

JAN 17 2025

A BILL FOR AN ACT

RELATING TO DOGS.

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

1 SECTION 1. In recognition of the bond between humans and
2 animals and the status of pets as family members, many local
3 businesses are implementing pet-friendly policies to better
4 serve the needs of their customers.

5 The legislature finds that restauranteurs, however, are at
6 a disadvantage, as the State's administrative rules prohibit the
7 presence of non-service animals in restaurants. Some pet owners
8 attempt to circumvent these rules by misrepresenting their pets
9 as service animals, in violation of state law.

10 The legislature also finds that allowing restaurants the
11 option to welcome dogs onto their premises provides restaurants
12 freedom to better serve their customers, dog-owning patrons more
13 dining options to consider visiting with their dog, and
14 businesses an opportunity to broaden their customer base and
15 increase revenues.

16 The legislature further finds that reasonable safeguards
17 can prevent risks to public health that might otherwise result



1 from adopting such a policy. A study published in 2013 in the
2 *Journal of Environmental Health* found no reported incidents
3 associated with allowing pets in restaurants and recommended
4 following the normal safety, sanitation, and hygiene practices
5 to minimize any threat to human health. Several states have
6 passed laws allowing restauranteurs to adopt dog-friendly
7 policies to better serve their customers and in recognition of
8 the growing bond between pets and their owners.

9 The purpose of this Act is to authorize restaurants to
10 allow dogs onto their premises under certain conditions.

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

14 "§321- Dogs allowed on restaurant premises. (a) At the
15 discretion of the owner or manager of a restaurant, a restaurant
16 patron may bring a dog onto the restaurant premises under the
17 following conditions:

18 (1) The dog shall be under the control of the patron at
19 all times and in a carrier or on a leash that is held
20 by the patron or tied to the patron's table;



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

(3) The dog shall remain in a location or area on the restaurant premises designated pursuant to subsection (b);

(4) The dog shall not obstruct pathways, interfere with the activities of the restaurant's employees, or enter the food preparation area;

(5) The dog shall not disturb or interact with other patrons or dogs, except by invitation;

(6) The dog shall be housebroken; provided that if the dog relieves itself on the restaurant premises, the patron shall be responsible for thoroughly cleaning up after the dog and any affected areas;

(7) The patron shall not leave the dog unattended at any time; and

(8) The patron and the dog shall abide by any other conditions that the owner or manager of the restaurant requires.

(b) A restaurant that allows dogs in to enter and remain on the restaurant premises shall:



(1) Determine and designate the location or area and amount of space on the restaurant premises where patrons may be accompanied by dogs;

(2) Prohibit food-service employees from having direct contact with a dog while on duty;

(3) Require that any food-service employee who comes into contact with a dog wash their hands as required by law; and

(4) Post at each entrance a sign displaying the message "Dogs are allowed in this restaurant", and shall also post adjacent to that sign the list of conditions in subsection (a), including a clear description of any additional conditions imposed by the owner or manager of the restaurant.

(c) Pursuant to title 28 Code of Federal Regulations section 35.136, or if any of the conditions in subsection (a) are not met, the owner or manager of the restaurant may require the patron to remove the dog from the restaurant premises.

(d) The restaurant patron who brings a dog onto the restaurant premises and the dog's owner, if the owner is not the



1 patron, shall be liable for all property damages and personal
2 injury that the dog causes while on the restaurant premises.

3 (e) For the purposes of this section, "restaurant" means
4 any place where food is served or provided to the public at a
5 charge, including outdoor seating areas, regardless of whether
6 the food is consumed on or off the premises.

7 (f) If any provision of this section conflicts with
8 federal law governing service animals, federal law shall
9 prevail.

10 (g) Any patron of a restaurant that misrepresents a dog as
11 a service animal to circumvent the requirements of this section
12 shall be subject to fines and penalties pursuant to 347-2.6."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2025.

15 INTRODUCED BY: _____



S.B. NO. 1027

Report Title:

Dogs; Restaurants

Description:

Allows dogs in restaurants at the restaurant owner's or manager's discretion, provided that certain conditions are met.

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