

Department of Legislative Services  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 866  
Finance

(Senator A. Washington)

Health

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**Public Health - Chain Restaurants - Disclosure and Notice to Customers of  
Sodium and Added Sugars**

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This bill requires each “chain restaurant,” beginning January 1, 2027, to display on each menu or menu board a written disclosure and notice to customers that (1) standard menu items may contain high sodium or high sugar, and (2) full nutritional information is available through a QR Code, online, or by request. A chain restaurant may comply with this requirement by making the full nutritional information of the food and beverage item available (1) through a QR Code that links to the restaurant’s online nutritional information and (2) on request of a customer, in any printed format. Violators of the bill are subject to certain existing penalty provisions. During calendar 2027, the Maryland Department of Health (MDH) must direct chain restaurants to its website to explain the purpose of the bill and how a chain restaurant may comply. **The bill takes effect July 1, 2026.**

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**Fiscal Summary**

**State Effect:** MDH can direct chain restaurants to its website and train local health department (LHD) inspectors with existing budgeted resources. Revenues are not affected.

**Local Effect:** LHDs can inspect chain restaurants’ menus during the standard inspection process using existing budgeted resources. Revenues are not affected.

**Small Business Effect:** Potential meaningful.

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## Analysis

### Bill Summary:

#### *Definitions*

“Chain restaurant” means a food service facility that is (1) part of a chain with 20 or more locations doing business under the same name, regardless of ownership structure, and offering for sale substantially similar menu items and (2) subject to specified federal labeling requirements.

“High added sugars content” means 25 grams or more of added sugars per serving.  
“High sodium content” means 1,150 milligrams or more of sodium per serving.

“Standard menu item” means a food or beverage item that is listed on a menu or menu board. It does not include a food or beverage item that appears on a menu or menu board for less than 60 calendar days per year.

#### *Penalty Provisions*

The bill exempts a violation of the bill from being guilty of a misdemeanor and subject to associated fines and/or imprisonment penalties. However, a food establishment that violates the bill is liable for a civil penalty of up to \$5,000 and may be enjoined from continuing the violation.

**Current Law:** “Food service facility” means (1) a place where food or drink is prepared for sale or service on the premises or elsewhere or (2) any operation where food is served to or provided for the public, with or without charge.

A food establishment other than a cottage food business that violates any provision of Subtitle 3 of the Health-General Article is guilty of a misdemeanor and on conviction is subject to (1) for a first offense, a fine of up to \$1,000 and/or imprisonment for up to 90 days and (2) for a second offense, a fine of up to \$2,500 and/or imprisonment for up to one year. The food establishment is also liable for a civil penalty of up to \$5,000 and may be enjoined from continuing the violation.

Chapters 251 and 252 of 2013 require food establishments to display a poster related to food allergies, as designed and made available by MDH. There are currently no State or federal laws requiring food establishments to display warnings of high added sugar or sodium content.

Under federal law (21 U.S.C. § 343), a restaurant or similar food establishment that is part of a chain with at least 20 locations must generally disclose in a clear and conspicuous manner, either on the menu board or adjacent to the name of the standard menu item, (1) the number of calories in a standard menu item and (2) based on suggested daily caloric intake and in the context of a total daily diet, the significance of the caloric information provided on the menu.

**Small Business Effect:** To the extent a chain restaurant is owned by a small business franchisee, they must comply with the bill or be subject to penalties for noncompliance.

**Additional Comments:** The cities of Philadelphia and New York City both require chain restaurants to include sodium warnings on menu items that contain more than the adult daily value (2,300 milligrams) of sodium. New York City also requires chain restaurants to include an icon on their menus next to any item that contains at least 50 grams or more of added sugars.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 1048 (Delegate Shetty, *et al.*) - Health.

**Information Source(s):** Maryland Association of County Health Officers; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2026  
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