

SENATE BILL REPORT

SB 5336

As of February 11, 2009

Title: An act relating to allowing dogs in designated outdoor areas of bars and coffee shops.

Brief Description: Allowing dogs in designated outdoor areas of bars and coffee shops.

Sponsors: Senators Jacobsen and Kohl-Welles.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 2/09/09.

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Staff: Ingrid Mungia (786-7423)

Background: The state Department of Health follows most of the provisions of the United States Food and Drug Administration's (FDA) Food Code. Section 6-501.115 of the Food Code states that live animals may not be allowed on the premises of a food establishment. There are a limited number of exceptions to this prohibition for service animals and fish in aquariums. A food establishment is defined as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, such as a restaurant.

The statutes governing the Liquor Control Board (LCB) is silent on allowing dogs in establishments licensed by the LCB.

Summary of Bill: The state Department of Health must establish a pilot project by which local government can apply for an exemption from certain FDA food code sections to allow dogs in certain designated outdoor portions of premises holding certain liquor licenses; or premises whose main purpose is selling coffee. Local governments that participate can establish by ordinance a local exemption from the food code to allow dogs in certain portions of designated businesses. To participate, the local exemption procedure must require that the businesses obtain a permit from the local public health department. Certain information must be provided to the health department to obtain the permit. The local ordinance must include the requirements protecting health and safety that are listed in the bill.

Appropriation: None.

Fiscal Note: Requested on January 29, 2009.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is a book out that is titled *Animals Make Us Human*. I have witnessed dogs in bars and coffee shops and I think they suck the tension out of a situation and make people better behaved. People with PTSD use dog companions to help them overcome their symptoms. This is a good setting to bring dogs into.

Persons Testifying: PRO: Senator Jacobson, prime sponsor.