



Senate Bill 544

Food Establishments - Portable Chemical Toilets

MACo Position: **OPPOSE**

To: Finance Committee

Date: February 28, 2025

From: Karrington Anderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 544. This bill would allow agritourism food establishments, Class 4 limited wineries, and Class 8 farm breweries to comply with restroom requirements by providing a portable chemical toilet. While counties understand the intent behind this bill, it raises significant public health and safety concerns.

Portable chemical toilets are intended as a temporary solution for special events, not as a permanent or long-term replacement for proper restrooms. These facilities typically lack full handwashing stations, which are essential for food and beverage handlers to maintain safe sanitation practices. Proper handwashing with soap and running water is a fundamental requirement for food safety, and chemical toilets generally do not meet this standard. Without these essential hygiene measures, the risk of foodborne illness and public health concerns increases.

Furthermore, SB 544 does not include any limitations on the duration for which chemical toilets may be used in place of an approved restroom. There is also no requirement for a preliminary evaluation of a property's capacity to install a sewage disposal system in the future, which raises additional concerns about long-term compliance and environmental effects. Without these safeguards, this bill could allow businesses to operate indefinitely without ever establishing the necessary infrastructure to support proper restroom facilities.

If the committee chooses to move forward with this bill, MACo urges consideration of a local control provision. Local governments are best positioned to assess the unique needs and constraints of their communities and should have the ability to determine if and when such exemptions are appropriate.

For these reasons, MACo respectfully urges an **UNFAVORABLE** report on SB 544.