



## DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

March 28, 2023

The Honorable Melony Griffith  
Chair, Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401-1991

**RE: HB 644 (3<sup>rd</sup>) - Frederick County - Alcoholic Beverages Licenses - Golf Simulator Facility - Letter of Information with Amendments**

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information with amendments for House Bill (HB) 644 (3<sup>rd</sup>) - Frederick County - Alcoholic Beverages Licenses - Golf Simulator Facility concerning food safety. HB 644 establishes a new class of alcohol license in Frederick County for golf simulator facilities subject to certain requirements.

As written, the bill stipulates being able to serve alcohol “if the license holder offers food on-premises at all times alcoholic beverages are being sold.” MDH notes that the bill does not otherwise specify the nature of the foods, whether they require heating or cooling, or anything else that would either limit or better describe the food.

Alcohol license holders may believe that the bill’s reference to service of food while serving alcohol may exempt the license holder from existing food service facility licensing under Title 21 of the Health – General Article. The word “food” is not defined in the bill and could potentially include foods or food handling that requires a food service facility license to serve, such as meat and cheese trays or sandwiches. Only prepackaged foods that do not require refrigeration (i.e. non-potentially hazardous foods) can be sold by a business without a food service facility license.

MDH respectfully requests the Committee consider amending this bill to clarify that alcohol license holders must also comply with food service laws and regulations.

If you would like to discuss this further, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at [megan.peters@maryland.gov](mailto:megan.peters@maryland.gov) or (410) 260-3190.

Sincerely,

Laura Herrera Scott, M.D., M.P.H.  
Secretary

AMENDMENT TO HOUSE BILL 644  
(Third Reading File Bill)

On page 3, after line 13, insert “**(F) NOTHING IN THIS SECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.**”