



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 990 (3rd) – Frederick County – Alcoholic Beverages – Class B–HTF (Hatchet Throwing Facility) License – Letter of Information with Amendment

Dear Chair Griffith and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this letter of information with amendment for House Bill (HB) 990 – Frederick County – Alcoholic Beverages – Class B–HTF (Hatchet Throwing Facility) License concerning food safety. HB 990 establishes a new class of alcohol license in Frederick County for hatchet throwing facilities subject to certain requirements.

As amended, the bill stipulates that “The license holder shall offer food on-premises at all times when alcoholic beverages are being served.” 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 references 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 would require 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 or (410) 260-3190.

Sincerely,

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

AMENDMENT TO HOUSE BILL 990
(Third Reading File Bill)

On page 3, after line 15, insert “**(J) 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.**”