

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 112 (Delegates Morhaim and Boutin)
Health and Government Operations

Health - Food Service Facility - Dogs

This bill allows a food service facility owner to determine whether a dog is permitted inside the facility. It codifies the regulatory requirement that food service facilities must allow a guide dog accompanying a blind or deaf person to enter customer service areas.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances. Inspection procedures would not change.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: State health regulations prohibit live birds or animals from an area used for the storage, preparation, or serving of food, or in other specified areas. However, the regulations allow guide dogs accompanying blind or deaf persons to enter customer service areas.

The federal Americans with Disabilities Act (ADA) prohibits excluding people with disabilities from everyday activities. The ADA covers private businesses that provide goods or services to the public. Complying with the ADA requires businesses to change any policies or procedures that exclude or limit participation by people with disabilities. For example, if a business excludes all animals from its premises, its policy should be

changed to allow people who use seeing-eye dogs and hearing-assist dogs to enter the business with their service animals.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene; *ADA Guide for Small Businesses*, U.S. Small Business Administration and the U.S. Department of Justice, June 1999; Department of Legislative Services

Fiscal Note History: First Reader - January 22, 2004
mh/jr

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