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BILL ANALYSIS



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Senate Bill 200 (as introduced 3-20-25)
Sponsor: Senator Sam Singh
Committee: Economic and Community Development

Date Completed: 10-29-25

CONTENT

The bill would amend the Food Law to allow a customer's non-service, non-police dog to accompany the customer into the outdoor area of a food establishment under certain circumstances.

Among other things, the Law incorporates by reference the Food and Drug Administration's Food Code 2009 as the Michigan Modified Food Code (MMFC). The MMFC contains eight chapters that regulate management and personnel, equipment and utensils, food, and more. Generally, Chapter 6 (Physical Facilities) of the MMFC prohibits the presence of live animals in food establishments. Certain animals, including service animals, police dogs on duty, and decorative fish, are allowed.

The bill would modify Chapter 6 of the MMFC to allow a customer aged 18 or older, who kept the customer's dog on a leash, to bring that dog into the outdoor dining area of a food service establishment.¹

To allow customers to bring their dogs into an outdoor dining area, a food service establishment would have to notify the local health department in writing that the establishment intended to allow customers' dogs to accompany customers in the outdoor dining area of the food service establishment at least 30 days before beginning the practice. The notice would be effective while the food service establishment remained in business. Additionally, an establishment would have to maintain and make available to the local health department, the Michigan Department of Agriculture and Rural Development (MDARD), and a customer upon request written procedures that ensured compliance with the requirements below.

A food service establishment that allowed a customer to bring that customer's dog to an outdoor dining area also would have to clean and disinfect the outdoor dining area and generally maintain strict separation between food products and a dog, the products of a dog's bodily functions, and equipment or supplies used to clean the products of a dog's bodily functions.

The bill would allow a food service establishment to do the following:

- Determine the location and the amount of space designated for a customer accompanied by the customer's dog.

¹ Specifically, the bill would modify Section 6-501.115(B) of the MMFC by adding subparagraph (6). For more detail:

https://www.michigan.gov/-/media/Project/Websites/mdard/documents/food-dairy/laws/mi_modified_2009_food_code.pdf?rev=fff7e01364af4bed846a1cfa52b40fa

- Establish a limit on the size and type of dog and any other limitation relating to a customer's dog.
- Deny entry or eject from the food service establishment a customer and the customer's dog.

A customer could only bring a dog into an outdoor dining area if that dog did not pass through the interior or playground area of the establishment. This would include areas where food was prepared. A separate entrance would have to be provided from the exterior of the food service establishment to the outdoor dining area. A dog would not be allowed on or to otherwise touch a seat, chair, customer's lap or similar surface, or reusable tableware.

The owner of a dog brought into a food service establishment would be liable for any damage or injury caused by the dog to the food service establishment, an employee of the food service establishment, or a customer of the food service establishment. The bill would allow a county, city, village, or township to adopt and enforce a more restrictive ordinance.

Finally, the bill would add its requirements to the definition of "core item", which generally means a provision of the MMFC that is not designated as a priority item. "Priority item" means a provision in the MMFC whose application contributes directly to the elimination, prevention, or reduction to an acceptable level of hazards associated with foodborne illness or injury if there is no other provision that more directly controls the hazard. Generally, these terms indicate the seriousness of a standard or rule within the MMFC and determine the severity of punishment for certain violations. The Law prohibits MDARD from imposing fines for MMFC violations other than for priority items or repeated violations that are uncorrected beyond allowable timeframes for correction. The Law also prohibits MDARD from imposing an administrative fine for a core item violation of the MMFC unless the violation is not corrected within 30 calendar days after the evaluation.

MCL 289.1105 et al.

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Similar bills have been introduced every session since the 2011-2012 Legislative Session. In 2016 and 2017, Senate Bills 122 and 727, respectively, passed the Senate but received no further action in the House.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill would have no significant fiscal on MDARD and local governments. There would be some time and effort required to review procedures and provide education on the bill's provisions for MDARD and local health departments.

Fiscal Analyst: Bruce R. Baker
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.