

**Department of Legislative Services**  
Maryland General Assembly  
2026 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 1233  
Health

(Washington County Delegation)

Rules

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**Washington County - Mobile Food Service Facilities and Semipermanent Food Service Facilities - Toilet and Lavatory Facilities**

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This bill exempts mobile food service facilities and semipermanent food service facilities located in Washington County from the requirement to have a convenient toilet and lavatory available to the public.

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**Fiscal Summary**

**State Effect:** The Maryland Department of Health can amend regulations with existing budgeted resources. Revenues are not affected.

**Local Effect:** Washington County revenues and expenditures are not materially affected.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Current Law:** “Mobile food service facility” means a food service facility that is a mechanically, electrically, manually, or otherwise propelled vehicle operating on land or water.

“Semipermanent food service facility” means a food service facility that (1) is built at a location other than where it operates; (2) is transported as a complete unit that does not require a building permit to install on the location at which it operates; (3) has no indoor seating for patrons; and (4) when serving food, serves only foods cooked for immediate service.

“Food establishment” means a food service facility or a food processing plant. Every food establishment is required to provide:

- a convenient toilet, separated from any room containing or involving food, and kept in a sanitary condition; and
- a convenient lavatory that is (1) supplied with soap, water, and a method to dry hands; (2) kept in a sanitary condition; and (3) properly ventilated.

Chapters 761 and 762 of 2025 permits certain food establishments – a business that conducts agritourism, Class 4 limited wineries, and Class 8 farm breweries – to comply with the requirement to have a convenient lavatory by providing a portable chemical toilet that is (1) supplied with soap, water, and a method to dry hands; (2) kept in sanitary condition; (3) properly ventilated; and (4) placed at least 25 feet from a well.

**Small Business Effect:** Small businesses in Washington County may benefit from not incurring expenses associated with constructing or renting an on-site lavatory.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 714 (Washington County Senators) - Finance.

**Information Source(s):** Maryland Association of County Health Officers; Washington County; Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 2026  
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