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Sponsor Testimony for House Bill 263
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Before the House Economic Development, Commerce, and Labor Committee

Chairman Young, Vice Chair DeVitis, Ranking Member Lepore-Hagan, and members of the House Economic Development, Commerce, and Labor Committee, thank you for allowing me the opportunity to provide sponsor testimony on HB 263, which will permit restaurants and bars the option to allow dogs on their outdoor patios.

HB 263 is important to our state for three reasons. First it allows businesses to make economic decisions without the unnecessary interference from the state regulatory arm. Second, it encourages consumers and tourists to do more business in Ohio. And finally, it responds to a broad entreaty from our constituents to be more pet-friendly.

This is an important piece of legislation because it recognizes that a restaurant or bar owner, not the state, knows what is best for his or her business. It also sends a message that we will continue to roll back unnecessary regulations where appropriate.

For years bars and restaurants have been allowing dogs on their patios with much success and with little, if any, public outcry or sanitation issues. However, in May of this year, the Franklin County Public Health Department started enforcing section 3717-1-06.4 (O) of the Ohio Administrative Code, prohibiting restaurants from having dogs on their patios in response to a complaint they received. I decided to introduce this legislation when I learned local restaurants and bars were being forced to stop permitting dogs on their patios.

Since the introduction of this bill, my office has heard from businesses who have been hurt by the enforcement of the restrictions. These enforcement actions have resulted in a significant decrease in foot and paw traffic. And as many of us know, in the food and beverage industry, even a marginal decrease in revenue can have a major impact on the restaurant's viability. The businesses that have been affected come from all over the state. And even restaurants that won't be allowing dogs on their patios are also supportive of giving other proprietors the right to choose how to run their operations.

Allowing dogs on restaurant and bar patios will also be important to tourism in Ohio. Hotels, airplanes, and stores have seen the importance of being pet-friendly. These businesses are capitalizing on a previously untapped market: travelers with pets. Many hotels are now Rover-ready. Dog parks have opened throughout the state as have many dog-friendly festivals and events. Travel guides have popped up to advise consumers on the most pet-friendly places to visit in any particular town. Web

sites like bringfido.com and dogfriendly.com continue to direct pet owners to the most dog-friendly restaurants in Ohio despite the current enforcement prohibiting dogs on patios. When people are traveling across the state and would like to stop and eat, they only have the option of eating from a drive-through restaurant or leaving their dog in their vehicle while they sit down, which of course is dangerous for the dog. Other states, such as Florida, California and Maryland, have been allowing dogs on restaurant patios for years. It's even wending its way through the Michigan legislature as we speak.

Finally, to say this is popular with dog owners would be an understatement. This issue resonates with the more than 40% of Ohioans who have canine companions. One local group that got its start because of this issue, Ohio 4 Pups on Patios, originated an online petition with nearly 10,000 signatures. Other groups supporting this legislation are Columbus Chamber of Commerce, Ohio Restaurant Association, Humane Society of the US, and the ASPCA. Media outlets all over the state have been covering this bill because frankly Fido stories are always fun. Dog owners love this bill because it allows them to spend time with their pets after work and to socialize with their friends, which of course brings us back to why this is good for the restaurant and bar industry. All age groups from empty nesters to millennials have been contacting our office to tell us how much they support this proposal.

It's important to note that this bill does not affect service dogs, which will continue to be allowed on patios as well as inside restaurants as permitted under current law. It is also important to note that we recognize the sanitary concerns and have met with those who are tasked with protecting the health of consumers. Both the Franklin County Public Health Department and the Ohio Department of Health took part in our interested party meeting as we worked to develop some common-sense guidelines for proper sanitation procedures, which will be included in a later, substitute bill. Some of the restrictions we will likely be including will: require an outdoor access to the patio to prevent dogs from walking through indoor facilities, give restaurant owners full discretion on the dogs they allow, and mandate that dog-specific sanitation kits be readily available. As part of our office's due diligence, my staff has called health departments in other states to see if there had been any increase in sanitation or health concerns after allowing dogs on patios in their localities. There had not.

This legislation is about rolling back unnecessary and onerous regulations and putting the decisions back in the hands of the business owners. When market forces dictate the reasonable decisions of business owners rather than the legislature, commerce will thrive. When Ohio rolls out the red carpet to travelers with pets, revenue from tourism will increase. And when Ohioans can take their dogs to restaurant patios to enjoy a drink or dinner with a friend, quality of life for those patrons will be enhanced. On behalf of businesses, tourists and dog owners, I ask that you support this legislation.

Thank you for allowing me to present testimony on this bill, and I will gladly answer any of your questions.