

# SENATE BILL 866

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6lr2086  
CF HB 1048

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By: **Senator A. Washington**

Introduced and read first time: February 6, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Chain Restaurants – Sodium and Added Sugars Warning Icons**

3 FOR the purpose of requiring the Maryland Department of Health to adopt certain  
4 regulations relating to the sale of food items with a high added sugars content or  
5 high sodium content by a chain restaurant by a certain date and to administer a  
6 certain continuing education campaign within a certain time; requiring certain chain  
7 restaurants to display certain icons next to food items with a high added sugars  
8 content or high sodium content on each menu or menu board; and generally relating  
9 to chain restaurants and high sodium and added sugars menu icons.

10 BY renumbering

11 Article – Health – General  
12 Section 21–330.3 and 21–330.4  
13 to be Section 21–330.4 and 21–330.5, respectively  
14 Annotated Code of Maryland  
15 (2023 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Education  
18 Section 13–517(a)(1)  
19 Annotated Code of Maryland  
20 (2022 Replacement Volume and 2025 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Education  
23 Section 13–517(a)(4)  
24 Annotated Code of Maryland  
25 (2022 Replacement Volume and 2025 Supplement)

26 BY repealing and reenacting, without amendments,

27 Article – Health – General

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 21–301(a) and (h)  
Annotated Code of Maryland  
(2023 Replacement Volume and 2025 Supplement)

BY adding to  
Article – Health – General  
Section 21–330.3  
Annotated Code of Maryland  
(2023 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–1214  
Annotated Code of Maryland  
(2023 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That Section(s) 21–330.3 and 21–330.4 of Article – Health – General of the Annotated Code  
of Maryland be renumbered to be Section(s) 21–330.4 and 21–330.5, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
as follows:

### Article – Education

13–517.

(a) (1) In this section the following words have the meanings indicated.

(4) (i) “Facility” means an agency, an association, a corporation, a firm,  
a partnership, or any other entity.

(ii) “Facility” does not include a grocery store or restaurant that is  
subject to [§ 21–330.3] § 21–330.4 of the Health – General Article.

### Article – Health – General

21–301.

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

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

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

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

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

(3) “Food service facility” does not include:

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

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

(iii) A location in a farmer’s market or at a public festival or event where raw agricultural products, as defined in § 21–304(d)(1)(iii) of this subtitle, are sold; or

(iv) A cottage food business.

**21–330.3.**

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CHAIN RESTAURANT” MEANS A FOOD SERVICE FACILITY THAT IS PART OF A CHAIN WITH 20 OR MORE LOCATIONS DOING BUSINESS UNDER THE SAME NAME, REGARDLESS OF OWNERSHIP STRUCTURE, AND OFFERING FOR SALE SUBSTANTIALLY SIMILAR MENU ITEMS.

(3) “HIGH ADDED SUGARS CONTENT” MEANS 25 MILLIGRAMS OR MORE OF ADDED SUGARS PER SERVING.

(4) “HIGH SODIUM CONTENT” MEANS 1,150 MILLIGRAMS OR MORE OF SODIUM PER SERVING.

(5) “MENU” OR “MENU BOARD” MEANS THE PRIMARY WRITING SOURCE FROM WHICH A CUSTOMER MAKES AN ORDER SELECTION.

(6) “POINT OF SELECTION” MEANS A PLACE WHERE A CUSTOMER MAY VIEW THE MENU AND MAKE A SELECTION TO PURCHASE A MENU ITEM.

(7) (I) “STANDARD MENU ITEM” MEANS A FOOD OR BEVERAGE ITEM THAT IS LISTED ON A MENU OR MENU BOARD.

(II) "STANDARD MENU ITEM" DOES NOT INCLUDE A FOOD OR BEVERAGE ITEM THAT APPEARS ON A MENU OR MENU BOARD FOR LESS THAN 60 CALENDAR DAYS PER YEAR.

(B) 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) DURING CALENDAR YEAR 2027, THE DEPARTMENT SHALL ADMINISTER A CONTINUING EDUCATION CAMPAIGN THAT EXPLAINS THE PURPOSE OF AND HOW A CHAIN RESTAURANT MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

(E) BEGINNING JANUARY 1, 2028, EACH CHAIN RESTAURANT IN THE STATE SHALL DISPLAY ON EACH MENU OR MENU BOARD:

(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; AND

(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.

**(F) (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.”.**

**(G) ON OR BEFORE JULY 1, 2032, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT:**

**(1) REVIEWS ANY EVIDENCE OF THE IMPACT OF THE REQUIREMENTS ESTABLISHED UNDER THIS SECTION, INCLUDING:**

**(I) WHETHER AND TO WHAT EXTENT ANY STANDARD MENU ITEMS WERE REFORMULATED; AND**

**(II) WHETHER AND HOW CONSUMER BEHAVIOR CHANGED; AND**

**(2) RECOMMENDS ANY ADDITIONAL NUTRITION-RELATED MENU WARNING ICONS THAT SHOULD BE CONSIDERED.**

21-1214.

**(a) (1) Except as provided in paragraph (2) of this subsection, any person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:**

**(i) For a first offense, a fine not exceeding \$1,000 or imprisonment not exceeding 90 days, or both; and**

(ii) For a second offense, a fine not exceeding \$2,500 or imprisonment not exceeding 1 year, or both.

(2) A person who violates § 21–330.1 **OR § 21–330.3** of this title is not subject to paragraph (1) of this subsection.

(b) In addition to any criminal penalties imposed under this section, a person who violates any provision of Subtitle 3 of this title or any rule or regulation adopted under Subtitle 3 of this title or any term, condition, or limitation of any license or registration issued under Subtitle 3 of this title:

(1) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil action in the District Court for any county; and

(2) May be enjoined from continuing the violation.

(c) Each day on which a violation occurs is a separate violation under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.