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# Wisconsin Legislative Council

## ACT MEMO

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April 4, 2022

### 2021 Wisconsin Act 143 [2021 Senate Bill 298]

### Allowing Dogs on the Premises of Certain Retail Establishments

Under Wisconsin law, the Department of Agriculture, Trade and Consumer Protection (DATCP) has the authority to promulgate rules governing the operation of retail food establishments. These rules may include standards for the construction and maintenance of facilities; the design, installation, cleaning, and maintenance of equipment and utensils; personnel sanitation; food handling, display, and storage; and food sources or food labeling. Current DATCP rules prohibit live animals on the premises of any food establishment, with certain exceptions.

2021 Wisconsin Act 143 provides that DATCP may not promulgate a rule prohibiting dogs from the premises of a retail food establishment that sells only previously packaged food. The act therefore makes DATCP's rule prohibiting live animals on the premises of any food establishment unenforceable as it relates to the presence of dogs on the premises of retail food establishments that sell only previously packaged food.

**Effective date:** March 6, 2022

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