

By: Hancock

S.B. No. 476

A BILL TO BE ENTITLED

AN ACT

relating to requirements for and municipal regulation of dogs in an outdoor dining area of a food service establishment.

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

SECTION 1. Chapter 437, Health and Safety Code, is amended by adding Section 437.025 to read as follows:

Sec. 437.025. REQUIREMENTS FOR DOGS IN OUTDOOR DINING AREAS; MUNICIPAL PREEMPTION. (a) A food service establishment may permit a customer to be accompanied by a dog in an outdoor dining area if:

(1) the establishment posts a sign in a conspicuous location in the area stating that dogs are permitted;

(2) the customer and dog access the area directly from the exterior of the establishment;

(3) the dog does not enter the interior of the establishment;

(4) the customer keeps the dog on a leash and controls the dog;

(5) the customer does not allow the dog on a seat, table, countertop, or similar surface; and

(6) in the area, the establishment does not:

(A) prepare food; or

(B) permit open food other than food that is being served to a customer.

1 (b) A municipality may not adopt or enforce an ordinance,
2 rule, or similar measure that imposes a requirement on a food
3 service establishment for a dog in an outdoor dining area that is
4 more stringent than the requirements described by Subsection (a).

5 (c) The requirements described by Subsection (a) do not
6 apply to a service animal, as defined by Section [437.023\(c\)](#).

7 SECTION 2. This Act takes effect September 1, 2019.