

# BILL SUMMARY

## **\*SB 0605 BY \*BURCHETT, WOODSON. (HB 1603 BY \*BROOKSH.)**

Municipal Government - As introduced, authorizes municipalities having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patron companion dogs into designated outdoor dining areas. - Amends TCA Title 4, Chapter 3, Part 18 and Title 6, Chapter 54.

### **Fiscal Summary**

Increase Local Revenue - Exceeds \$50,000/Permissive Increase Local Expenditures - Exceeds \$50,000/Permissive

### **Bill Summary**

This bill authorizes Clarksville, Chattanooga, Knoxville, Nashville, and Memphis to authorize, by ordinance, the presence of companion dogs in outdoor areas of restaurants, if the ordinance provides adequate controls to ensure compliance with the Tennessee Food, Drug and Cosmetic Act and any other applicable statutes or ordinances. An ordinance enacted pursuant to this bill must provide for a permitting process to authorize individual restaurants to permit dogs and to charge applicants and authorized restaurants a reasonable permit fee that the ordinance may establish.

The ordinance must also provide the following:

- (1) No companion dog may be present in the interior of any restaurant or in any area where food is prepared;
- (2) The restaurant has the right to refuse to serve the owner of a companion dog if the owner fails to exercise reasonable control over the companion dog or the companion dog is otherwise behaving in a manner that compromises the

threatens to compromise the health or safety of any person present in the restaurant;

(3) All public food service establishment employees must wash their hands promptly after touching, petting, or otherwise handling a companion dog. Employees must be prohibited from touching, petting, or otherwise handling companion dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment;

(4) Employees and patrons must be instructed that they may not allow companion dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations;

(5) Patrons must keep their companion dogs on a leash at all times and keep their companion dogs under reasonable control;

(6) Companion dogs are not allowed on chairs, tables, or other furnishings;

(7) Accidents involving companion dog waste must be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose must be kept near the designated outdoor area;

(8) A sign or signs reminding employees and patrons of the applicable rules must be posted on the premises in a manner and place as determined by the local permitting authority; and

(9) Companion dogs may not travel through indoor or nondesignated portions of the public food service establishment, and ingress and egress to the designated outdoor portions of the public food establishment must not require entrance into or passage through any indoor area of the food establishment.

ON MAY 7, 2009, THE SENATE ADOPTED AMENDMENTS #1, #2, #3 AND #4 AND PASSED SENATE BILL 605, AS AMENDED.

AMENDMENT #1 substitutes the term "pet dog" for "companion dog" in the bill.

AMENDMENT #2 adds authorization for counties having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patrons' pet dogs into designated outdoor dining areas. The following counties currently have populations over 100,000 or more according to the 2000 federal census: Blount; Davidson; Hamilton; Knox; Montgomery; Rutherford; Shelby; Sullivan; Sumner; Washington; and Williamson.

AMENDMENT #3 adds authorization for the following counties to establish an ordinance and permitting process that would enable restaurants to allow admittance of patrons' pet dogs into designated outdoor dining areas: Bledsoe; Coffee; Franklin; Grundy; Sequatchie; Van Buren; and Warren.

AMENDMENT #4 adds authorization for Carter County to establish an ordinance and permitting process that would enable restaurants to allow admittance of patrons' pet dogs into designated outdoor dining areas.

ON JUNE 11, 2009, THE HOUSE SUBSTITUTED SENATE BILL 605 FOR HOUSE BILL 1603, ADOPTED AMENDMENTS #5 AND #6, AND PASSED SENATE BILL 605, AS AMENDED.

AMENDMENT #5 adds that the provisions of this bill also apply in Blount, Sevier, and Fentress counties.

AMENDMENT #6 removes Bledsoe County from the bill.