



# OHIO LEGISLATIVE SERVICE COMMISSION

---

## Bill Analysis

Amanda George

### **S.B. 182**

132nd General Assembly  
(As Introduced)

**Sens.** Coley, Hoagland, Jordan, Hottinger

---

### **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.
- 

### **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.<sup>1</sup>

---

<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup> 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.<sup>4</sup>

---

## HISTORY

ACTION	DATE
Introduced	08-21-17

S0182-I-132.docx/ks

---

<sup>2</sup> O.A.C. 3717-06.4(O).

<sup>3</sup> R.C. 3717.01 and 3717.21, not in the bill.

<sup>4</sup> R.C. 3717.01 and 3717.41, not in the bill.

