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## A BILL FOR AN ACT

RELATING TO DOGS IN RESTAURANTS AND BARS.

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

1           SECTION 1. According to a study by the Hawaiian Humane  
2 Society, pet owner households comprise 58 per cent of all  
3 households on Oahu, which is nearly 16 per cent greater than the  
4 national average.

5           A study at the University of Cambridge found that pet  
6 owners experienced fewer ailments and their overall well-being  
7 was improved; these health benefits appeared to be linked to pet  
8 ownership. Documented health benefits of owning a pet,  
9 particularly a dog, include reduced blood pressure, anxiety, and  
10 stress; alleviation of depression; elevation of mood; and  
11 reduced loneliness, all of which can result in fewer visits to a  
12 physician.

13           Additional benefits to owning a pet include an increased  
14 sense of responsibility, which provides pet owners with  
15 concomitant mental and emotional stability, improved fitness,  
16 and the psychological benefits to being in an outdoor  
17 environment.



1 Many pet owners are separated from their companion dogs for  
2 over eight hours a day. This does not include additional  
3 separation time due to commuting to and from work, completing  
4 personal errands, and other situations when a pet owner must  
5 complete tasks outside of the home. This separation from the  
6 pet owner has been known to cause separation anxiety in  
7 domesticated pets, with many dogs experiencing severe to  
8 moderate separation anxiety in the absence of their owner.

9 Allowing pet owners to be accompanied by their dogs while  
10 patronizing restaurants and bars will serve to increase all the  
11 proven benefits associated with pet ownership, as well as reduce  
12 the effects of separation experienced by animal companions.

13 The purpose of this Act is to allow restaurant and bar  
14 owners and managers, at their discretion, to permit dogs inside  
15 a restaurant or bar, subject to certain conditions.

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

19 "§321- Dogs allowed in restaurants and bars. (a)  
20 Notwithstanding any law or rule to the contrary, except as  
21 provided in subsections (g) and (h), at the discretion of the



1 owner or manager of a restaurant or bar, a restaurant or bar  
2 patron may bring a dog into the restaurant or bar under the  
3 following conditions:

4 (1) The dog shall be under the control of the patron at  
5 all times, on a leash that is tied or fastened to keep  
6 the dog within two feet of the patron;

7 (2) The dog shall remain at the patron's seating area and  
8 on the floor;

9 (3) The dog shall not interfere with the activities of the  
10 restaurant or bar's employees, shall not obstruct any  
11 pathways, and shall not enter any food preparation  
12 areas;

13 (4) The dog shall not relieve itself within the restaurant  
14 or bar, bark, or otherwise disturb other patrons; and

15 (5) The dog and patron shall abide by any other conditions  
16 that the owner or manager of the restaurant or bar may  
17 impose.

18 (b) A restaurant or bar that permits dogs shall have  
19 safety and sanitation control procedures in effect to:



1       (1) Immediately clean any animal feces, urine, waste,  
2           saliva, vomitus, or other animal fluids, and properly  
3           disinfect contaminated areas; and

4       (2) Prevent animal waste from entering food preparation  
5           areas.

6       (c) A restaurant or bar that permits dogs shall  
7       prominently post at each entrance a sign displaying the message,  
8       "Dogs are allowed in this establishment." The restaurant or bar  
9       shall post, adjacent to that sign, a list of all conditions  
10       contained in subsection (a) and a clear description of any  
11       additional conditions imposed by the owner or manager on dogs  
12       present in the restaurant or bar.

13       (d) If any of the conditions in subsection (a) are not  
14       met, the owner or manager of the restaurant or bar may require  
15       the patron to remove the dog from the premises.

16       (e) A patron who brings a dog into a restaurant or bar,  
17       and the dog's owner if the owner is not the patron, shall be  
18       liable for any and all property damage and personal injury that  
19       the dog may cause while in the restaurant or bar.

20       (f) For purposes of this section:

1 "Bar" means an establishment that is devoted to the serving  
2 of alcoholic beverages for consumption by guests on the premises  
3 regardless of whether food is served, including but not limited  
4 to taverns, cocktail lounges, and cabarets, including outdoor  
5 areas of bars.

6 "Restaurant" means any place where food is served or  
7 provided to the public at a charge, including outdoor seating  
8 areas, regardless of whether the food is consumed on or off the  
9 premises.

10 (g) If any provisions of this section conflict with  
11 federal law governing service animals, federal law shall  
12 prevail.

13 (h) Nothing in this section shall diminish the rights of  
14 persons with disabilities to request and obtain reasonable  
15 accommodations under chapter 489."

16 SECTION 3. New statutory material is underscored.

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

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# H.B. NO. 389

**Report Title:**

Restaurants; Bars; Dogs

**Description:**

Authorizes restaurant and bar owners and managers, at their discretion, to permit dogs inside a restaurant or bar, subject to certain conditions.

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