

HOUSE BILL 1302

J1

2lr2880

By: **Delegates Mautz and Adams**

Introduced and read first time: February 11, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Food Service Facility – Retailers of Prepackaged and Pre-Inspected Goods**
3 **– Exclusion**

4 FOR the purpose of altering the definition of “food service facility” to exclude a retail
5 business engaged in selling prepackaged or pre-inspected goods; and generally
6 relating to food service facilities.

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 21–301(a)
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 21–301(h)
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2021 Supplement)

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

19 **Article – Health – General**

20 21–301.

21 (a) In this subtitle the following words have the meanings indicated.

22 (h) (1) “Food service facility” means:

23 (i) A place where food or drink is prepared for sale or service on the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 premises or elsewhere; or

2 (ii) Any operation where food is served to or provided for the public,
3 with or without charge.

4 (2) "Food service facility" includes a micro market licensed under Title 17,
5 Subtitle 17 of the Business Regulation Article.

6 (3) "Food service facility" does not include:

7 (i) A kitchen in a private home where food is prepared at no charge
8 for guests in the home, for guests at a social gathering, or for service to unemployed,
9 homeless, or other disadvantaged populations;

10 (ii) A food preparation or serving area where food is prepared or
11 served only by an excluded organization;

12 (iii) A location in a farmer's market or at a public festival or event
13 where raw agricultural products, as defined in § 21-304(d)(1)(iii) of this subtitle, are sold;
14 [or]

15 (iv) A cottage food business; **OR**

16 (v) **A RETAIL BUSINESS ENGAGED IN SELLING PREPACKAGED**
17 **OR PRE-INSPECTED GOODS.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2022.