

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2291

By Committee on Commerce, Labor and Economic Development

2-3

1 AN ACT concerning food establishments ~~that are microbreweries;~~
2 permitting ~~such~~ food establishments to allow dogs **in outside areas** on
3 the premises **and food establishments that are microbreweries to**
4 **allow dogs in outside and inside areas on the premises**
5 notwithstanding certain provisions of the Kansas food code;
6 establishing conditions therefor.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) Notwithstanding any other provisions of state law, a
10 food establishment, as defined in K.S.A. 2022 Supp. 65-656, and
11 amendments thereto, that is a microbrewery as defined in K.S.A. ~~48-201~~
12 **41-102**, and amendments thereto, and is licensed as provided in K.S.A. ~~48-~~
13 ~~308b~~ **41-308b**, and amendments thereto, may allow live dogs **in outside**
14 **and inside areas** on the premises if the conditions specified in subsection
15 ~~(b)~~ **(c)** are met.

16 **(b) Notwithstanding any other provisions of state law, a food**
17 **establishment, as defined in K.S.A. 2022 Supp. 65-656, and**
18 **amendments thereto, that is not a microbrewery as defined in K.S.A.**
19 **41-102, and amendments thereto, may allow live dogs in outside areas**
20 **on the premises, if the conditions as specified in subsection (c) are met.**

21 ~~(b)(c)~~ The following conditions shall be met, ~~for both indoor and~~
22 ~~outdoor areas as applicable,~~ by a food establishment ~~that is a~~
23 ~~microbrewery as provided by subsection (a)~~ for dogs to be permitted on
24 such food establishment's premises ~~pursuant to this section~~ **as permitted**
25 **by subsections (a) and (b):**

26 (1) The food establishment shall prepare a written plan describing the
27 processes and procedures in place to prevent food contamination from
28 dogs on the premises. The plan shall be posted next to the food
29 establishment license inside the premises of the food establishment. The
30 employees of the food establishment shall be trained on the plan, and the
31 plan shall be made available to the Kansas department of agriculture upon
32 request;

33 (2) dogs shall be under handler control. Dogs shall be well behaved
34 and respond to their handler's command. Dogs belonging to food
35 establishment owners, management or employees shall not be required to
36 be leashed. Dogs belonging to guests of the food establishment shall be

1 leashed at all times;

2 (3) **with respect to a food establishment that is a microbrewery, as**
3 **provided by subsection (a)**, dogs in indoor areas shall not be permitted in
4 food or drink preparation areas, including, but not limited to, kitchens and
5 behind bars;

6 (4) dogs shall not be permitted on dining surfaces, including tables,
7 bars or counter tops;

8 (5) dogs shall not be fed or watered from any food establishment
9 equipment, including, but not limited to, plates, bowls and utensils, except
10 for single-service items that are disposed of immediately following such
11 use;

12 (6) an area outside the food establishment shall be designated for dog
13 urination and defecation;

14 (7) employees shall be required to wash their hands after contact of
15 any kind with a dog prior to handling any food, drink, utensil or food or
16 drink production, preparation or serving equipment or the preparation or
17 use of surfaces that may come into contact with food or drink;

18 (8) guests shall be advised to wash their hands after any contact with
19 a dog; and

20 (9) a process for immediately sanitizing equipment or surfaces used
21 for the production, preparation, serving or consumption of food or drink if
22 a dog has contact with such equipment or surfaces shall be developed and
23 followed by the food establishment. This process shall include instructions
24 for disposing of contaminated food or drink.

25 Sec. 2. This act shall take effect and be in force from and after its
26 publication in the statute book.