

SB0866/633828/1

BY: Health Committee

AMENDMENTS TO SENATE BILL 866  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Disclosure and Notice to Customers of”; in line 3, after “**Sugars**” insert “**Warning Icons and Disclosure and Notice**”; in line 4, after “to” insert “adopt certain regulations relating to the sale of food items with a high added sugars content or high sodium content by a chain restaurant by a certain date and to”; in line 8, strike the second “a”; in line 9, after “certain” insert “icons next to food items with a high added sugars content or high sodium content and a certain”; strike beginning with “regarding” in line 9 down through the second “content” in line 10; in line 11, strike “high sodium and added sugars”; and in the same line, after “items” insert “with high sodium and added sugars”.

AMENDMENT NO. 2

On page 4, in line 7, after “**(6)**” insert “**“POINT OF SELECTION” MEANS A PLACE WHERE A CUSTOMER MAY VIEW THE MENU AND MAKE A SELECTION TO PURCHASE A MENU ITEM.**”

**(7)**;

and in line 12, after “**(B)**” insert “**“ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL ADOPT REGULATIONS TO:**”

**(1) ESTABLISH A HIGH SODIUM CONTENT WARNING ICON AND ACCOMPANYING TEXT;**

**(2) ESTABLISH A HIGH ADDED SUGARS CONTENT WARNING ICON AND ACCOMPANYING TEXT;**

**(3) 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 THAT THE ICON WILL BE DISPLAYED NEXT TO ON THE MENU OR MENU BOARD; AND**

**(4) IMPLEMENT THIS SECTION.**

**(C) CONCURRENT WITH THE ADOPTION OF REGULATIONS UNDER SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL PUBLISH GUIDANCE ON ITS WEBSITE THAT DETAILS THE PURPOSE OF AND HOW A CHAIN RESTAURANT MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION.**

**(D)**".

On page 5, in lines 1 and 13, strike "**(C)**" and "**(D)**", respectively, and substitute "**(E)**" and "**(F)**", respectively; in line 2, strike "**A**" and substitute ":

**(1) NEXT TO EACH STANDARD MENU ITEM WITH A HIGH SODIUM CONTENT, THE HIGH SODIUM CONTENT WARNING ICON AND ACCOMPANYING TEXT ESTABLISHED IN REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS SECTION;**

**(2) NEXT TO EACH STANDARD MENU ITEM WITH A HIGH ADDED SUGARS CONTENT, THE HIGH ADDED SUGARS CONTENT WARNING ICON AND ACCOMPANYING TEXT ESTABLISHED IN REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS SECTION; AND**

**(3) A**";

in lines 4 and 8, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 13, strike "**(C)**" and substitute "**(E)(3)**"; and after line 18, insert:

“(G) (1) IF THE CHAIN RESTAURANT IS REQUIRED TO DISPLAY A WARNING ICON AND ACCOMPANYING TEXT UNDER SUBSECTION (E)(1) OF THIS SECTION, THE FOLLOWING TEXT SHALL 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.”.

(2) IF THE CHAIN RESTAURANT IS REQUIRED TO DISPLAY A WARNING ICON AND ACCOMPANYING TEXT UNDER SUBSECTION (E)(2) OF THIS SECTION, THE FOLLOWING TEXT SHALL BE PROMINENTLY, CLEARLY, AND CONSPICUOUSLY DISPLAYED AT THE POINT OF SELECTION:

“THE HIGH ADDED SUGARS CONTENT WARNING ICON INDICATES A MENU ITEM WITH A 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.”.

On page 6, in line 23, strike “OR § 21–330.3”; and after line 24, insert:

“(3) A PERSON WHO VIOLATES § 21–330.3 OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(I) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500;  
AND

(II) FOR A SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$1,000.”.