

# SENATE BILL 714

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6lr1755  
CF HB 1233

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By: **Washington County Senators**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 3, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington County – Mobile Food Service Facilities and Semipermanent Food**  
3 **Service Facilities – Toilet and Lavatory Facilities**

4 FOR the purpose of exempting mobile food service facilities and semipermanent food  
5 service facilities located in Washington County from the requirement that a food  
6 service facility have a lavatory and toilet; and generally relating to mobile food  
7 service facilities and semipermanent food service facilities in Washington County.

8 BY repealing and reenacting, without amendments,  
9 Article – Health – General  
10 Section 21–301(a) and (j–2)  
11 Annotated Code of Maryland  
12 (2023 Replacement Volume and 2025 Supplement)

13 BY adding to  
14 Article – Health – General  
15 Section 21–301(i–1)  
16 Annotated Code of Maryland  
17 (2023 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Health – General  
20 Section 21–309(a) and 21–325  
21 Annotated Code of Maryland  
22 (2023 Replacement Volume and 2025 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Health – General**

4 21–301.

5 (a) In this subtitle the following words have the meanings indicated.

6 **(I-1) “MOBILE FOOD SERVICE FACILITY” MEANS A FOOD SERVICE FACILITY**  
7 **WHICH IS A MECHANICALLY, ELECTRICALLY, MANUALLY, OR OTHERWISE**  
8 **PROPELLED VEHICLE OPERATING ON LAND OR WATER.**

9 (j-2) (1) “Semipermanent food service facility” means a food service facility that:

10 (i) Is built at a location other than where it operates;

11 (ii) Is transported as a complete unit that does not require a building  
12 permit to install on the location at which it operates;

13 (iii) Has no indoor seating for patrons; and

14 (iv) When serving cooked food, serves only foods cooked for  
15 immediate service.

16 (2) “Semipermanent food service facility” does not include a food service  
17 facility that is a mechanically, electrically, manually, or otherwise propelled vehicle  
18 operating on land or water that moves as part of its routine operation to:

19 (i) Change location for sales;

20 (ii) Obtain food and other supplies;

21 (iii) Fill potable water supply holding tanks;

22 (iv) Empty wastewater holding tanks; or

23 (v) Provide for the cleaning and sanitation of equipment and  
24 utensils.

25 21–309.

26 (a) (1) In this section the following terms have the meanings indicated.

1           (2)    [“Mobile food service facility” means a food service facility which is a  
2 mechanically, electrically, manually, or otherwise propelled vehicle operating on land or  
3 water.

4           (3)]    “On–farm food service facility” means a food service facility that:

5                   (i)    Is located on a farm;

6                   (ii)   Serves food as designated by the Department; and

7                   (iii)   Operates during a period of time of not more than 30 consecutive  
8 days with up to two renewals in a 1–year period.

9           [(4)] (3)    “Temporary food service facility” means a food service facility  
10 which operates during a period of time of not more than 30 consecutive days at a fixed  
11 location in conjunction with a fair, carnival, public exhibition, construction project,  
12 recreational facility, or similar gathering.

13 21–325.

14           (a)    Subject to subsection (d) of this section, each food establishment shall have:

15                   (1)    A convenient toilet that is:

16                           (i)    Except as provided in subsection (c) of this section, separated  
17 from any room in which food is manufactured, prepared, packed, canned, frozen, sold, or  
18 distributed;

19                           (ii)   Kept in a sanitary condition; and

20                           (iii)   Properly ventilated; and

21                   (2)    A convenient lavatory that is:

22                           (i)    Supplied with soap, water, towels, or other approved hand drying  
23 devices;

24                           (ii)   Kept in a sanitary condition; and

25                           (iii)   Properly ventilated.

26           (b)    (1)    **THIS SUBSECTION DOES NOT APPLY TO A MOBILE FOOD SERVICE**  
27 **FACILITY OR A SEMIPERMANENT FOOD SERVICE FACILITY LOCATED IN**  
28 **WASHINGTON COUNTY.**

1           **(2)** Each food service facility which prepares food and provides seating for  
2 patrons established after January 1, 1979, shall have available for the public:

3           **[(1)] (I)** A convenient toilet that is kept in a sanitary condition; and

4           **[(2)] (II)** A convenient lavatory that is:

5                   **[(i)] 1.** Supplied with soap, water, towels, or other approved hand  
6 drying devices;

7                   **[(ii)] 2.** Kept in a sanitary condition; and

8                   **[(iii)] 3.** Properly ventilated.

9           (c) A room that houses a toilet may be constructed within a larger room in which  
10 food is manufactured, prepared, packed, canned, frozen, sold, or distributed.

11           (d) (1) This subsection applies only to a food establishment that is:

12                   (i) A business that conducts agritourism, as defined in § 4–212 of  
13 the Land Use Article;

14                   (ii) A Class 4 limited winery licensed under § 2–206 of the Alcoholic  
15 Beverages and Cannabis Article; and

16                   (iii) A Class 8 farm brewery licensed under § 2–210 of the Alcoholic  
17 Beverages and Cannabis Article.

18           (2) A food establishment may comply with the requirement to provide a  
19 convenient lavatory by providing a portable chemical toilet that:

20                   (i) Otherwise meets the requirements of subsection (a)(2) or **[(b)(2)]**  
21 **(B)(2)(II)** of this section; and

22                   (ii) Is placed at least 25 feet from a well.

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2026.