



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Jeff Grim

H.B. 263

132nd General Assembly
(As Introduced)

Rep. Lanese

BILL SUMMARY

- Generally allows an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.
 - Allows a retail food establishment or food service operation to refuse to allow a dog in an outdoor dining area of the establishment or operation unless the dog is a service dog.
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CONTENT AND OPERATION

Dogs on patios

The bill generally allows an owner, keeper, or harbinger of a dog (dog owner) to take the dog in an outdoor dining area of a retail food establishment or food service operation. It does so by prohibiting the Director of Agriculture, the Director of Health, or a board of health from adopting any rule or issuing or enforcing any order prohibiting a dog owner from taking the dog in an outdoor dining area of an establishment or operation. The bill allows a retail food establishment or food service operation to refuse to allow a dog in an outdoor eating area of the establishment or operation unless the dog is a service dog, which is a dog that is individually trained for the benefit of an individual with a disability to do work or perform tasks that are related to the individual's disability.¹

¹ R.C. 3717.14.

Background

Under current law, the Directors of Agriculture and Health jointly have adopted rules that generally prohibit live animals on the premises of a retail food establishment or food service operation. The rules exempt certain animals from the prohibition, including a service animal if the service animal is not in food preparation areas or if a health or safety hazard will not result from the presence of the activities of the service animal.²

A retail food establishment is an establishment that receives a majority of its revenue from sales of prepackaged food items or multiple servings of food products. Examples of retail food establishments are grocery stores and gas stations. A retail food establishment is licensed to operate by a board of health with oversight by the Director of Agriculture.³ A food service operation is an establishment that receives a majority of its revenue from sales of food that is prepared and served in individual portions. Examples of food service operations are restaurants, cafeterias, and schools. A food service operation is licensed to operate by a board of health with oversight by the Director of Health.⁴

HISTORY

ACTION	DATE
Introduced	06-08-17

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² O.A.C. 3717-06.4(O).

³ R.C. 3717.01 and 3717.21, not in the bill.

⁴ R.C. 3717.01 and 3717.41, not in the bill.

