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## A BILL FOR AN ACT

RELATING TO PETS IN RESTAURANTS AND BARS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 321 Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4           "§321-       Pets allowed in restaurants and bars. (a)  
5 Notwithstanding any law or rule to the contrary, except as  
6 provided in subsections (f) and (g), at the discretion of the  
7 owner or manager of an establishment, each establishment patron  
8 may bring a maximum of one pet into the establishment under the  
9 following conditions:

10           (1) The owner or manager of an establishment shall  
11           designate an area of the establishment where pets are  
12           allowed;

13           (2) The pet shall be under the control of the patron at  
14           all times, on a leash that is tied or fastened to keep  
15           the pet within two feet of the patron or held within a  
16           container;

17           (3) The pet or the container shall be placed and remain on  
18           the floor at the patron's seating area;



1        (4) The pet shall not interfere with the activities of the  
2        establishment's employees, obstruct any pathways, or  
3        enter food preparation areas;

4        (5) A pet that is on a leash shall not relieve itself  
5        within the establishment;

6        (6) No pet shall bark, create any other noise audible to  
7        other patrons, or otherwise disturb other patrons;

8        (7) An establishment owner, manager, or employee may  
9        refuse admittance of any patron with a pet; and

10       (8) The pet and patron shall abide by any other conditions  
11       that the owner or manager of the establishment may  
12       impose.

13       (b) An establishment that permits pets in the  
14       establishment shall have safety and sanitation control  
15       procedures in effect to:

16       (1) Immediately clean any pet feces, urine, waste, saliva,  
17       vomitus, or other animal fluids, and properly  
18       disinfect contaminated areas and surfaces;

19       (2) Prevent animal waste from entering food preparation  
20       areas including ensuring that establishment employees  
21       assigned to clean up pet feces, urine, waste, saliva,  
22       vomitus, or other animal fluids shall thoroughly wash



1           and sanitize their hands and arms up to the elbow  
2           prior to returning to any food preparation, other  
3           cleaning, or handling of any food equipment or  
4           utensils.

5           (c) An establishment that permits pets in the  
6           establishment shall post prominently at each entrance a sign  
7           displaying the message, "Pets are allowed in this establishment.  
8           The presence of pets in this establishment may place you at a  
9           greater risk of contracting a food borne illness". The  
10          establishment shall post adjacent to that sign a list of all  
11          conditions contained in subsection (a) and a clear description  
12          of any additional conditions imposed by the owner or manager of  
13          the establishment on pet owners, pet handlers, and pets while  
14          present in the establishment.

15          (d) If any of the conditions in subsection (a) are not  
16          met, the owner or manager of the establishment may require the  
17          patron to remove the pet from the establishment.

18          (e) The establishment patron who brings a pet into the  
19          establishment, and the pet's owner if the owner is not the  
20          patron, shall be liable for any and all property damage and  
21          personal injury that the pet may cause while in the  
22          establishment, including any damage or injury to other pets.



1        (f) If any provisions of this section conflict with state  
2 or federal law governing guide or service animals, the federal  
3 law shall prevail.

4        (g) Nothing in this section shall diminish the rights of  
5 persons with disabilities to request and obtain reasonable  
6 accommodations under chapter 489.

7        (h) Nothing in this section shall prohibit patrol dogs  
8 accompanying security or police officers from entering any area  
9 of the establishment.

10       (i) As used in this section unless the context clearly  
11 requires otherwise, the terms:

12       "Bar" means an establishment that is devoted to the serving  
13 of alcoholic beverages for consumption by guests on the premises  
14 regardless of whether food is served, including but not limited  
15 to taverns, cocktail lounges, and cabarets, including outdoor  
16 areas of bars;

17       "Establishment" means bar or restaurant;

18       "Pet" means a dog or cat;

19       "Restaurant" means any place where food is served or  
20 provided to the public at a charge, including outdoor seating  
21 areas, regardless of whether food is consumed on or off the  
22 premises; provided that the term restaurant shall not include



1 buffets and places where customers predominately serve  
2 themselves."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 17 2013



# H.B. NO. 186

**Report Title:**

Pets; Dogs; Cats; Restaurants; Bars

**Description:**

Authorizes a restaurant or bar to permit pets inside the establishment subject to specified conditions.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

