

---

---

# A BILL FOR AN ACT

RELATING TO PUBLIC ORDER.

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

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

4           "§321-       Dogs allowed in restaurants.   (a)

5 Notwithstanding any law or rule to the contrary, except as  
6 provided in subsections (g) and (h), at the discretion of the  
7 owner or manager of a restaurant, a restaurant patron may bring  
8 a dog into the restaurant under the following conditions:

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

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

14           (3) The dog shall not interfere with the activities of the  
15           restaurant's employees, shall not obstruct any  
16           pathways, and shall not enter food preparation areas;



1       (4) The dog shall not relieve itself within the  
2       restaurant, bark, or otherwise disturb other patrons;  
3       and

4       (5) The dog and patron shall abide by any other conditions  
5       that the owner or manager of the restaurant may  
6       impose.

7       (b) A restaurant that permits dogs in the restaurant shall  
8 have safety and sanitation control procedures in effect to:

9       (1) Immediately clean any animal feces, urine, waste,  
10       saliva, vomitus, or other animal fluids, and properly  
11       disinfect contaminated areas and surfaces; and

12       (2) Prevent animal waste from entering food preparation  
13       areas.

14       (c) A restaurant that permits dogs in the restaurant shall  
15 post prominently at each entrance a sign displaying the message,  
16 "Dogs are allowed in this restaurant." The restaurant shall  
17 post adjacent to that sign a list of all conditions contained in  
18 subsection (a) and a clear description of any additional  
19 conditions imposed on dogs present in the restaurant by the  
20 owner or manager of the restaurant.



1        (d) If any of the conditions in subsection (a) are not  
2 met, the owner or manager of the restaurant may require the  
3 patron to remove the dog from the restaurant.

4        (e) The restaurant patron who brings a dog into the  
5 restaurant, and the dog's owner if the owner is not the patron,  
6 shall be liable for any and all property damage and personal  
7 injury that the dog may cause while in the restaurant.

8        (f) For purposes of this section, the term "restaurant"  
9 means any place where food is served or provided to the public  
10 at a charge, including outdoor seating areas, regardless of  
11 whether the food is consumed on or off the premises.

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

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

18        SECTION 2. New statutory material is underscored.

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



**Report Title:**

Dogs; Restaurants

**Description:**

Authorizes restaurant owners and managers, at their discretion, to permit dogs inside a restaurant, subject to certain conditions. (Proposed SD1)

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

