

Regular Session, 2014

SENATE BILL NO. 115

BY SENATOR BUFFINGTON

PUBLIC HEALTH. Amends the Sanitary Code to permit, at the discretion of the operator of a retail food establishment, pet dogs in designated outdoor dining areas of a retail food establishment. (gov sig)

1 AN ACT

2 To enact R.S. 40:4.15, relative to the state Sanitary Code; to provide for an exception to the  
3 state Sanitary Code; to provide for a definition; to provide for pet dogs in the  
4 designated outdoor dining area of a retail food establishment; to provide the  
5 authority to implement rules; to provide for an effective date; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1 R.S. 40:4.15 is hereby enacted to read as follows:

9 **§4.15. Pet dog in designated outdoor dining area of a retail food establishment**

10 **A. For purposes of this Section, "pet dog" means a dog other than a**  
11 **service or guide dog as defined by the Americans with Disabilities Act.**

12 **B. Notwithstanding any provision of the state Sanitary Code or any other**  
13 **law or regulation to the contrary, it shall be lawful for an operator of a retail**  
14 **food establishment to permit a pet dog in the designated outdoor dining area of**  
15 **a retail food establishment.**

16 **C. The office of public health of the Department of Health and Hospitals**  
17 **shall promulgate rules pursuant to the Administrative Procedure Act to**

1           **implement the provisions of this Section and to ensure public safety, health, and**  
2           **welfare.**

3           Section 2. This Act shall become effective upon signature by the governor or, if not  
4           signed by the governor, upon expiration of the time for bills to become law without signature  
5           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7           effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Christopher D. Adams.

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DIGEST

Buffington (SB 115)

Proposed law provides an exception to the state Sanitary Code for an operator of a retail food establishment to permit a pet dog in the designated outdoor dining area of a retail food establishment.

Proposed law provides the office of public health of the Department of Health and Hospitals shall promulgate rules pursuant to the Administrative Procedure Act to implement the proposed law and to ensure public safety, health, and welfare.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:4.15)