog must have been trained specially to provide assistance by a school for seeing-eye, hearing, service, or guide dogs. The law defines a physical disability as a physiological deficiency or defect that renders the person unable to move around without aid, or limits the ability to walk, climb, ascend, sit, rise, or perform related functions. Note that this definition doesn't include mental, developmental, or intellectual disabilities. Therefore, psychiatric service animals are likely not covered by the law, unless they assist someone who also has a disability that creates the mobility or sensory restrictions discussed above.

The ADA defines a **service animal** as a dog that is individually trained to perform tasks or do work for the benefit of a person with a physical or mental disability. (In some cases, a miniature horse may also qualify as a service animal under the ADA.) The tasks or work the animal does must be directly related to the person's disability.

Neither law covers ordinary pets or what some call "emotional support animals": animals that provide a sense of safety, companionship, and comfort to those with psychiatric or emotional disabilities or conditions. Although these animals often have therapeutic benefits, they are not individually trained to perform specific tasks for their handlers. Under the ADA and Georgia law, owners of public accommodations are not required to allow emotional support animals, only service animals.

Public Accommodations Must Allow Service Animals

Under Georgia law, people with disabilities may bring their **service animals** on any form of public transportation, buses, airlines, hotels and other lodging places, places of accommodation, amusement, or resort, and all other places to which the public is invited.

Under the ADA, the definition of public accommodations is also very broad. It includes:

- hotels and other lodging establishments
- public transportation terminals, depots, and stations
- restaurants and other places that serve food and drink
- sales or rental establishments
- service establishments
- any place of public gathering, such as an auditorium or convention center
- places of entertainment and exhibit, like theaters or sports stadiums
- gyms, bowling alleys, and other places of exercise or recreation
- recreational facilities, such as zoos and parks
- libraries, museums, and other places where items are collected or displayed publicly
- educational institutions, and
- social service centers.

Rules for Your **Service Animal** in Georgia

You may not be charged extra to bring your **service animal** to any public accommodation. However, you may be required to pay for any damage your animal causes.

A public accommodation is not required to allow your **service animal** to remain if it poses a direct threat to the health or safety of others. If, for example, your **service dog** is growling and lunging at other patrons, and you are unable to stop the behavior, the dog might have to leave. An establishment may also exclude a **service animal** that isn't housebroken or is out of control.

Service Animals in Georgia Housing

Under Georgia's **service animal law**, people with disabilities who have service animals are entitled to full and equal access to housing. You may not be discriminated against in the rental, lease, or purchase of housing. Your landlord may not require to pay extra to

have a **service animal**, either, although you are liable for any damages your **service animal** causes to the property or to another person.

The federal Fair Housing Act requires housing facilities to allow **service dogs** and **emotional support animals**, if necessary for a person with a disability to have an equal opportunity to use and enjoy the home. To fall under this provision, you must have a disability and you must have a disability-related need for the animal. In other words, the animal must work, perform tasks or services, or alleviate the emotional effects of your disability in order to qualify. (For more information, see the Department of Housing and Urban Development's [guidance on service animals](#).)