

1 HB209
2 197877-4
3 By Representatives McMillan and Brown (C)
4 RFD: County and Municipal Government
5 First Read: 11-FEB-20

1 ~~(3)~~ (4) A pet dog is not allowed on the chairs,
2 benches, seats, or other fixtures in the outdoor dining area
3 of the food service establishment.

4 ~~(4)~~ (5) The outdoor dining area is not used for food
5 preparation or the storage of utensils.

6 ~~(5)~~ (6) The designated outdoor dining area where pet
7 dogs are allowed is at least 12 feet away from any bar or area
8 where beverages are prepared.

9 ~~(6)~~ (7) A food service establishment employee
10 refills beverages from a pitcher or other container at the
11 table in the outdoor dining area where pet dogs are allowed.

12 ~~(7)~~ (8) The outdoor dining area is well maintained,
13 kept clean, and all surfaces that have been contaminated by
14 pet dog excrement or other pet dog bodily fluids are properly
15 cleaned and sanitized.

16 ~~(8)~~ (9) The pet dog is kept on a leash or confined
17 in a pet carrier at all times and is kept under the control of
18 the person possessing the pet dog.

19 ~~(9)~~ (10) The food service establishment ensures it
20 is in compliance with all local ordinances related to
21 sidewalks, public nuisances, and sanitation.

22 (b) (1) A food service establishment employee is
23 prohibited from having direct contact with a pet dog in the
24 outdoor dining area while on duty.

25 (2) A food service establishment employee who
26 violates subdivision (1) shall wash his or her hands as
27 required by food safety regulations.

1 (c) The owner of a pet dog is liable for any damages
2 to the property of the food service establishment by the pet
3 dog.

4 (d) All live animals are prohibited from being
5 inside a food service establishment, except as provided by the
6 applicable regulations of the federal Food and Drug
7 Administration, and except as follows:

8 (1) Service dogs ~~or service miniature horses~~ which
9 are individually trained to provide assistance to an
10 individual with a disability.

11 (2) Dogs under the control of a uniformed law
12 enforcement officer acting within the course and scope of his
13 or her duties.

14 (e) Emotional support animals are not service dogs
15 within the meaning of the Americans with Disabilities Act and
16 are therefore expressly prohibited from being inside a food
17 service establishment.

18 Section 2. (a) A state or local health department
19 may not prohibit the serving of wine or beer, including draft
20 beer, in a food service establishment that allows pet dogs in
21 accordance with Section 1 or a dog park if the establishment
22 or dog park otherwise meets the requirements for having a
23 retail license to serve wine or beer for on-premises
24 consumption.

25 (b) For purposes of this section, dog park means an
26 enclosed area used primarily for dogs to play off-leash in a

1 controlled environment under the supervision of the dog's
2 owner and authorized to operate under existing laws.

3 Section 3. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on County and Mu-
nicipal Government..... 11-FEB-20

Read for the second time and placed
on the calendar..... 20-FEB-20

Read for the third time and passed
as amended..... 03-MAR-20

Yeas 78, Nays 11, Abstains 13

Jeff Woodard
Clerk