

SENATE BILL 839

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2004 Regular Session  
4r2944  
CF 4r3154

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By: ~~Senator Middleton~~ Senators Middleton, Hollinger, Conway, Britt,  
Colburn, Dyson, Greenip, Grosfeld, Harris, Pinsky, Schrader, and Stone

Introduced and read first time: February 20, 2004

Assigned to: Rules

Re-referred to: Finance, March 5, 2004

Re-referred to: Education, Health, and Environmental Affairs, March 8, 2004

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Bed and Breakfast Establishments - Food Service - Regulation**

3 FOR the purpose of exempting certain bed and breakfast establishments from certain  
4 Department of Health and Mental Hygiene and local government regulations  
5 relating to a certain type of kitchen equipment; requiring certain bed and  
6 breakfast establishments to ~~register with the health officer in the county~~ be  
7 licensed by the Department; providing that certain bed and breakfast  
8 establishments are subject to certain food safety and contamination regulations;  
9 requiring the health officer in each county where a certain bed and breakfast  
10 establishment is registered to inspect the bed and breakfast establishment for  
11 compliance with certain food safety and contamination regulations; and  
12 generally relating to the regulation of food service at bed and breakfast  
13 establishments.

14 BY adding to  
15 Article - Health - General  
16 Section 21-323.1  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2003 Supplement)

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

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**Article - Health - General**

2 21-323.1.

3 (A) IN THIS SECTION, "BED AND BREAKFAST ESTABLISHMENT" MEANS A  
4 LODGING OR ROOMING HOUSE AS DEFINED IN § 9-201 OF THE PUBLIC SAFETY  
5 ARTICLE HAVING ~~EIGHT~~ FIVE ROOMS OR LESS FOR RENT.

6 (B) A BED AND BREAKFAST ESTABLISHMENT IS EXEMPT FROM ANY  
7 REGULATION GOVERNING FOOD SERVICE FACILITIES THAT IS ADOPTED BY THE  
8 DEPARTMENT OR A LOCAL GOVERNMENT RELATING TO THE CONSTRUCTION OR  
9 INSTALLATION OF COMMERCIAL GRADE KITCHEN EQUIPMENT IN THE BED AND  
10 BREAKFAST ESTABLISHMENT.

11 (C) EACH BED AND BREAKFAST ESTABLISHMENT THAT INTENDS TO SERVE  
12 HOT MEALS TO RENTERS SHALL BE ~~REGISTERED WITH THE HEALTH OFFICER FOR~~  
13 ~~THE COUNTY~~ LICENSED IN ACCORDANCE WITH § 21-305 OF THIS SUBTITLE AND IS  
14 SUBJECT TO STATE AND LOCAL HEALTH REGULATIONS THAT GOVERN FOOD SAFETY  
15 AND CONTAMINATION.

16 (D) IN EACH COUNTY, IN ACCORDANCE WITH § 21-313 OF THIS SUBTITLE, THE  
17 HEALTH OFFICER SHALL INSPECT EACH BED AND BREAKFAST ESTABLISHMENT  
18 THAT INTENDS TO SERVE HOT MEALS TO RENTERS FOR COMPLIANCE WITH FOOD  
19 SAFETY AND CONTAMINATION REGULATIONS.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2004.