



**California State Board of Guide Dogs for the Blind
Board Meeting Materials**

Monday, May 9, 2016

1:00 p.m. – Completion of Business

Teleconference Phone Number: 1-866-692-3158

Participant Code: 99686782

1. Call to Order/President's Welcome
No Materials Necessary
2. Roll Call/Establishment of a Quorum
No Materials Necessary
3. Approval of Meeting Minutes Dated January 25, 2016 and April 8, 2016
Please See Additional Documents Entitled "Appendix 1 – Draft Meeting Minutes – 1-25-2016" and "Appendix 2 – Draft Meeting Minutes – 4-8-2016"
4. Legislative Update
 - a. Discussion and Possible Action Regarding Senate Bill 1331 (Pavley)

Text of Bill as Amended 4/11/2016

http://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201520160SB1331

Business and Professions Committee Analysis

Please See Additional Document Entitled "Appendix 3 - SB 1331 Senate B&P Analysis"

Topics for Discussion and Consideration

- Notification by out-of-state instructors to clients that they are under Board jurisdiction
- Timeline and required documents for notification by School/Instructor to Board
- Fingerprinting

- b. Discussion and Possible Action Regarding Assembly Bill 1824 (Chang)

Text of Bill as Introduced 2/08/2016

http://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201520160AB1824

Please See Additional Document Entitled "Appendix 4 – AB 1824 Draft Suggested Language"

5. Practice Task Force Update and Consideration of Recommendations:
No Materials Necessary
6. Public Comment on Items Not on the Agenda
No Materials Necessary



7. Future Board Meetings
 - a. Setting of Board Meeting dates and locations for 2016-2017

Practice Task Force – Tentative
Tuesday May 31, 2016
Location: Teleconference

Board Meeting
Monday, July 18, 2016
Location: Sacramento/Teleconference

Board Meeting
Monday, October 17, 2016
Location: Sacramento/Teleconference

Board Meeting
Monday, January 23, 2017
Location: TBD

Board Meeting
Monday, April 24, 2017
Location: TBD

- b. Agenda Items for Next Meeting
No Materials Necessary
8. Adjournment
No Materials Necessary



**California State Board of Guide Dogs for the Blind
Board Meeting Minutes**

Monday, January 25, 2016
1:04 p.m. – 2:40 p.m.

Department of Consumer Affairs – San Francisco Room
1625 N. Market Blvd N-318
Sacramento, CA 95834

Maguire Thomas Partners Gas Tower
555 W. Fifth Street
Floor 20, # 20-083
Los Angeles, CA 90013

Board Members

Eric Holm, President
Carmen Delgado, Vice President
Catherine Carlton
Rosa Gomez
Gwen Marelli
Joan Patche

Executive Officer

Brian Skewis

Legal Counsel

Shela Barker

AGENDA

1. Call to Order/President's Welcome
President Holm welcomed everybody to the Board's meeting, explained the ground rules for the meeting including a 2 minute time limit for each public comment, and called the meeting to order at 1:08 p.m.
2. Roll Call/Establishment of a Quorum
EO Skewis took roll recording six of seven members present and establishing a quorum.
3. Approval of the October 26, 2015 Board Meeting Minutes
Member Patche motioned to approve the October 26, 2015 meeting minutes as presented to the Board

Vice President Delgado seconded the motion.

Motion Passed: 6 ayes, 0 no's, 1 abstention (Carlton)
4. Executive Officer's Report
 - a. Budget Report
EO Skewis reported that as of fiscal month 6 the Board had expended \$84K of the \$204K budget and that the Board is projected to end the year with an approximated \$40K budgetary



surplus and approximately \$74K in the Board's fund. The program restructure has been implemented and the Board's fund should remain solvent for the foreseeable future.

Member Carlton asked if that meant that the Board is solvent indefinitely or just through the end of the year.

EO Skewis explained that there will be about \$74K in the fund at the end of the fiscal year and that the Board's expenditures and revenue should be balanced moving forward ensuring a stable fund condition.

b. Examination Update

EO Skewis reported that the Board held an exam earlier in the month with 5 applicants from 2 different schools taking and passing the exam. The next exam will likely take place in July.

c. Legislation and Regulation Update

- Implementation of Assembly Bill 181 (Bonilla)

EO Skewis stated that AB 181 became law on January 1, 2015 and contained clean-up language to the Board's code.

- Update on status of clean-up regulations (Control Section 100) as discussed in January 20, 2015 Board meeting

EO Skewis stated that with the implementation of AB 181, some corresponding changes need to be made to the Board's regulatory code. Those changes can be made through a Control Section 100 change and the language was approved in the January 20, 2015 meeting. Board and Department staff will work on making the necessary changes.

- Notice of Examination Regulations

EO Skewis reported that the Board's examination regulation changes were noticed earlier in the month. The changes are currently in a 45 day comment period and the language and corresponding documents can be found on the Board's website.

Vice President Delgado asked how the Board notices regulation changes.

EO Skewis explained that the notice is published by the Office of Administrative Law and the Board is responsible for posting it on the website and mailing it out to individuals on their mailing list.

d. Outreach Update

EO Skewis stated that he is working with Department staff to update all forms and that he took particular interest in a pamphlet entitled "What's So Special About Guide Dogs?" He worked with Department staff to update language and statistics as well as give the pamphlet aesthetic updates.

General conversation took place regarding the size and format of the document, the target audience, and ensuring that it met the accessibility needs of all interested parties.



EO Skewis reported that he is working with the Department's technology department to update the Board's website. The Department would like input regarding specific issues with the website's accessibility and input on websites that are particularly accessible that could be utilized as a guide. He mentioned that these comments could be made in the meeting, but people could also email or call with issues as they are encountered.

Public comment was made suggesting that the Board utilize a contractor that builds websites professionally. General discussion took place regarding website accessibility.

5. Presentation of the Board's 2015 Strategic Plan

EO Skewis noted that the approved language of the Strategic Plan was sent to the Publications Office where they completed the document. Hard copies are available upon request and electronic copies of the document are available on the Board's website.

6. Consideration and possible action on follow-up instruction

a. Consideration of a temporary follow-up instruction permit through legislation and regulation

EO Skewis explained that this concept would require both legislative and regulatory changes. There are other programs under the Department that issue temporary permits which could serve as a guide for structuring the process. He presented draft language that serves as a framework of how the process could work. He mentioned that the language is solely a first draft and that every timeline, fee, etc. could be up for discussion. He then explained the specific suggested changes in statute and regulations.

Board discussion took place stating that this concept could solve a lot of issues with out of state instruction. EO Skewis and Member Carlton discussed the process of approving applications and covering the associated costs. EO Skewis and Member Patche discussed the timeline of approving applications and the need for expedience in certain emergency situations. General discussion took place regarding fingerprint requirements and the timeline associated with the process. EO Skewis answered questions from the public regarding fees and timelines.

Jim Kutsch commended the Board for considering this and suggested removing the temporary aspect of the permit and allowing annual follow-up. The Seeing Eye's issue with licensure was based around the examination process, not the fees associated with licensure. EO Skewis stated that this concept sounded a lot like an instructor's license.

Public comment was made concerning a provision in the language that would require the client's name be included and the need for different applications for each instance of follow-up instruction.

EO Skewis explained that the language is only a proposal, but the way the language is currently written, there would need to be a separate application for each client.



Vice President Delgado motioned to refer this issue to the Practice Task Force and to provide a second draft to the Board.

Member Carlton seconded the motion

Motion Passed: 6 ayes, 0 no's

b. Consideration of a list of licensed instructors available to provide follow-up instruction

EO Skewis reported that after surveying licensed instructors, he obtained a list of six instructors that were willing and available to contract with schools that do not have California licensed Instructors on staff for follow-up instruction. If there are any schools that need to utilize these services, that they can contact the Board to attain the list of instructors available to provide those services.

Member Carlton and EO Skewis discussed a cost comparison of contracting with California licensed instructors compared to sending an instructor in from out of state.

EO Skewis stated that it is intended to be a resource for out of state schools, it is not a requirement.

Member Gomez asked how many schools may need to utilize this service and how many guide dog users need follow-up services from schools that don't have a California licensed Instructor on staff.

EO Skewis explained that there are 17 guide dog schools in the country and approximately 1,000 guide dog users residing in California. There are approximately 130 guide dog users in California whose school does not have a plan for providing follow-up instruction with a licensed Instructor. Those individuals received their guide dogs from 3 different guide dog schools located outside of California.

Public comment was made stating concern for instructors not affiliated with the original school providing instruction and potential liability of this service.

EO Skewis stated that schools outside of California stated that they would utilize licensed instructors, so this list is intended to be a resource for those schools that have identified that they will need the services of a licensed instructor.

7. Agenda Items for Next Meeting
None noted



8. 2016 Meeting Calendar and Locations
EO Skewis stated that quarterly Board Meetings are scheduled for April 18, July 18, and October 17. Additionally there will be subcommittee meetings scheduled as needed.
9. Public Comment on Items Not on the Agenda
None Noted
10. Adjournment
Member Patche motioned to adjourn at 2:40pm

Member Gomez seconded the motion

Motion Massed: 6 ayes, 0 no's



Special Teleconference Meeting of the Board of Guide Dogs for the Blind

Board Meeting Minutes

Friday, April 8, 2016

1:42 p.m. – 4:21 p.m.

820 Mission Ave #12
San Rafael, CA 94901

1921 Bella Coola Dr
South Lake Tahoe, CA 96150

6043 Ralston Ave
Richmond, CA 94805

2304 Loma Prieta Rd
Menlo Park, CA 94025

Department of Consumer Affairs – San Francisco Room
1625 N. Market Blvd N-318
Sacramento, CA 95834

Board Members

Eric Holm, President

Carmen Delgado, Vice President

Don Brown

Catherine Carlton

Executive Officer

Brian Skewis

Legal Counsel

Shela Barker

AGENDA

1. Call to Order/President's Welcome

President Holm welcomed everybody to the Board's meeting, explained the ground rules for the meeting including a 2 minute time limit for each public comment, and called the meeting to order at 1:42 p.m.

2. Roll Call/Establishment of a Quorum

EO Skewis took roll recording four of seven members present and establishing a quorum.

3. Finding of Necessity

Member Brown motioned to continue the meeting finding that providing 10-days' advance notice of this meeting would pose a substantial hardship on the Board in that the Board would be deprived of the ability to discuss, deliberate and take a position on Senate Bill 1331 and Assembly Bill 1824, legislation that could substantially impact Board operations, before the legislature completes its review and action.



Vice President Delgado seconded the motion

Motion Passed: 4 ayes, 0 no's

4. Discussion and Possible Action Regarding Senate Bill 1331 (Pavley) regarding follow-up services provided by out of state schools
EO Skewis outlined the three provisions of the bill.

Provision 1 – Board Membership

Board discussion took place regarding the Governor's involvement in taking suggestions from consumer organizations when making appointments and the percentage of guide dog users represented by these organizations.

Public comment was made likening the two organizations in the bill to unions representing the whole consumer population while not requiring membership from the entirety.

President Holm, Member Delgado, and Member Carlton asked what problem was being solved by increasing the number of guide dog users required on the Board when there are currently 4 members of the Board who are guide dog users.

Public comment was made stating that the desire is that there are members on the Board specifically representing the wishes of the two organizations.

President Holm and Member Carlton explained that organizations have the opportunity to be represented through open meetings and that their opinions are always heard and respected. The concern is the breadth of the candidate pool that the Governor may pull from when making appointments.

Member Brown and Counsel Barker discussed that it is unusual that there be a requirement that a member of the Board represent a private entity.

Provision 2 – Follow-up instruction by out-of-state instructors

Member Brown and Counsel Barker discussed the lack of a definition of follow-up services and that the Board would have to define the term through regulations should this bill become law.

Board discussion took place regarding the removal of the Board's jurisdiction to regulate follow-up services and that it goes against the Board's public protection mandate.

Public comment was made regarding future amendments of the bill that would give place instructors from out-of-state providing follow-up in California under the jurisdiction of the Board.



Hypothetical conversation took place concerning practice privilege, how International Guide Dog Federation certification of a school, or the revocation of said certification, does not inhibit a school's ability to do business in any state.

Provision 3 – Consumer Education

Board discussion took place regarding the need for this provision to be written into law and what content has already been developed.

Member Brown motioned to opposed SB 1331.

Member Carlton seconded the motion.

Motion Passed: 4 ayes, 0 no's

Member Brown motioned to have the Board President submit a written letter of opposition and to delegate to the Executive Officer a physical appearance at the upcoming committee hearing of SB 1331.

Vice President Delgado seconded the motion.

Motion Passed: 4 ayes, 0 no's.

5. Discussion and Possible Action Regarding Assembly Bill 1824 (Chang) regarding attacks on guide, signal, and service dogs.
EO Skewis summarized the two provisions of the bill.

Member Brown presented concerns regarding the removal of the phrase “while the guide, signal, or service dog is in discharge of its duties.” and suggested consideration of some language that would require that the guide, signal, or service dog is under the control of its handler.

General discussion took place regarding control of a guide, signal, or service dog. Additional discussion took place regarding the need to establish intent when an individual does harm to a guide, signal, or service dog.

Public comment was made stating that the intent is that handlers are compensated accordingly in the case of dog attacks. Additionally, the California Council of the Blind would not be opposed to adding language requiring that the dog is under the control of its handler.

Member Brown motioned to support AB 1824 if amended with language approved by the Board which will consider currently proposed deletions.

Vice President Delgado seconded the motion.



Motion Passed: 4 ayes, 0 no's

6. Public Comment on Items Not on the Agenda
None noted

7. Adjournment
Member Brown motioned to adjourn at 4:21 p.m.

Member Carlton seconded the motion.

Motion Passed: 4 ayes, 0 no's

SENATE COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

Senator Jerry Hill, Chair

2015 - 2016 Regular

Bill No: SB 1331

Author: Pavley

Version: April 11, 2016

Hearing Date: April 18, 2016

Urgency: No

Fiscal: Yes

Consultant: Bill Gage

Subject: State Board of Guide Dogs for the Blind: membership: out-of-state schools: follow up services

SUMMARY: Changes the composition of the State Board of Guide Dogs for the Blind (Board); allows for out-of-state guide dog instructors to come into California to provide follow-up services without having to obtain a license from the Board but only when they notify the Board that they will be providing the follow-up services and submit themselves to the jurisdiction of the Board; and requires the Board to provide a factsheet as specified on its website and to schools who provide guide dog training and to those receiving the training.

Existing law:

1) Establishes within the Department of Consumer Affairs (DCA) a State Board of Guide Dogs for the Blind (Board) which consists of 7 members appointed by the Governor and requires that 2 of the Board members be persons who are blind or visually impaired who use guide dogs. (Business and Professions Code (BPC) § 7200)

2) Provides that the Board shall have exclusive authority in this state to issue licenses for the instruction of persons who are blind or visually impaired in the use of guide dogs and for the training of guide dogs for use by persons who are blind or visually impaired, and provides that the Board shall also have exclusive authority in this state to issue licenses to operate schools for the training of guide dogs and the instruction of persons who are blind or visually impaired in the use of guide dogs. (BPC § 7200.5)

This bill:

1) Requires that at least 3 members of the Board be either blind or visually impaired instead of just 2 members and would require that of these 3 Board members, that one representative be from each of the two major consumer organizations representing Californians who are blind or visually impaired, and that the Governor in making these appointments shall consider recommendations from these organizations.

2) Provides that notwithstanding any other law, whenever an individual has received training or instruction from a school outside of this state that is certified by the International Guide Dog Federation or a successor entity, as determined by the Board, personnel from that school may provide, in this state, any follow-up service to that individual with respect to the specific guide dog for whom the training or instruction was originally provided outside of this state

3) Requires the personnel providing the follow up services, within 5 days of arriving in this state, to notify the Board of their intent to provide these services and would authorize the Board to refuse to allow personnel who have committed certain acts for which the Board could suspend or revoke a license

to provide those services, and would place those personnel under the disciplinary jurisdiction of the Board while they provide those services

4) Requires the Board, until January 1, 2018, to prepare a factsheet that shall provide a description of the purposes served by the Board, a description of the Board's role in assisting guide dog users who are victims of alleged guide dog discrimination, and a description of the Board's arbitration procedure as described in Section 7215.6 of the BPC. Provides that the Board shall post the factsheet on its Internet Web site and provide copies to each licensed guide dog school by the Board and that each school shall provide a copy of the factsheet to every student receiving training from the school.

FISCAL EFFECT: Unknown. This bill has been keyed "fiscal" by Legislative Counsel.

COMMENTS:

1. Purpose. This measure is sponsored by the California Council of the Blind. According to the Author, existing law pertaining to the Board is not adequate to protect the needs of persons who are blind and visually impaired. This bill seeks to improve services by focusing on three areas in need of reform:

- Board Composition. As stated by the Author, "Currently, the composition of the Board of Guide Dogs for the Blind does not adequately understand the needs and challenges of the blind and visually impaired. Of the seven members on the Board, only two are required to be guide dog handlers. Also, there is not adequate representation from the two consumer advocacy organizations whose central mission is to help the blind gain full independence and equality of opportunity in all walks of life. This can create a situation where a majority of board members lack the knowledge to make the best decisions concerning the administration of the board's authority."
- Follow-up Services from Out-of-State Schools. The Author further explains that in recent years, the Board has interpreted its authority as requiring an out-of state school that has provided training to a California resident at the school, to obtain a license from the Board for any staff to come into California for the sole purpose of providing follow-up services to the student with respect to the dog for which the original training was received out-of state. This has taken guide dog owners by surprise throughout the state. For decades, out of state schools have been allowed to provide follow-up care and there have been no adverse incidents on record in terms of this assistance. Given that the Board is now requiring out- of- state schools to obtain licensure in California for this limited time period, there is a growing backlash from out of state schools, as stated by the Author. One school in New Jersey has already been fined and sent a cease and desist letter. They are no longer providing services in California leaving guide dog owners who received original training from this school with no follow-up assistance whatsoever. While the Board has been unable to identify any instance of objectionable care rendered by a non-state school relating to follow-up care, they believe follow-up care is "instruction" and any instruction in this state must be licensed. The California Council for the Blind states that follow-up service is not "basic instruction," which was provided originally at the school. This is simply follow-up assistance to help the dog after he has graduated from the school and there should not burdensome licensing requirements to assist in these limited circumstances. No other state in the nation requires the licensure of guide dogs schools or instructors. This measure, as pointed out by the Author, is intended to allow follow-up assistance in very limited circumstances. "This issue is very important to the blind and visually impaired for many reasons. Schools have very different philosophies in terms of training. It is important to have a continuum of care with the

original school because they know and understand the guide dog owner and guide dog which received comprehensive training at their school and can appropriately intervene in a timely fashion.”

- Guide Dog Board Fact Sheet. As further explained by the Author, guide dog handlers are often unaware of the authority of the Board, and even those who have some knowledge about the Board are unclear as to its powers and duties. While there is some information available on the Board’s website, it remains challenging for the blind and visually impaired to access the information. Many of the visually impaired have no computer access. Others that do have computer access do not have good web searching skills and the website is very difficult to navigate. It would be beneficial, the Author believes, to have all the required information in one document – a fact sheet – similar to what is offered by other boards and departments. The fact sheet should be required to be handed out to all graduates at guide dog training schools so the visually impaired do not have to worry about computer access. The guide dogs schools are supportive of making this information available. A fact sheet will also be helpful to the Board because it will clarify what the Board can and cannot do, so that consumers do not have unrealistic expectations. Many questions involving services for the blind, as indicated by the Author, have to be referred to the Americans With Disabilities Information Assistance Call Line because their questions are outside of the jurisdiction of the Board.

2. Background. The Board was established in January 1, 1948 to ensure that blind persons receive well-trained guide dogs, to confirm that blind persons are thoroughly trained to be effective and safe guide dog users, and to assure donors to guide dog charities that their donations will be used for the intended charitable purpose. The Board’s mission, as stated in the Board’s 2010-2014 Strategic Plan is as follows:

“To ensure the quality of the guide dog industry by protecting, promoting, and educating guide dog users, instructors, schools, and the public in order to enhance the lives of blind or visually impaired individuals.”

The Board licenses guide dog schools, guide dog instructors, and fundraising programs to open new guide dog schools. The Board inspects all schools, requires new active guide dog instructors to take a legally defensible written and practical examination, and requires instructors to submit proof of eight hours of continuing education each year to remain licensed. California is the only state that has such a regulatory program.

In fiscal year 2011/12 the Board had a license base of 109 active guide dog instructors and 3 inactive guide dog instructors. The Board also oversees 3 guide dog schools located throughout California. The Board has seven members, one of whom represents the Director of the Department of Rehabilitation. The other six are Governor’s appointees, two of whom must be blind persons who use guide dogs.

3. Arguments in Support. The California Council of the Blind (CCB) is in support of this measure. In regards to the change in composition of the Board, CCB believes that adding an additional dog care handler to the Board will help ensure that the board contains sufficient number of members who have the requisite knowledge about guide dog issues to make the best possibly policy determinations in matters that come before the Board. Providing a factsheet and including it on its Board website along with providing to guide dog schools and to their students will ensure that guide dog handlers and others interested in the use of guide dogs will continue to have access to information about the Board.

Finally, the bill addresses a change in the Board's interpretation of its own authority. "After decades of not applying the law in this manner, the Board has recently decided that it is a violation of law for an out-of-state school to send in a staff member to provide follow-up instruction to a resident of California who received training with the guide dog at the out-of-state school site, unless the staff member receives a California license. This bill would provide that, with respect to an out of state school certified by the International Guide Dog Federation, a staff member of that school could come into California without a license from the Board solely to provide follow-up instruction for the guide dog handler who obtained his or her dog at the out-of-state school. CCB argues that it is not the intent of this bill to undermine the state licensing requirements, but merely to enable Californians who have chosen an out-of-state school and who need follow-up instruction, often in emergency situations such as the dog having been attacked or been in an accident, to obtain that service." Providing the Board with notice by the out-of-state staff person who will be providing the follow-up service and submitting themselves to the Board's oversight and jurisdiction will assure that the Board has the authority to act if a consumer is adversely impacted by an out-of-state school providing such services.

The International Guide Dog Federation (IGDF) is also in support of this measure and believes that by requiring that the out-of-state school, that is providing one of its staff persons for follow-up services, be from a school that is accredited by the IGDF will assure they will be meeting the stringent standards of accreditation by IGDF and will provide for the safe, unrestricted, independent mobility of guide dogs for all people who are blind or partially sighted for one of their accredited member organizations. (The IGDF currently has 90 member organizations across 28 different countries. Some of these countries have just one IGDF members, while others have up to 12. Recent information provided by IGDF shows that there are 20,519 guide dogs working in 2014 that came from IGDF member organizations. Of this number 3,215 were new partnerships starting out for the first time.)

SUPPORT AND OPPOSITION:

Support:

California Council of the Blind (Sponsor)
International Guide Dog Federation
Guide Dogs for the Blind

Opposition:

State Board of Guide Dogs for the Blind

SECTION 1.

Section 600.2 of the Penal Code is amended to read:

(a) It is a crime for any person to permit any dog which is owned, harbored, or controlled by him or her to cause injury to, or the death of, any guide, signal, or service dog, as defined by Section 54.1 of the Civil Code, while under the control of its handler.

(b) A violation of this section is an infraction punishable by a fine not to exceed two hundred fifty dollars (\$250) if the injury or death to any guide, signal, or service dog is caused by the person's failure to exercise ordinary care in the control of his or her dog.

(c) A violation of this section is a misdemeanor if the injury or death to any guide, signal, or service dog is caused by the person's reckless disregard in the exercise of control over his or her dog, under circumstances that constitute such a departure from the conduct of a reasonable person as to be incompatible with a proper regard for the safety and life of any guide, signal, or service dog. A violation of this subdivision shall be punishable by imprisonment in a county jail not exceeding one year, or by a fine of not less than two thousand five hundred dollars (\$2,500) nor more than five thousand dollars (\$5,000), or both. The court shall consider the costs ordered pursuant to subdivision (d) when determining the amount of any fines.

(d) *A defendant who* is convicted of a violation of this *section* shall be ordered to make restitution to the person with a disability who has custody or ownership of the guide, signal, or service dog for any veterinary bills and replacement costs of the dog if it is disabled or killed, *medical or medical-related expenses incurred by the person with a disability as a direct result of a violation of this section, loss of wages or income incurred by the person with a disability as a direct result of a violation of this section, or* other reasonable costs deemed appropriate by the court. The costs ordered pursuant to this subdivision shall be paid prior to any fines. The person with the disability may apply for compensation by the California Victim Compensation and Government Claims Board pursuant to Chapter 5 (commencing with Section 13950) of Part 4 of Division 3 of Title 2 of the Government Code, in an amount not to exceed ten thousand dollars (\$10,000).

(e) For the purpose of this section, a "guide, signal, or service dog" also includes a dog enrolled in a training school or program, located in this state, for guide, signal, or service dogs.

SEC. 2.

Section 600.5 of the Penal Code is amended to read:

(a) Any person who ~~willfully or recklessly~~intentionally causes injury to, or the death of, any guide, signal, or service dog, as defined by Section 54.1 of the Civil Code, while under the control of its handler is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding one year, or by a fine not exceeding ten thousand dollars (\$10,000), or by both a fine and imprisonment. The court shall consider the costs ordered pursuant to subdivision (b) when determining the amount of any fines.

(b) *A defendant who* is convicted of a violation of this *section* shall be ordered to make restitution to the person with a disability who has custody or ownership of the dog for any veterinary bills and replacement costs of the dog if it is disabled or killed, *medical or medical-related expenses incurred by the person with a disability as a direct result of a violation of this section, loss of wages or income incurred by the person with a disability as a direct result of a violation of this section, or* other reasonable costs deemed appropriate by the court. The costs ordered pursuant to this subdivision shall be paid prior to any fines. The person with the disability may apply for compensation by the California Victim Compensation and Government Claims Board pursuant to Chapter 5 (commencing with Section 13950) of Part 4 of Division 3 of Title 2 of the Government Code, in an amount not to exceed ten thousand dollars (\$10,000).

(c) *For the purpose of this section, a “guide, signal, or service dog” also includes a dog enrolled in a training school or program, located in this state, for guide, signal, or service dogs.*

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.