

HOUSE BILL 1635

By Haston

AN ACT to amend Tennessee Code Annotated, Section 6-54-135; Title 39, Chapter 14, Part 2; Title 44 and Title 68, relative to animals in food service establishments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 14, Part 7, is amended by adding the following as a new section:

(a) Except as specified in subsections (b) and (c), live animals are prohibited in all indoor areas of food service establishments.

(b) Live animals are permitted in indoor areas of food service establishments in the following situations if the owner or operator of the food service establishment does not permit live animals to physically contact food, serving dishes, utensils, tableware, linens, unwrapped single-service and single-use articles, or other food service items that may result in contamination of food or food-contact surfaces and does not permit live animals to physically contact employees engaged in the preparation or handling of food:

(1) Fish or crustacea in aquariums or display tanks;

(2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas;

(3)

(A) Service animals accompanying persons with disabilities in areas that are not used for food preparation;

(B) As used in subdivision (b)(3)(A), "service animal" means an animal that is individually trained, or being trained by an employee or

puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability. An animal whose sole function is to provide comfort or emotional support is not a service animal; and

(4) In areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, including, but not limited to, a variety store that sells pets or a tourist park that displays animals.

(c) Live or dead fish bait may be stored if contamination of food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles cannot result.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.