

# SENATE BILL REPORT

## SB 5484

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, February 27, 2007

**Title:** An act relating to allowing dogs in bars.

**Brief Description:** Allowing dogs in bars.

**Sponsors:** Senators Jacobsen, Kline, Murray and Poulsen.

**Brief History:**

**Committee Activity:** Labor, Commerce, Research & Development: 1/30/07, 2/27/07 [DPS, DNP, w/oRec].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** That Substitute Senate Bill No. 5484 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Clements, Ranking Minority Member; Franklin, Holmquist and Murray.

**Minority Report:** Do not pass.

Signed by Senator Prentice.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Hewitt.

**Staff:** Jennifer Strus (786-7316)

**Background:** The state Department of Health follows most of the provisions of the United States Food and Drug Administration's 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:** Any entity holding a spirits, beer, and wine restaurant license or a beer and/or wine restaurant license may allow well-behaved, leashed dogs accompanied by their owners on the premises.

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*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.*

**EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Labor, Commerce, Research & Development):** The state Department of Health is required to establish a three year pilot project (until June 30, 2010) by which local health departments can apply for an exemption from the FDA food code to allow dogs in certain designated outdoor portions of premises holding certain liquor licenses; or premises whose main purpose is selling coffee. Local governments who 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:** Not requested.

**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: Allowing dogs in bars makes them more human and comfortable. There is a virtue to having dogs around. The Legislature is encouraged to consider a three-year pilot project to allow dog owners to bring their dogs to outside restaurant areas. This issue is not going to go away.

CON: Washington State has adopted the Federal Drug Administration's Food Code, which prohibits animals in areas where food is being prepared or served. Food industry people want the state rules to be as close to the Food Code as possible. The reason the Food Code prohibits animals in restaurants is because animals can transmit diseases to humans. Also, a number of people are allergic to pets and might object if pets were allowed in restaurants. There is concern that this bill will have a negative effect on service dogs because other dogs will be in close proximity to the service dog and there may be fights.

**Persons Testifying:** PRO: Senator Jacobsen, prime sponsor.

CON: Ned Therien, State Board of Health; Gregg Gruanerfelder, Department of Health; Chad Willwerth, citizen.