

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

Senate Bill 866  
Finance

(Senator A. Washington)

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**Public Health - Chain Restaurants - Sodium and Added Sugars Warning Icons**

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This bill requires each “chain restaurant,” by January 1, 2028, to display on each menu or menu board alongside each “standard menu item” with at least 1,150 milligrams (mg) or more of sodium per serving or at least 25 mg of added sugar per serving, respectively, a “high sodium content” or “high added sugars content” warning icon and related text. Violations are subject to existing penalty provisions. By January 1, 2027, the Maryland Department of Health (MDH) must adopt regulations to (1) establish a high sodium content warning icon, high added sugars content warning icon, and accompanying text; (2) establish a minimum size for each warning icon that is at least as large as the largest text character used in the name of the menu item alongside which the icon will be displayed; and (3) implement the bill. MDH must also publish related guidance, administer a continuing education campaign, review the impact of the bill, and submit a report to the General Assembly, as specified. **The bill takes effect July 1, 2026.**

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**Fiscal Summary**

**State Effect:** The Department of Legislative Services assumes that MDH general fund expenditures increase by an indeterminate amount for the continuing education campaign and to review evidence of the impact of the bill for the required report. **However, sufficient information was not available in time to include further analysis of the fiscal impact of this legislation.**

**Local Effect:** Local health departments 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 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.

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

#### *Icons and Accompanying Text*

For a high sodium content warning, the following text must be prominently, clearly, and conspicuously displayed at the point of selection: “The high sodium content warning icon indicates a menu item with a sodium (salt) content that exceeds half the total daily recommended limit. Diets higher in sodium are associated with an increased risk of developing high blood pressure, which is a major cause of heart disease and stroke.”

For a high added sugars content warning, the following text must be prominently, clearly, and conspicuously displayed at the point of selection: “The high added sugars content warning icon indicates a menu item with sugar content that exceeds half the total daily recommended limit. Diets with higher amounts of added sugars over time may increase the risk of Type 2 diabetes, weight gain, and tooth decay.”

#### *Required Guidance, Continuing Education Campaign, and Report*

Concurrent with the adoption of regulations, MDH must publish guidance on its website that details the purpose of the bill’s requirements and how a chain restaurant may comply.

During calendar 2027, MDH must administer a continuing education campaign that explains the purpose of the bill’s requirements and how a chain restaurant may comply.

By July 1, 2032, MDH must submit a report to the General Assembly that:

- reviews any evidence of the impact of the bill, including (1) whether and to what extent any standard menu items were reformulated and (2) whether and how consumer behavior changed; and

- recommends any additional nutrition-related menu warning icons that should be considered.

**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.

**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 mg) 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 g 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; Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2026  
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Analysis by: Eliana R. Prober

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510