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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB559 - Food Establishments - Portable Chemical Toilets

January 30, 2025

Good Afternoon Chair Wilson & Members of the Esteemed House Economic Matters Committee:

I am here today to present House Bill 559. The purpose of this bill is to make it easier for agritourism businesses that serve food to comply with state regulations on restrooms. House Bill 559 provides an alternative and more cost-effective way for these businesses to comply with these requirements and would allow for clear and concise guidelines to exist across the State.

Under current law, food establishments must provide convenient restrooms which meet certain regulations relating to cleanliness and ventilation. In recent years, the state has seen rapid growth in agritourism, most notably in the growth of farm wineries and breweries. A regulatory structure has been created and improved at the state level alongside this growth, and now under their Class 8 limited winery or Class 4 farm brewery licenses these establishments can offer food alongside their sampling of beverages. This addition has afforded more growth to the sector, providing more options to the dinner-and-drink seeking consumer.

A key difference between restaurants and these wineries and breweries is that the agritourism businesses are, first and foremost, farms, and were not originally designed to accommodate the opportunities that are now available to them to sell food and drinks on site. Therefore, many of these businesses do not have the facilities required to comply with State laws for food establishments. Some of these businesses are on preserved farmland or are in rural zoning areas and therefore do not have the opportunity to build permanent

restrooms. This bill would provide an alternative by allowing these businesses specifically the option to provide a portable chemical toilet in lieu of a permanent restroom facility.

The construction of restrooms can pose a substantial financial burden on these small businesses. Some currently use portable chemical toilets; however, this varies on a county-by-county basis, requiring the permission of the local health department with varying regulations in different counties. This complex environment poses a strain to small business owners, who often resort to renovating their private restroom in their own home to meet regulatory compliance. This bill would smooth out the inconsistencies between counties and provide a clear framework for these small business owners moving forward to ensure patrons receive a quality experience without the establishment being unduly burdened by regulation. This bill is narrowly targeted to apply only to these agro-tourism businesses, and I believe that this bill is consistent with other changes in State law that we have made over the past several years to encourage the growth and lasting success of these businesses in the State.

I respectfully request a favorable report on House Bill 559. Thank you for your consideration.