Ohio Legislative Service Commission

Bill Analysis

Andrea Holmes

H.B. 241

129th General Assembly
(As Introduced)

Rep. Phillips and Sprague, Fende, Garland, O'Brien, Yuko, Pillich, Stinziano, Okey, Ashford, Beck, Antonio, Slaby, Ruhl, Murray, Letson

BILL SUMMARY

- Entitles an employee of a law enforcement agency or a trainer of a law enforcement dog who is accompanied by the law enforcement dog to the full and equal accommodations, advantages, facilities, and privileges of all places to which the general public is invited, with certain specified exceptions.
- Expands the persons protected by the prohibition against depriving an entitled person of the rights described in the preceding dotpoint to include an employee of a law enforcement agency or a trainer of a law enforcement dog who is accompanied by a law enforcement dog.

CONTENT AND OPERATION

Full and equal access to places of public accommodation

The bill entitles an employee of a law enforcement agency or a trainer of a law enforcement dog who is accompanied by a law enforcement dog, the full and equal accommodations, advantages, facilities, and privileges of all public conveyances, hotels, lodging places, all places of public accommodation, amusement, or resort, all institutions of education, and other places to which the general public is invited. The employee or trainer may take the dog into such conveyances and places, subject only to the conditions and limitations applicable to all persons not so accompanied and the following exceptions:[1]

(1) The dog must not occupy a seat in any public conveyance.

[1] R.C. 955.43(A).

(2) The dog must be upon a leash while using the facilities of a common carrier.

Under existing law, a blind, deaf or hearing impaired, or mobility impaired person or a trainer of an assistance dog is entitled to the rights described above when the person or trainer is accompanied by an assistance dog.[2]

Prohibition against deprivation of rights granted by bill

Existing law prohibits any person from depriving a blind, deaf or hearing impaired, or mobility impaired person or a trainer of an assistance dog who is accompanied by an assistance dog of any of the advantages, facilities, or privileges described above under "**Full and equal access to places of public accommodation**."[3] A person who violates this prohibition is guilty of a fourth degree misdemeanor.[4]

The bill additionally prohibits a person from depriving an employee of a law enforcement agency or a trainer of a law enforcement dog who is accompanied by a law enforcement dog of any of the advantages, facilities, or privileges described above under "**Full and equal access to places of public accommodation**." It also prohibits any person from charging the employee or trainer a fee or charge for the dog.[5] A person who violates either prohibition is guilty of a fourth degree misdemeanor.[6]

Definitions

The bill defines the following terms:

"***Law enforcement dog***" means a "law enforcement canine," which means a dog regularly utilized by a law enforcement agency for general law enforcement purposes, tracking, or detecting the presence of a controlled substance or explosive.[7]

"***Law enforcement agency***" means the state highway patrol, the office of a county sheriff, the police department of a municipal corporation or township, or a township or joint township police district.[8]

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[2] *Id*.

[3] R.C. 955.43(B).

[4] R.C. 955.99(D), not in the bill.

[5] R.C. 955.43(B).

[6] R.C. 955.99(D), not in the bill.

[7] R.C. 955.43(C)(1), by reference to R.C. 955.012, which is not in the bill.

[8] R.C. 955.43(C)(2), by reference to R.C. 955.012.

HISTORY

ACTION	DATE
Introduced	05-25-11

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