



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 122 (as reported without amendment)  
Sponsor: Senator Margaret E. O'Brien  
Committee: Agriculture

### **CONTENT**

The bill would amend the Food Law to do the following:

- Allow a customer's dog in an outdoor dining area of a food service establishment if a health or safety hazard would not result from the dog's presence or activities, and the establishment met certain requirements.
- Specify that the owner of a dog brought into an establishment would be liable for any damage or injury to the establishment, its employees, or a customer caused by the dog.
- Require a food service establishment to notify the local health department that it intended to allow customers' dogs in its outdoor seating area.
- Allow a local unit of government to adopt and enforce an ordinance that was more restrictive than the bill's provisions.
- Permit a food service establishment to deny entry to a customer and his or her dog, determine the space allowed for a dog, and establish other limits.

The bill also would include in the definition of "core item" the proposed requirements pertaining to a dog permitted in an outdoor dining areas (Under the Law, an administrative fine may not be imposed for a "core item" violation unless it is not corrected within 30 days of an evaluation).

MCL 289.1105 et al.

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on local county health departments. The bill would allow a customer to bring a non-service dog into an outdoor dining area of a food service establishment, unless prohibited by a restaurant or a local unit of government. The bill also would establish requirements applicable to establishments that allowed dogs into their outdoor dining areas. As local public health departments are responsible for the regulation of local restaurant operations, they could incur additional regulatory costs to ensure restaurant compliance with the requirements of the bill, in an amount that cannot be determined at this time.

The bill could have a fiscal impact on the State to the extent the Department of Agriculture and Rural Development imposed an administrative fine for uncorrected violations of the bill's requirements.

Date Completed: 5-19-17

Fiscal Analyst: Bruce Baker