Department of Legislative Services

Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 714 (Washington County Senators)
Finance Health

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

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.

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.

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.

Additional Information

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

Designated Cross File: HB 1233 (Washington County Delegation) - Health.

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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