WSR 26-19-039
PROPOSED RULES
STATE BOARD OF HEALTH
[Filed September 10, 2026, 5:09 p.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: Amending chapter 246-203 WAC to create a new section to allow pet dogs to be present in domestic breweries and microbreweries: Pet dogs in domestic breweries and microbreweries.

Hearing Location(s): On November 18, 2026, at 1:30 [p.m.], at Snohomish County Health Department, 3020 Rucker Avenue, Everett, WA 98201, First-floor auditorium; or virtual meeting via Zoom webinar at https://us02web.zoom.us/webinar/register/WN_m0uliPy0Q_yQgZZHZdbKXA, Webinar ID 817 0952 3832, Passcode 682856.

Date of Intended Adoption: November 18, 2026.

Submit Written Comments to: Ash Noble, P.O. Box 47990, Olympia, WA 98504-7990, email ash.noble@sboh.wa.gov, beginning September 28, 2026, by 11:59 p.m., October 23, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule making is to comply with RCW 66.24.240(7) and 66.24.244(8), which require the state board of health (board) to adopt rules to allow dogs to be present in domestic breweries and microbreweries that are not subject to food service permits. This proposal will require a new subsection to be added to chapter 246-203 WAC, General sanitation.

Reasons Supporting Proposal: RCW 66.24.240(7) and 66.24.244(8) require the board to "adopt rules to allow dogs on the premises of licensed domestic breweries that do not provide food service subject to a food service permit requirement." The 2025 legislature passed EHB 1602 (chapter 141, Laws of 2025) that amended multiple statutes to allow domestic breweries and microbreweries to provide food service via contract kitchens. A contract kitchen may take the form of a mobile food service, such as a food truck, or other independently operated food service provider. The bill was codified as RCW 66.24.240, 66.24.244, 66.24.320, 66.24.410, 66.04.010, and 66.24.400, and became effective July 27, 2025.

These amendments require changes to board rules allowing a domestic brewery or microbrewery that doesn't provide food service themselves or via a contract kitchen to allow pet dogs to be present on site.

Statutory Authority for Adoption: RCW 66.24.240 and 66.24.244 require the board to adopt rules regarding the presence of dogs in breweries and microbreweries that do not provide or contract for food service.

Statute Being Implemented: The authorizing statutes and the statutes to be implemented are the same.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state legislature, governmental.

Name of Agency Personnel Responsible for Drafting: Ash Noble, P.O. Box 47990, Olympia, WA 98504-7990, 564-200-3685; Implementation: Local boards of health implement and enforce the state board of health's general sanitation rules, chapter 246-203 WAC; and Enforcement: There are no penalties associated with this rule making. It is permissive and not mandatory.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule is exempt from the requirements of RCW 34.05.328, including a cost-benefit analysis, because the content of the rule "is explicitly and specifically dictated by statute."

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Explanation of exemptions: RCW 66.24.240(7) requires the board to "adopt rules to allow dogs on the premises of licensed domestic breweries that do not provide food service subject to a food service permit requirement." RCW 66.24.244(8) requires the board to adopt the same rule for microbreweries. The provisions of the rule are stated in the authorizing statute.

Scope of exemption for rule proposal:

Is fully exempt.

September 10, 2026
Michelle A. Davis
Executive Director

RDS-7373.1

NEW SECTION

WAC 246-203-015 Dogs in breweries and micro breweries that are not licensed food service establishments. (1) This section applies to domestic breweries licensed under RCW 66.24.240 and microbreweries licensed under RCW 66.24.244 that do not provide or subcontract for food service subject to a food service permit under chapter 246-215 WAC.

(2) A domestic brewery or microbrewery that does not provide or subcontract for food service subject to a food service permit under chapter 246-215 WAC may choose to allow pet dogs to be present on the premises.

(3) A domestic brewery or microbrewery may not prohibit a patron from bringing a service animal as defined by RCW 49.60.040 on the premises.