

October 9, 2017

The Ohio House Economic Development, Commerce, and Labor Committee
c/o Graham Lescallete

Re: Proponent testimony to HB 263

Dear Chairman Young and Honorable Members of the House Economic Development, Commerce, and Labor Committee,

I submit this written testimony regarding House Bill 263 ("HB 263"), a bill currently under your guidance that would allow food service establishments to choose whether or not to allow dogs to join humans on outdoor patios. I am an attorney that serves as a prosecutor for animal cruelty cases, as well as practicing animal law generally. I also act as a board member for several animal welfare and rescue organizations, and unsurprisingly, have pets of my own.

Ohio has made great strides in animal welfare over the past several years. I agree with the sentiments of this bill's sponsor, Representative Lanese, that HB 263 is an important bill for our state. Current law, OAC 3717-1-06.4 (O), is based on the unfortunate assumption that both food establishment owners and dog owners are incapable of making common-sense decisions about health and safety. Until recent enforcement of OAC 3717-1-06.4 (O) began, many food establishments hosted not only individual dog owners on their patios, but also larger-scale events for local dog shelters, rescues, and other animal-based community events. Having attended many of these events, I am confident that both food establishment owners and dog owners are more than capable of managing their business and maintaining a safe environment for humans and dogs alike. HB 263 removes the assumption that food establishment owners are incapable of making decisions about their business—something I believe that has been demonstrated to be false prior to the aggressive enforcement of OAC 3717-1-06.4 (O). In addition, HB 263 does not invalidate other existing food health and safety laws. Food establishments must continue to meet those standards if they choose to allow dogs in outdoor dining areas.

Other states have enacted similar legislation allowing dogs on patios with success, or simply have no law prohibiting animals on patios. HB 263 acknowledges that dogs are important to our community, and that we value not only their presence, but the presence of their human family members at our food establishments. Just last year, Ohio enacted Senate Bill 215, which allows Good Samaritans to break into a vehicle and save an animal in distress from hot or cold weather. Clearly, Ohioans do not approve of animals being left in vehicles. Yet, when people are traveling with their dogs in Ohio, their only safe option for food is a drive-thru. I know that all too well, as I frequently travel with my dog. When there are no establishments available where I can take a break from the road and enjoy a meal, I end up making a quick stop at a drive-thru. This means I am not able to see or experience the town I've chosen for a break because I am unwilling to compromise the safety of my dog by leaving her in the car. Laws like OAC 3717-1-06.4 (O) are a disservice to dog owners, food establishments, and the tourism industry.

I encourage this Committee to support HB 263. The business of "pets" is booming, a multi-billion dollar industry, as more and more people value their pets as family. Dog-friendly communities have a major economic advantage and HB 263 is common-sense legislation that allows business owners to tap into the industry, if they so choose. It also allows business owners to continue supporting charitable animal welfare organizations, which aim to reduce a major community and tax-payer issue in this state—pet overpopulation. I appreciate your attention to this matter.

Yours truly,
DanaMarie K. Pannella, Attorney at Law