



# Ohio Legislative Service Commission

## Bill Analysis

Andrea Holmes

### H.B. 226

129th General Assembly  
(As Introduced)

Rep. Sprague

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## BILL SUMMARY

- Entitles an employee of a law enforcement agency or a trainer of a law enforcement dog who is accompanied by a law enforcement dog that is being used for the purposes of law enforcement or training, as applicable, to full and equal accommodations, advantages, facilities, and privileges of all places to which the general public is invited, with certain specified exceptions.
- 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 that is being used for the purposes of law enforcement or training, as applicable, from any of the advantages, facilities, or privileges described in the prior dot point and from charging the employee or trainer a fee or charge for the dog.

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## CONTENT AND OPERATION

### Full and equal access to places of public accommodation

#### Equal access

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 that is being used for the purposes of law enforcement or training, as applicable, 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:<sup>1</sup>

- (1) The dog must not occupy a seat in any public conveyance.
- (2) The dog must be upon a leash while using the facilities of a common carrier.

Under existing law, only 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.

### **Prohibition against denying equal access**

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 "**Equal access**." It also prohibits a person from charging the person or trainer a fee or charge for the dog.<sup>2</sup> A person who violates this prohibition is guilty of a fourth degree misdemeanor.<sup>3</sup>

The bill expands the prohibitions described above to also prohibit 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 that is being used for the purposes of law enforcement or training, as applicable, of any of the advantages, facilities, or privileges described above under "**Equal access**" and from charging the employee or trainer a fee or charge for the dog.<sup>4</sup> A violation of the prohibition is a fourth degree misdemeanor as under existing law.

### **Definitions**

The bill defines the following terms:

**"Law enforcement dog"** 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.<sup>5</sup>

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<sup>1</sup> R.C. 955.43(A).

<sup>2</sup> R.C. 955.43(B).

<sup>3</sup> R.C. 955.99(D), not in the bill.

<sup>4</sup> R.C. 955.43(B).

<sup>5</sup> R.C. 955.43(C)(1) by reference to R.C. 955.012.

*"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.<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	05-11-11

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<sup>6</sup> R.C. 955.43(C)(2) by reference to R.C. 955.012.

