



**The Maryland Department of the Environment
Secretary Serena McIlwain**

House Bill 272

Food Establishments - Lavatory Requirement and On-Farm Food Service Facility License

Position: Support
Committee: Health
Date: February 4, 2026
From: Alex Butler, Deputy Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS** HB 272.

Bill Summary

House Bill 272 establishes a new annual license for "On-Farm Food Service Facilities" and requires the Maryland Department of Health (MDH), in consultation with MDE and the Maryland Department of Agriculture (MDA), to adopt regulations governing water access and wastewater management for these facilities. The bill also alters the types of toilets certain food establishments may use to satisfy the requirement to provide a convenient lavatory.

Position Rationale

The bill provides needed updates to how on-farm food service facilities are licensed to better reflect modern agri-tourism practices. MDH is responsible for protecting the public health when food is prepared and served. This can range from a single special event, like a wedding reception or awards dinner, to a full commercial restaurant. House Bill 272 addresses a gap between these extremes by creating a "seasonal" license for farms that is good for one year. This seasonal license more accurately captures how many agri-tourism food establishments operate. Previously, farms had to either apply for a temporary 30-day license or become fully licensed as a commercial restaurant.

MDH's food licensing requirements affect MDE's requirements for wastewater (*i.e.*, when can porta-potties be allowed versus full restrooms) and water under pressure (for handwashing and food preparation). MDE will work with both MDH and MDA to update our regulatory requirements in a manner that recognizes current agricultural practices while still protecting both public safety and the environment.

Accordingly, MDE asks for a **FAVORABLE** report for HB 272.