

# Legislative Analysis



## ALLOW DOGS IN CERTAIN LICENSED PREMISES

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4204 as introduced**  
**Sponsor: Rep. Natalie Price**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 4205 as introduced**  
**Sponsor: Rep. John Roth**

**Committee: Regulatory Reform**  
**Complete to 4-23-25**

### SUMMARY:

House Bill 4204 would amend the Food Law to allow dogs to enter a *qualified premises* if certain requirements are met, and House Bill 4205 would define the term *qualified premises* for purposes of those provisions.

*Qualified premises* would mean any of the following:

- The licensed premises of a micro brewer.<sup>1</sup>
- The licensed premises of a small wine maker.<sup>2</sup>
- A tasting room.<sup>3</sup>

The Food Law adopts several sections of the 2009 federal Food and Drug Administration's Food Code by reference and makes certain modifications to the code in the act.<sup>4</sup> Section 6-501.115 of the code prohibits live animals from being on the premises of a food establishment except in certain situations where the contamination of food, clean equipment, utensils and linens could not result from the animal's presence.

The bills would modify the Food Law to allow a dog controlled by a customer to be present on a *qualified premises* if all of the following apply:

- The qualified premises does not serve food.
- A health or safety hazard will not result from the presence or activities of the dog.
- All of the following requirements are met:
  - The customer is 18 years of age or older.
  - The customer keeps the dog on a leash.
  - The dog is not unattended.
  - The dog is not allowed in an area where drinks are prepared.
  - The dog is not allowed on a seat, chair, or customer's lap and is not allowed to contact a tabletop, countertop, or similar surface in the qualified premises.
  - The dog is not allowed to contact reusable tableware unless the tableware is dedicated for use by dogs and readily distinguishable as such or is provided by the customer handling the dog.

<sup>1</sup> Micro brewer is defined here: <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-436-1109>

<sup>2</sup> Small wine maker is defined here: <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-436-1111>

<sup>3</sup> Tasting room is defined here: <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-436-1113>

<sup>4</sup> <https://www.fda.gov/food/fda-food-code/food-code-2009>

- An employee who touches the dog or cleans waste from the dog's bodily functions does not serve beverages or handle tableware until they have washed their hands.
- The qualified premises is maintained free of visible dog hair, dog dander, and other dog-related waste and debris and is cleaned and disinfected appropriately as needed.
- Surfaces contaminated by the waste created from a dog's bodily functions are immediately cleaned and disinfected.
- Equipment used to clean and that comes in contact with waste from a dog's bodily functions is stored separately from all other cleaning equipment and is not used for other cleaning purposes.
- All dog waste is disposed of at least daily outside of the qualified premises in a covered waste receptacle.

Under the bills, a qualified premises could do any of the following:

- Determine the location and the amount of space designated for a customer accompanied by a dog.
- Establish a limit on the size and type of dog and any other limitation relating to a customer's dog.
- Deny a customer and their dog entry to, or eject them from, the qualified premises.

MCL 289.6101 (HB 4204)

MCL 289.1111 (HB 4205)

## **FISCAL IMPACT:**

A fiscal analysis is in progress.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.